

Chapter 391 of NAC

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

LCB File No. T012-11

Filed with the Secretary of State on May 19, 2011

NAC 391.054 Licensure of person licensed or certified in another state. (NRS 391.019, 391.032)

1. Except as otherwise provided in subsection 2, the Superintendent of Public Instruction may issue a license with a special education endorsement to a person who is licensed and endorsed to teach special education in any other state and may issue a license with any other endorsement to a person who is licensed or certified in a state that has entered into an interstate certification contract with the State of Nevada through the National Association of State Directors of Teacher Education and Certification if:

(a) The applicant holds a license or certificate issued by the other state;

(b) The applicant holds a bachelor's degree from an institution accredited by a regional accrediting association and has completed any postbaccalaureate studies required in this State for the issuance of a license;

(c) The license or certificate issued by the other state is not:

(1) A temporary permit, an emergency, alternative or conditional license or a credential to teach multiple subjects;

(2) A license or certificate for which completion of a bachelor's or higher degree is unnecessary;

(3) A license or certificate for which completion of professional education course work through a college or university accredited by a regional accrediting association is unnecessary; or

(4) A letter or other form of authorization from another state or a county, city, school district or department of education in another state which entitles the person to teach in the same capacity as a licensed teacher on a temporary basis;

(d) The grade levels and subject areas covered by the license or certificate issued by the other state are the same as the grade levels and subject areas for which the applicant is seeking licensure in this State; and

(e) The applicant ~~[, if he is an applicant for a license with an endorsement in a subject other than special education,]~~ has satisfactorily taught in the other state, in an assignment similar to the assignment for which licensure is sought in this State, during at least 3 out of the 5 years immediately preceding the application for licensure in Nevada.

2. If the applicant has not complied with the requirements of NAC 391.030 or 391.036 at the time he applies for a license pursuant to this section, the Superintendent of Public Instruction may only issue a provisional license to the applicant. The provisional license is not renewable.

NAC 391.343 Qualifications for teaching pupils who have specific learning disabilities, emotional disturbances, mild to moderate ~~[mental retardation]~~ *intellectual disabilities, health*

impairments, orthopedic impairments, or traumatic brain injuries. (NRS 385.080, 391.019, 391.032)

1. Before teaching pupils who have specific learning disabilities, emotional disturbances, mild to moderate ~~[mental-retardation]~~ *intellectual disabilities, health impairments, orthopedic impairments, or traumatic brain injuries* 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, ~~[mental-retardation]~~ *intellectual disabilities, health impairments, orthopedic impairments, or traumatic brain injuries*, 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, ~~[mental-retardation]~~ *intellectual disabilities, health impairments, orthopedic impairments, or traumatic brain injuries*;

(c) Hold a bachelor's or master's degree in the education of pupils who have specific learning disabilities, emotional disturbances, ~~[mental-retardation]~~ *intellectual disabilities, health impairments, orthopedic impairments, or traumatic brain injuries*, 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, ~~[mental-retardation]~~ *intellectual disabilities, health impairments, orthopedic impairments, or traumatic brain injuries*, 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]~~ *intellectual disabilities, health impairments, orthopedic impairments, and traumatic brain injury*;

(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, ~~mental-retardation~~ *intellectual disabilities, health impairments, orthopedic impairments, and traumatic brain injuries*; 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.

NAC 391.347 Limited endorsement to teach pupils who have specific learning disabilities, emotional disturbances or mild to moderate ~~mental-retardation~~ *intellectual disabilities, health impairments, orthopedic impairments, or traumatic brain injuries*. (NRS 385.080, 391.019, 391.032)

1. To receive a limited endorsement to teach pupils who have specific learning disabilities, emotional disturbances, ~~mental-retardation~~ *intellectual disabilities, health impairments, orthopedic impairments, or traumatic brain injuries*, 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 ~~mental-retardation~~ *intellectual disabilities, health impairments, orthopedic impairments, or traumatic brain injuries*, 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.

~~[NAC 391.356—Qualifications for teaching pupils who have specific learning disabilities and moderate to intense needs for assistance and intervention. (NRS 385.080, 391.019, 391.032)~~

~~—1. Before teaching pupils who have specific learning disabilities and moderate to intense needs for assistance and intervention in their educational processes, a person must hold:~~

~~—(a) An endorsement 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 6 semester hours from the courses prescribed in subparagraph (2) of paragraph (e) 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, the person must:~~

~~—(a) Have completed a program of preparation for teaching pupils who have learning disabilities 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;~~

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

~~—(d) Have:~~

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

~~—(2) One year of verifiable teaching experience with pupils who have specific learning disabilities; and~~

~~—(3) Completed 9 semester hours of the course work prescribed in sub-subparagraphs (IV), (V) and (VI) of subparagraph (2) of paragraph (e); or~~

~~—(e) Hold a bachelor's or master's degree and:~~

~~—(1) Have completed 8 semester hours of student teaching of pupils who have specific learning disabilities, equivalent field experience with such pupils or 1 year of verifiable teaching experience with such pupils; and~~

~~—(2) Have completed 24 semester hours of course work, including course work in the following areas:~~

~~—(I) Educational psychology;~~

~~—(II) Human growth and development;~~

~~—(III) Introduction to special education or the education of pupils who have disabilities;~~

~~—(IV) The assessment of pupils who have disabilities;~~

~~—(V) Characteristics of pupils who have learning disabilities;~~

~~—(VI) Curriculum development or methods and strategies for teaching pupils who have learning disabilities;~~

~~—(VII) 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;~~

~~—(VIII) Behavior management; and~~

~~—(IX) Parental involvement in programs for pupils who have disabilities.~~

~~☐ 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.]~~

NAC 391.360 Qualifications for teaching pupils who have ~~[mental retardation]~~ *intellectual disabilities* and moderate to intense needs for assistance and intervention. (NRS 385.080, 391.019, 391.032)

1. Before teaching pupils who have ~~[mental retardation]~~ *intellectual disabilities* and have moderate to intense needs for assistance and intervention in their educational processes, a person must hold:

(a) An endorsement 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 6 semester hours from the courses prescribed in subparagraph (2) of paragraph (e) 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, the person must:

- (a) Have completed a program of preparation for teaching pupils who have ~~mental retardation~~ *intellectual disabilities*, 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 ~~mental retardation~~ *intellectual disabilities*;
- (c) Hold a bachelor's or master's degree in special education in the area of ~~mental retardation~~ *intellectual disabilities* and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education;
- (d) Have:
 - (1) Met the requirements for an endorsement prescribed in NAC 391.343, ~~391.350, 391.356~~ or 391.370;
 - (2) One year of verifiable teaching experience with pupils who have ~~mental retardation~~ *intellectual disabilities* and moderate to intense needs of assistance and intervention in their educational processes; and
 - (3) Completed 12 semester hours of the course work prescribed in sub-subparagraphs (IV) to (IX), inclusive, of subparagraph (2) of paragraph (e); or
- (e) Hold a bachelor's or master's degree and:
 - (1) Have completed 8 semester hours of student teaching of pupils who have ~~mental retardation~~ *intellectual disabilities*, 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) Educational psychology;
 - (II) Human growth and development;
 - (III) Introduction to special education or the education of pupils who have disabilities;
 - (IV) The assessment of pupils who have disabilities;
 - (V) Characteristics of pupils who have ~~mental retardation~~ *intellectual disabilities*;
 - (VI) Curriculum development or methods and strategies for teaching pupils who have ~~mental retardation~~ *intellectual disabilities*;
 - (VII) Behavior management;
 - (VIII) Communication programming for pupils who have ~~mental retardation~~ *intellectual disabilities*;
 - (IX) Medical aspects of pupils who have disabilities;
 - (X) Education or planning for the transition of pupils who have disabilities from their current placement to additional educational programs, employment and living as an adult; and
 - (XI) Parental involvement in programs for pupils who have disabilities. 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.

NAC 391.363 Qualifications for teaching pupils who have disabilities and who are under 8 years of age. (NRS 385.080, 391.019, 391.032)

- 1. Except as otherwise provided in subsection 4, before teaching pupils who have disabilities and who are under 8 years of age in a program of early childhood special education, a person must:
 - (a) Hold an endorsement issued pursuant to this section; or
 - (b) Hold a teacher's elementary or secondary license, a license to teach middle school or junior high school education, or a special license with an endorsement in special education,

complete 6 semester hours from the courses prescribed in paragraph (b) of subsection 3 within 1 year after he begins that teaching and complete a program of preparation leading to licensing in early childhood special education within 3 years after he begins that teaching. The Department may grant a person an extension of up to 2 years in which to complete a program of preparation leading to licensing in early childhood special education upon receipt of:

(1) Documentation which shows that the courses prescribed in paragraph (b) of subsection 3 were not offered at times or locations available to the person; or

(2) Verification that the person's medical condition prevented the person from enrolling in or completing the courses prescribed in paragraph (b) of subsection 3.

2. To receive the endorsement, a person must:

(a) Have completed a program of special education, approved by the Board, for children who have disabilities and who are under 8 years of age;

(b) Hold a current license or certificate with a similar endorsement issued by another state;

(c) Hold a master's degree in early childhood special education and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in early childhood special education; or

(d) Satisfy the requirements of subsection 3.

3. A person may also receive the endorsement if he:

(a) Holds an elementary or secondary license, a license to teach middle school or junior high school education, a special license with an endorsement in special education, or a bachelor's or master's degree in early childhood special education, special education, education for early childhood, child development or a related field that customarily involves providing service to children who have disabilities and who are under 8 years of age, such as counseling of children or families, educational or developmental psychology, speech pathology, physical or occupational therapy, elementary education, social work, or nursing if the person has at least 1 year of experience in pediatric nursing.

(b) Has completed at least 18 semester hours which included a course in each subject listed in subparagraphs (1) to (5), inclusive, with any remaining hours completed by courses in any of the subjects listed in subparagraphs (6) to (9), inclusive:

(1) Foundations or overview of early childhood special education;

(2) Typical and atypical development of children who are under 8 years of age;

(3) Assessment of children who have disabilities and who are under 8 years of age;

(4) Strategies for intervention or development of curriculum for children who have disabilities and who are under 8 years of age;

(5) Working with families of children who have disabilities and who are under 8 years of age;

(6) Issues regarding physical and medical management of children who have disabilities and who are under 8 years of age;

(7) Development of language and strategies for intervention for children who have disabilities and who are under 8 years of age;

(8) Social and emotional development and strategies for intervention for children who have disabilities and who are under 8 years of age; and

(9) Coordination and collaboration of services among other agencies and disciplines which serve children who have disabilities and who are under 8 years of age. For the purpose of completing the requirements for the subjects listed in subparagraphs (1) to (5), inclusive, a single

course of 3 semester hours may be applied to satisfy the required course work in no more than two of those subjects.

(c) Has completed student teaching of pupils who have disabilities or developmental delays and who are under 8 years of age or has 1 year of verifiable experience, at the conclusion of which the person is eligible for reemployment, working as a teacher in a program of early childhood special education in a public or private agency that is licensed by the State or that has been approved by a national organization and which serves such pupils and their families or has completed equivalent field experience with such pupils through a regionally accredited college or university.

4. A person may teach in a class in which the majority of the children have developmental delays and are the age of pupils in kindergarten if the person:

(a) On or before September 1, 1994, has at least 3 years of experience teaching pupils who have developmental delays and are the age of pupils in kindergarten in a program of early childhood special education at a public or private agency that is licensed by the State or that has been approved by a national organization; and

(b) Holds a special education license for kindergarten through grade 12 issued pursuant to the provisions of NAC 391.343, 391.347, ~~391.350, 391.356,~~ 391.360, 391.370 or 391.376.

5. Testing in the principles and methods of teaching pupils in kindergarten through grade 6 is not required to receive a special license with an endorsement to teach pupils who have disabilities and who are under 8 years of age. A person who, on December 13, 1999, holds a provisional special license to teach pupils who have disabilities and who are under 8 years of age that was provisioned on passing the competency test required by paragraph (b) of subsection 1 of NAC 391.036 is exempt from the requirement to pass that test to receive a special license.

NAC 391.376 Endorsement as professional teacher of pupils who have disabilities. (NRS 385.080, 391.019) To receive an endorsement as a professional teacher of pupils who have disabilities, a person must:

1. Hold one of the endorsements described in NAC 391.340, 391.343, ~~391.350, 391.356,~~ 391.360, 391.363, 391.367, 391.370, ~~391.380~~ or 391.390;

2. Hold a master's degree; and

3. Have 3 years of verified experience in public or licensed private schools at the elementary, middle, junior high or high school grade level as a teacher of pupils who have disabilities in the specific area for which the endorsement is requested.

~~[NAC 391.380 Qualifications for teaching pupils who have orthopedic impairments. (NRS 385.080, 391.019, 391.032)~~

~~—1. Before teaching pupils, ages 3 to 21, inclusive, who have orthopedic impairments, a person must hold:~~

~~—(a) An endorsement 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 degree with a major or minor in special education, have completed 6 semester hours from the courses prescribed by 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, the person must:~~

- ~~— (a) Have completed a program of preparation for teaching pupils who have orthopedic impairments, 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 orthopedic impairments;~~
 - ~~— (c) Hold a bachelor's or master's degree in the education of pupils who have physical or orthopedic impairments 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 orthopedic impairments, equivalent field experience with such pupils or 1 year of verifiable teaching experience with such pupils; and~~
 - ~~— (2) Have completed 18 semester hours of course work, including course work in the following areas:
 - ~~— (I) Introduction to special education or the education of pupils who have disabilities;~~
 - ~~— (II) The development of the curriculum and methods of teaching pupils who have orthopedic impairments;~~
 - ~~— (III) Parental involvement in programs for pupils who have disabilities;~~
 - ~~— (IV) Rehabilitative services, 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;~~
 - ~~— (V) Assessment and curriculum for pupils who have disabilities;~~
 - ~~— (VI) The study of anatomy, physiology and chronic problems of health or medical aspects of pupils who have disabilities; and~~
 - ~~— (VII) The study of therapeutic movement or basic motor skills.~~~~~~
- ~~☐ 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.]~~

~~[NAC 391.381—Qualifications for teaching pupils who have health impairments, other than orthopedic, that adversely affect educational performance. (NRS 391.019, 391.032)~~

- ~~— 1. Before teaching pupils, ages 3 to 21, inclusive, who have health impairments, other than orthopedic impairments, that adversely affect educational performance, a person must hold an endorsement issued pursuant to this section.~~
- ~~— 2. To receive the endorsement, the person must:
 - ~~— (a) Have completed a program of preparation for teaching pupils who have health impairments, other than orthopedic impairments, that adversely affect educational performance, 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 health impairments, other than orthopedic impairments, that adversely affect educational performance;~~
 - ~~— (c) Hold a bachelor's or master's degree in the education of pupils who have health impairments, other than orthopedic impairments, that adversely affect educational performance and have completed student teaching for 8 semester hours, equivalent field experience or 1 year of verifiable teaching experience in special education; or~~
 - ~~— (d) Hold one of the endorsements described in NAC 391.343, 391.347, 391.350, 391.356, 391.360, 391.376 or 391.380 and have completed course work in the following areas:
 - ~~— (1) Behavior management;~~~~~~

- ~~— (2) Methods and strategies for teaching pupils who have disabilities; and~~
- ~~— (3) Medical aspects of pupils who have disabilities.]~~

~~[NAC 391.383 Qualifications for teaching pupils who have traumatic brain injury. (NRS 391.019, 391.032)~~

~~— 1. Before teaching pupils, ages 3 to 21, inclusive, who have a traumatic brain injury, a person must hold an endorsement issued pursuant to this section.~~

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

~~— (a) Have completed a program of preparation for teaching pupils who have a traumatic brain injury, 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 a traumatic brain injury;~~

~~— (c) Hold a bachelor's or master's degree in the education of pupils who have a traumatic brain injury 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 one of the endorsements described in NAC 391.343, 391.347, 391.350, 391.356, 391.360, 391.363, 391.370, 391.376 or 391.380 and have completed course work in the following areas:~~

~~— (1) Behavior management;~~

~~— (2) Neurological aspects of pupils who have disabilities; and~~

~~— (3) Methods and strategies for teaching pupils who have learning disabilities or a traumatic brain injury.]~~

NEVADA DEPARTMENT OF EDUCATION

COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

LEGISLATIVE REVIEW OF ADOPTED TEMPORARY REGULATIONS AS
REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066

LCB File No. T012-11

NAC 391.054 - Licensure of Person Licensed or Certified in Another State; NAC 391.343 – Generalist Endorsement; NAC 391.347 – Limited Endorsement to Teach Pupils Who Have Specific Learning Disabilities, Emotional Disturbances or Mild to Moderate Mental Retardation; Delete NAC 391.356 – Qualifications for Teaching Pupils Who Have Specific Learning Disabilities and Moderate to Intense Needs for Assistance and Intervention; NAC 391.360 – Qualifications for Teaching Pupils Who Have Intellectual Disabilities and Moderate to Intense Needs for Assistance and Intervention; NAC 391.363 – Qualifications for Teaching Pupils Who Have Disabilities and Who are Under 8 Years of Age; NAC 391.376 – Endorsement as Professional Teacher of Pupils Who Have Disabilities; Delete NAC 391.380 – Qualifications for Teaching Pupils Who Have Orthopedic Impairments; Delete NAC 391.381 – Qualifications for Teaching Pupils, Who Have Health Impairments, Other Than Orthopedic, That Adversely Affect Educational Performance; and Delete NAC 391.383 – Qualifications for Teaching Pupils Who Have Traumatic Brain Injury

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 February 9, 2011. There was public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of proposed amendments to NAC 391.054 - Licensure of Person Licensed or Certified in Another State; NAC 391.343 – Generalist Endorsement; NAC 391.347 – Limited Endorsement to Teach Pupils Who Have Specific Learning Disabilities, Emotional Disturbances or Mild to Moderate Mental Retardation; Delete NAC 391.356 – Qualifications for Teaching Pupils Who Have Specific Learning Disabilities and Moderate to Intense Needs for Assistance and Intervention; NAC 391.360 – Qualifications for Teaching Pupils Who Have Intellectual Disabilities and Moderate to Intense Needs for Assistance and Intervention; NAC 391.363 – Qualifications for Teaching Pupils Who Have Disabilities and Who are Under 8 Years of Age; NAC

391.376 – Endorsement as Professional Teacher of Pupils Who Have Disabilities; Delete NAC 391.380 – Qualifications for Teaching Pupils Who Have Orthopedic Impairments; Delete NAC 391.381 – Qualifications for Teaching Pupils, Who Have Health Impairments, Other Than Orthopedic, That Adversely Affect Educational Performance; and Delete NAC 391.383 – Qualifications for Teaching Pupils Who Have Traumatic Brain Injury was sent to approximately 100 individuals and educational organizations. The public hearing was conducted on March 24, 2011 to provide the opportunity for comments by affected parties and the public. There was public comment. The Commission adopted the temporary proposed regulation.

2. The Number of Persons Who:

- a) Attended Each Hearing: First Workshop: 10; First Hearing: 10; Second Hearing: N/A
- b) Testified at Each Hearing: First Workshop: 1; First Hearing: 1; 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 contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 775-687-9226, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comments were solicited through the workshop notice of January 6, 2011; and the public hearing notice of February 17, 2011. At the February 9, 2011 Workshop to Solicit Comments, there was public comment to the proposed temporary regulation language. At the March 24, 2011 public hearing there was public comment to the proposed temporary regulation language.

Workshop comments:

- a) Rorie Fitzpatrick, Nevada Department of Education, Director of the Office of Special Education, Elementary, Secondary Education and School Improvement Programs and on behalf of the Special Education Advisory Committee (SEAC), provided recommendations from SEAC to include amendments to NAC 391.343(2)(d)(II)(XI) and in 391.343(2)(d)(II)(X) and to retain NAC 391.350 as a stand-alone endorsement and strengthen the coursework in this area.

Public Hearing comments:

- a) MaryAnn Demchak, University of Nevada, Reno-Special Education Department and the Vice Chair of the Special Education Advisory Committee, expressed support for the proposed amendments to the special education regulations, except for NAC 391.350 as this is recognized as a unique population of students and

their unique needs. Dr. Demchak recommended retaining NAC 391.350 as written to meet the needs of this population of students who have serious emotional disturbances and moderate to intense needs for assistance and intervention. .

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 775-687-9224, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The Commission on Professional Standards in Public Education adopted the proposed temporary regulation language at the public hearing held March 24, 2011. The reason for adopting the amendments is to consolidate special education endorsement to allow for reciprocity with special education teachers and their license/endorsement from other states per a request for the Nevada Legislature.

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:

There is no economic effect of the regulation on the business that it regulates. There are no adverse effects.

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.