

Steve Sisolak
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



Southern Nevada Office
2080 East Flamingo Rd,
Suite 210
Las Vegas, Nevada 89119-0811
Phone: (702) 486-6458
Fax: (702) 486-6450

STATE OF NEVADA
COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

700 E. Fifth Street | Carson City, Nevada 89701-5096
Phone: (775) 687-9200 | www.doe.nv.gov | Fax: (775) 687-9101

Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada Department of Education is proposing regulation language pertaining to the Nevada Administrative Code (NAC). The Workshop has been scheduled for **Wednesday, June 22, 2022** at the following locations: **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada.** The purpose of the Workshop is to solicit comments from interested persons on the following general topics to be addressed in a proposed regulation:

9:20 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.057 – Provisional licensure: Qualification; authorized employment; term of validity; automatic invalidity; reinstatement and Repeal of NAC 391.0573 – Provisional licensure: Areas of instruction to teach certain pupils; categories of instruction to teach special education to certain pupils, NAC 391.0575 – Provisional licensure: Requirements to apply for initial license to teach secondary education or to teach pupils enrolled in early childhood education or kindergarten and grades 1 through 12 in specific area, and NAC 391.0577 – Provisional licensure: Requirements to apply for initial license to teach elementary education, to teach pupils in program of early childhood education or to teach special education to pupils in program of early childhood education or in kindergarten and grades 1 through 12 in certain categories.

A copy of all materials relating to the proposal may be obtained at the workshop, on the Nevada Department of Education Regulation Workshops and Public hearings [Meeting Materials](#) page, by contacting Ronika Johnson, Nevada Department of Education, via email at COPS@doe.nv.gov, by telephone at (702) 668-4317 or in person at the Nevada Department of Education, 2080 E. Flamingo Rd. Las Vegas, Nevada. Persons wishing to comment upon the proposed action of the Commission on Professional Standards may provide in-person testimony, submit written comment to the Department via email at COPS@doe.nv.gov, or submit their comments, data, views, or arguments in written form to the Nevada Department of Education, 2080 E. Flamingo Rd. Suite 210, Las Vegas, Nevada 89119. Comments may be submitted via email leading up to and for the duration of the workshop, and those submitted via mail must be received by the Department on or before Tuesday, June 21, 2022.

This notice has been sent to all persons on the agencies mailing list for administrative regulations and posted on the Nevada Department of Education's website at <https://doe.nv.gov>, Nevada's Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature's webpage at <https://leg.state.nv.us>, and physically at the Nevada Department of Education Offices and with Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

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SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608

DATE: June 6, 2022

RE: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.057 – Provisional licensure: Qualification; authorized employment; term of validity; automatic invalidity; reinstatement and Repeal of NAC 391.0573 – Provisional licensure: Areas of instruction to teach certain pupils; categories of instruction to teach special education to certain pupils, NAC 391.0575 – Provisional licensure: Requirements to apply for initial license to teach secondary education or to teach pupils enrolled in early childhood education or kindergarten and grades 1 through 12 in specific area, and NAC 391.0577 – Provisional licensure: Requirements to apply for initial license to teach elementary education, to teach pupils in program of early childhood education or to teach special education to pupils in program of early childhood education or in kindergarten and grades 1 through 12 in certain categories.

I, Jhone M. Ebert, being the duly appointed Superintendent of Public Instruction of the Nevada Department of Education, do hereby certify, to the best of my knowledge or belief:

1. The proposed regulation regarding alternative route to licensure is not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed, and the Department considered its history with implementing similar regulations; the proposed changes are within the scope of the Department's activities and present no significant cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or adverse economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in black ink that reads "Jhone M. Ebert".

Jhone M. Ebert
Superintendent of Public Instruction

NAC 391.057 ~~Provisional~~ *Alternative* licensure: Qualifications; authorized employment; term of validity; automatic invalidity; reinstatement. ([NRS 391.019](#), [391.021](#), [391.032](#))

1. The Superintendent of Public Instruction shall issue ~~a provisional license to teach elementary education, a provisional license to teach pupils in a program of early childhood education, a provisional license to teach secondary education, a provisional~~ *an alternative* license to teach ~~pupils~~ *students* enrolled in a program of early childhood education or in kindergarten and grades 1 to 12, inclusive ~~or special education, in a specific area described in subsection 1 of NAC 391.0573 or a provisional license to teach special education to pupils enrolled in a program of early childhood education or in kindergarten and grades 1 to 12, inclusive, in a category described in subsection 2 of NAC 391.0573~~ 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;

~~(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) 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 provisional license to teach secondary education or to teach pupils enrolled in a program of early childhood education or in kindergarten and grades 1 to 12, inclusive, in a specific area described in subsection 1 of NAC 391.0573, other than an applicant to teach pupils special education in a category described in subsection 2 of NAC 391.0573, must:~~

~~(a) Hold a major or minor in the applicant's desired area of licensure; or~~

~~—(b) Pass a competency test required by the Commission in the subject matter of the area for which the applicant is seeking a provisional license or provide to the Department proof that he or she is eligible for an exemption from that test.~~

3. ~~A~~ *An alternative* license issued pursuant to this section:

(a) Authorizes the holder of the license to teach in a county school district, a charter school or a university school for profoundly gifted ~~pupils~~ *students*;

(b) Becomes valid on the date on which the holder of the license satisfies all the requirements of subsection 1 ~~and, if applicable, the requirements of subsection 2;~~

(c) Except as otherwise provided in subsection 4, is valid for not more than 3 years;

(d) Is not renewable; and

(e) May be converted to an initial license after the completion of at least 2 full school years if the licensee has:

(1) Received at least one evaluation rating designating his or her overall performance as highly effective or effective during each such school year; and

(2) Completed all academic requirements prescribed by this chapter for the issuance of an initial license; *and*

(3) Submits proof satisfactory to the Superintendent of Public Instruction that the applicant passed the competency testing that is required by NAC 391.036.

4. If the holder of a ~~provisional~~ *an alternative* license issued pursuant to this section withdraws from or is no longer enrolled in a program for an alternative route to licensure, the qualified provider of the program in which the holder was enrolled must, not later than 15 days after the holder withdraws or otherwise ceases to be enrolled, notify the Teacher Licensure Office of the Department of the name and license number of the holder, the date on which the holder withdrew or otherwise ceased to be enrolled in the program and the reason that the holder withdrew or ceased to be enrolled. The ~~provisional~~ *alternative* license of the holder automatically becomes invalid immediately upon the receipt of such notification by the Teacher Licensure Office.

5. The holder of a ~~provisional~~ *an alternative* license that has become invalid pursuant to subsection 4 may apply to the Teacher Licensure Office of the Department for the reinstatement of his or her license before the expiration date of the license if he or she:

(a) Has not previously applied for the reinstatement of the license after the date on which the license became invalid;

(b) Is accepted by another program for an alternative route to licensure offered by a qualified provider; and

(c) Pays the fee required by [NAC 391.045](#).

6. A person who has completed the equivalent of an alternative route to licensure program in another state may apply for an initial license as if such person has completed an approved alternative route to licensure program of this State if he or she is:

(a) A member of the Armed Forces of the United States;

(b) The spouse of a member of the Armed Forces of the United States; or

(c) A veteran of the Armed Forces of the United States.

~~**NAC 391.0573—Provisional licensure: Areas of instruction to teach certain pupils; categories of instruction to teach special education to certain pupils. (NRS 391.019, 391.021, 391.032)**~~

~~1. The specific areas for which the Superintendent of Public Instruction may issue a provisional license to teach pupils enrolled in a program of early childhood education or in kindergarten and grades 1 to 12, inclusive, pursuant to [NAC 391.057](#) include, without limitation:~~

~~(a) Music;~~

~~(b) Art;~~

~~(c) Physical education; and~~

- ~~—(d) Any other specific area approved by the Superintendent of Public Instruction.~~
- ~~—2. The categories for which the Superintendent of Public Instruction may issue a provisional license to teach special education to pupils enrolled in a program of early childhood education or in kindergarten and grades 1 to 12, inclusive, pursuant to NAC 391.057 are:~~
 - ~~—(a) Hearing impairments;~~
 - ~~—(b) Special education generalist;~~
 - ~~—(c) Intellectual disabilities and moderate to intense needs for assistance and intervention;~~
 - ~~—(d) Pupils who have disabilities and who are enrolled in a program of early childhood education;~~
 - ~~—(e) Adapted physical education to pupils who have disabilities;~~
 - ~~—(f) Speech and language impairments;~~
 - ~~—(g) Autism; and~~
 - ~~—(h) Visual impairments.~~

~~**NAC 391.0575—Provisional licensure: Requirements to apply for initial license to teach secondary education or to teach pupils enrolled in early childhood education or kindergarten and grades 1 through 12 in specific area. (NRS 391.019, 391.021, 391.032)**~~—A person who is issued a provisional license pursuant to NAC 391.057 may apply for an initial license to teach secondary education or to teach pupils enrolled in a program of early childhood education or in kindergarten and grades 1 to 12, inclusive, in a specific area listed in subsection 1 of NAC 391.0573, as applicable, if the applicant:

- ~~—1. Successfully completes at least 18 semester credits of course work in pedagogy provided by a qualified provider for a program for an alternative route to licensure, consisting of at least:~~
 - ~~—(a) Three semester credits in a course of study regarding classroom management, which may include, without limitation, instruction concerning adolescent growth and development;~~
 - ~~—(b) Three semester credits in a course of study regarding English as a second language, which may include, without limitation, instruction concerning methods and materials for teaching English as a second language, theories for the acquisition of a second language, testing and evaluation of pupils studying English as a second language and developing a curriculum for pupils studying English as a second language;~~
 - ~~—(c) Three semester credits in a course of study regarding curriculum and instruction, which may include, without limitation, multicultural education and instruction concerning the use of technology in education, methods for teaching the integration of technology in secondary education, pedagogy and the teaching of literacy and language arts;~~

~~—(d) Three semester credits in a course of study regarding assessment, which may include, without limitation, instruction concerning educational psychology and tests and measurement;~~

~~—(e) Three semester credits in a course of study regarding education or curricular adaptation for pupils with disabilities; and~~

~~—(f) Three semester credits in the methods and materials:~~

~~——(1) For teaching in the applicant's desired area of licensure at the secondary grade level; or~~

~~——(2) For teaching pupils enrolled in a program of early childhood education or in kindergarten and grades 1 to 12, inclusive, in a specific area listed in subsection 1 of NAC 391.0573;~~

~~—2. Submits proof satisfactory to the Superintendent of Public Instruction that the applicant 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; and~~

~~—3. Pays the required fee pursuant to NAC 391.045.~~

~~**NAC 391.0577—Provisional licensure: Requirements to apply for initial license to teach elementary education, to teach pupils in program of early childhood education or to teach special education to pupils in program of early childhood education or in kindergarten and grades 1 through 12 in certain categories. (NRS 391.019, 391.021, 391.032)**—A person who is issued a provisional license pursuant to NAC 391.057 may apply for an initial license to teach elementary education, to teach pupils in a program of early childhood education or to teach special education to pupils enrolled in a program of early childhood education or in kindergarten and grades 1 to 12, inclusive, in a category listed in subsection 2 of NAC 391.0573, as applicable, if the applicant:~~

~~—1. 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;~~

~~—2. Submits proof satisfactory to the Superintendent of Public Instruction that the applicant 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; and~~

~~—3. Pays the fee required pursuant to NAC 391.045.~~