

Steve Sisolak
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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, March 16, 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:

9:05 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.180 – Endorsement as school counselor; NAC Chapter 391.277 – Endorsement to teach occupational therapy; NAC Chapter 391.279 – Endorsement to teach physical therapy; and NAC Chapter 391.315 – Endorsement to serve as school psychologist: General qualifications; renewal.

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 Dylan Fuson, Board Secretary, Nevada Department of Education, via email at NVBoardEd@doe.nv.gov, by telephone at 775-687-9224 or in person at the Nevada Department of Education, 700 E. 5th St, Carson City, Nevada. Persons wishing to comment upon the proposed action of the Department may provide in-person testimony, submit written comment to the Department via email at NVBoardEd@doe.nv.gov, or submit their comments, data, views, or arguments in written form to the Nevada Department of Education, 700 E. 5th St, Carson City, Nevada. 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, March 15, 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: March 16, 2022

RE: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.180 – Endorsement as school counselor; NAC Chapter 391.277 – Endorsement to teach occupational therapy; NAC Chapter 391.279 – Endorsement to teach physical therapy; and NAC Chapter 391.315 – Endorsement to serve as school psychologist: General qualifications; renewal.

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 Senate Bill 151 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, appearing to read "Jhone M. Ebert".

Jhone M. Ebert
Superintendent of Public Instruction

NAC 391.180 Endorsement as school counselor. ([NRS 385.080](#), [391.019](#))

1. The Department will issue an endorsement as a school counselor to provide counseling to ~~pupils~~ **students** enrolled in kindergarten through grade 12 to qualified applicants.
2. Except as otherwise provided in [NAC 391.187](#), a person must hold an endorsement as a school counselor before counseling **students** ~~pupils~~.
3. *To renew an endorsement to serve as a school counselor, the holder of the endorsement must:*
 - (a) *Comply with the provisions of NAC 391.065 which must include:*
 - (I) *At least one hour per year must relate to ethics in the practice of school counseling;*
 - (II) *At least one hour per year must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness;*
 - (III) *At least one hour per year must relate to cultural competency and diversity, equity and inclusion;*
 - (IV) *Two hours per year must relate to the national model as established by a national professional association for school counselors; and*
 - (V) *The remaining hours per year must directly relate to the profession of school counseling, including, but not limited to, professional development, in-service training or course work on any content areas covered by the practice domains of the national model, integrated student supports pursuant to [NRS 388.885](#), restorative justice and practices pursuant to [NRS 392.4644](#) to [392.472](#), inclusive, school-based mental health, substance abuse and prevention, trauma informed practices, and crisis response.*

NAC 391.277 Endorsement to ~~teach~~ **serve as a school occupational therapy therapist. ([NRS 391.019](#))**

1. To receive an endorsement to ~~teach~~ **provide services to** ~~pupils~~ **students** in a program of occupational therapy, a person must:
 - (a) Hold a:
 - (1) Bachelor's degree in occupational therapy;
 - (2) Master's degree in occupational therapy; or
 - (3) Bachelor's or master's degree in any other field of study and have successfully completed an educational program for occupational therapists which is accredited by the American Medical Association or its successor organization in collaboration with the American Occupational Therapy Association or its successor organization;
 - (b) Hold a license as an occupational therapist issued by the Board of Occupational Therapy in this State; and
 - (c) Hold a specialty certification in school systems issued by the American Occupational Therapy Association or its successor organization.

2. Such an endorsement is not required to ~~teach~~ **provide services to pupils** students in a program of occupational therapy.

(Added to NAC by Comm'n on Prof. Standards in Education, eff. 12-20-93; A by R117-18, 6-26-2019)

NAC 391.279 Endorsement to ~~teach~~ serve as a school physical ~~therapy~~ therapist. ([NRS 391.019](#))

1. To receive an endorsement to ~~teach~~ **provide services to pupils** students in a program of physical therapy, a person must:

(a) Hold a:

(1) Bachelor's degree in physical therapy;

(2) Master's degree in physical therapy; or

(3) Bachelor's or master's degree in any other field of study and have successfully completed an educational program for physical therapists which is accredited by the American Physical Therapy Association; and

(b) Hold a license as a physical therapist issued by the Nevada Physical Therapy Board.

2. Such an endorsement is not required to ~~teach~~ **provide services to pupils** students in a program of physical therapy.

(Added to NAC by Comm'n on Prof. Standards in Education, eff. 12-20-93)

NAC 391.315 Endorsement to serve as school psychologist: General qualifications; renewal. ([NRS 385.080](#), [391.019](#))

1. To qualify for an endorsement to serve as a school psychologist, a person must:

(a) Have accomplished each of the following:

(1) Hold a graduate degree from an accredited institution;

(2) Have preparation in school psychology;

(3) Have successfully completed the areas of study listed in [NAC 391.316](#);

(4) Have earned 60 semester hours of graduate credits in the areas of study listed in [NAC 391.316](#) and [391.317](#); and

(5) Have completed an internship in school psychology as provided in [NAC 391.319](#);

(b) Hold a certificate as a nationally certified school psychologist issued by the National School Psychology Certification System of the National Association of School Psychologists; or

(c) Have completed a program approved by the Board which prepares a person to be a school psychologist.

2. To renew an endorsement to serve as a school psychologist, the holder of the endorsement must:

(a) Comply with the provisions of NAC 391.065 *which must include*;

(I) At least one hour per year must relate to ethics in the practice of school psychology;

(II) At least one hour per year must relate to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness;

(III) At least one hour per year must relate to cultural competency and diversity, equity and inclusion;

(IV) At least one hour per year must relate to data-based decision making;

(V) At least one hour per year must relate to consultation and collaboration;

(VI) At least one hour per year must relate to academic interventions and instructional supports; and

(VII) The remaining hours per year must directly relate to the profession of school psychology, including, without limitation, the national model and practice domains as established by a national professional association for school psychologists; or

(b) Hold a certificate of renewal as a nationally certified school psychologist issued by the National School Psychology Certification System of the National Association of School Psychologists.