

Regulation 028-21 Adopted 2/28/2022

Sec. 2. NAC 391.0896 is hereby amended to read as follows:

391.0896 1. To receive a special license as an emergency substitute teacher, a person must earn a high school diploma or its equivalent.

2. A special license as an emergency substitute teacher is valid for ~~1-year~~ **3 years** after the date of issuance.

3. Except as otherwise provided in this subsection, a person who holds or has held a special license as an emergency substitute teacher may apply for such a special license not more than two times after the expiration of his or her original special license as an emergency substitute teacher. The Superintendent of Public Instruction may authorize such a person to apply for a special license as an emergency substitute teacher more than two times after the expiration of his or her original special license as an emergency substitute teacher **[at]** :

(a) At the written request of the school district or charter school that employs the applicant **[.]** **, if a state of emergency or declaration of disaster has not been proclaimed pursuant to NRS 414.070; or**

(b) At his or her discretion during a state of emergency or declaration of disaster proclaimed pursuant to NRS 414.070.

4. A school district whose enrollment is less than 9,000 pupils or a charter school located within the geographic boundaries of such a school district may, in an emergency, hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12, as needed.

5. **[Upon] Except as otherwise provided in subsection 7, upon** the written request of a school district whose enrollment is 9,000 pupils or more, the Department may, in an emergency, authorize the school district to hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12 in a school that is located in a rural area of the school district.

6. **[Upon] Except as otherwise provided in subsection 7, upon** the written request of a charter school located in a rural area within the geographic boundaries of a school district whose enrollment is 9,000 pupils or more, the Department may, in an emergency, authorize the charter school to hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12 in the charter school.

7. A school district whose enrollment is 9,000 pupils or more or a charter school located within the geographic boundaries of such a school district may, during a state of emergency or declaration of disaster proclaimed pursuant to NRS 414.070, hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12, as needed. A person employed pursuant to this subsection may serve as a teacher for the remainder of the school year in which the state of emergency or declaration of disaster is proclaimed, regardless of when the state of emergency or declaration of disaster is terminated.

8. A person employed pursuant to subsection 4, 5, ~~or 6~~ **or 7** may not serve as a teacher in one classroom for more than 5 days in any 20-day period. Except in an emergency, a school district or charter school shall not allow a person solely holding a special license as an emergency substitute teacher to serve as a teacher.

[8.] 9. An applicant for a special license as an emergency substitute teacher is exempt from the provisions of:

(a) NAC 391.036; and

(b) NAC 391.065.

[9.] 10. *Each school district or charter school shall provide at least 1 hour of training to each emergency substitute teacher hired by the school district or charter school. Such training must include, without limitation, classroom management strategies and behavior management techniques, restorative practices, confidentiality and FERPA guidelines, district policies and procedures, model code of ethics, and lesson plan implementation. An emergency substitute teacher must successfully complete any such training before he or she may serve as a teacher.*

11. Emergency substitute teachers who are under the age of 21 can only be employed in grades PreK-8.

12. Each district employing an emergency substitute teacher must conduct an evaluation of such a teacher.

13. Each district employing emergency substitute teachers must annually in September of each year report to the Department;

(a) how many emergency substitute teachers were employed for one or more days

(b) how many classrooms by type: preschool, elementary, middle, secondary, special education, were staffed with emergency substitute teachers for one or more days

(c)

(d)

14. As used in this section, “in an emergency” means the occurrence of an unforeseen circumstance which requires immediate action, including any period during which a licensed teacher or substitute teacher, other than an emergency substitute teacher, is not immediately available.

Key: **Red** and **Blue** are adopted changes
Orange and **Green** are suggested changes