

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



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Notice of Workshop to Solicit Comments on Proposed Regulation

The Commission on Professional Standards in Education is proposing regulation language pertaining to the Nevada Administrative Code (NAC). The Workshop has been scheduled for **Wednesday, October 11, 2023**, via [Livestream Link](#) and 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:

9:10 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391—CTE Endorsements and Majors and Minors

A copy of all materials relating to the proposal may be obtained at the workshop, on the [Meeting Materials page](#), by contacting the Nevada Department of Education, via email at geraldine.mendiola@doe.nv.gov, by telephone at 702-668-4317, or in person at the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Persons wishing to comment upon the proposed action of the Department of Education 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 Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, 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, October 10, 2023**.

This notice has been sent to all persons on the agencies mailing list for administrative regulations and the Department of Education 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: September 26, 2023

RE: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.

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 CTE endorsements and majors and minors 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,

Jhone M. Ebert
Superintendent of Public Instruction

**REVISED PROPOSED REGULATION OF THE COMMISSION ON
PROFESSIONAL STANDARDS IN EDUCATION**

LCB File No. R165-22

September 12, 2023

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

AUTHORITY: §§ 1-4, 6 and 7, NRS 391.019; § 5, NRS 391.019 and 391.037.

A REGULATION relating to education; revising the requirements for obtaining certain licenses; revising the requirements for obtaining certain endorsements; revising certain fields of study in the recognized list of comprehensive majors and minors; revising the standards of approval for certain training for the education of teachers; repealing certain requirements for semester hours of credit for certain majors and minors; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations that prescribe qualifications for licensing teachers and other educational personnel. (NRS 391.019) Existing regulations define certain fields of study that are recognized by the Commission as comprehensive majors and minors in: (1) academic education; and (2) career and technical education. (NAC 391.1301) **Section 3** of this regulation revises the fields of study in career and technical education that are recognized as comprehensive majors and minors.

Existing regulations require a person seeking a secondary license with an endorsement in career and technical education to: (1) hold a bachelor’s degree in education with a major or minor in career and technical education or a bachelor’s degree that is aligned to a program area listed in existing regulations for a program of career and technical education; and (2) complete 1 year of verifiable work experience that is aligned to a program area listed in existing regulations for a program of career and technical education. (NAC 389.803, 391.120) **Section 1** of this regulation removes the requirement for such a person to complete 1 year of verifiable work experience.

Existing regulations exempt a person who has 3 years of teaching experience and is seeking an additional license to teach outside his or her grade level of experience from a requirement to complete 8 semester hours of supervised teaching and instead require such a person to complete 8 semester hours of course work in secondary education. (NAC 391.120) **Section 1** removes the requirement to complete 8 semester hours of course work in secondary education.

Existing regulations require the State Board of Education to approve a course of study and training for the education of teachers if, among other requirements, enrollment is restricted to persons who hold a bachelor’s degree in a field recognized by the Commission as a

comprehensive major or minor. (NAC 391.558) To conform with the revised list of fields of study in **section 3, section 5** of this regulation requires that enrollment in such a course of study be restricted to persons who hold a bachelor's degree in a field that is: (1) recognized by the Commission as a comprehensive major or minor; or (2) aligned to a program of study which is listed in existing regulations for a program of career and technical education. **Section 7** of this regulation makes the amendatory provisions of **sections 1, 3 and 5** effective only if LCB File No. R145-22 is approved by the Legislative Commission and filed with the Secretary of State.

Existing regulations require a person seeking an endorsement as a school psychologist to hold a graduate degree from an accredited institution. (NAC 391.315) **Section 4** of this regulation requires such a person to hold a master's or more advanced degree from a regionally accredited institution.

Existing regulations require completion of certain amounts of semester hours of credit in certain courses for an applicant to receive certain secondary licenses or endorsements. (NAC 391.1312) **Section 6** of this regulation repeals those provisions, and **section 2** of this regulation makes a conforming change to reflect the repeal of those provisions.

Section 1. NAC 391.120 is hereby amended to read as follows:

391.120 1. Except as otherwise provided in subsection 5 or for a person who is applying for a secondary license pursuant to subsection 2, to receive a secondary license, a person must hold a bachelor's degree and have completed:

(a) A program of preparation for teaching in the secondary grades approved by the Board pursuant to NAC 391.557 and 391.558;

(b) Courses approved by the ~~Board~~ *Department* pursuant to NAC 391.082; or

(c) Twenty-two semester hours of courses in secondary education, as follows:

(1) Except as otherwise provided in subsection 3, 8 semester hours of supervised teaching;

(2) A course in the methods and materials of teaching a field of specialization; and

(3) Any other courses in secondary education approved by the Commission.

2. Except as otherwise provided in subsection 5, to receive a secondary license with an endorsement in career and technical education, a person must hold a bachelor's degree in education with a major or minor in career and technical education *pursuant to NAC 391.1301* or a bachelor's degree that is aligned to a ~~subject area~~ *program of study* for which the board of

trustees of a school district may offer a program of career and technical education pursuant to NAC 389.803 and:

(a) Have completed 23 semester hours of credit as follows:

- (1) Except as otherwise provided in subsection 3, 8 semester hours of supervised teaching;
- (2) Except as otherwise provided in subsection 4, 3 semester hours in the methods of teaching career and technical education;
- (3) Except as otherwise provided in subsection 4, 3 semester hours in secondary curriculum and instruction;
- (4) Three semester hours in career development and work-based learning;
- (5) Three semester hours in management of pupil organization in career and technical education; and
- (6) Any other courses in secondary education approved by the Commission; *and*

(b) ~~Complete 1 year of verifiable work experience, which may be paid or unpaid, in a business, industry or agency that is aligned to a subject area for which the board of trustees of a school district may offer a program of career and technical education pursuant to NAC 389.803; and~~

~~(c)~~ Hold a valid license issued by a licensing authority of this State in the area of career and technical education for which the person is applying for an endorsement if such a license is required by state law.

3. If a person who is licensed pursuant to this chapter is applying for an additional license pursuant to NRS 391.0315 and the person has 3 years of verified teaching experience, the person is not required to complete the 8 semester hours of supervised teaching required by subsection 1

or 2, as applicable . ~~[, but must fulfill those 8 semester hours by completing additional courses in secondary education approved by the Commission.]~~

4. An applicant for an endorsement in career and technical education who holds a valid secondary license is exempt from the requirements of subparagraphs (2) and (3) of paragraph (a) of subsection 2.

5. An applicant for a secondary license who holds a valid license to teach elementary education, early childhood education, special education or middle school or junior high school education and who has previously satisfied the requirements of subsection 1 or 2, as applicable, or has completed comparable course work as determined by the Department, is not required to satisfy the requirements again to receive a secondary license.

Sec. 2. NAC 391.125 is hereby amended to read as follows:

391.125 1. A secondary license which is endorsed for a recognized field of teaching authorizes the holder to teach in the subject area of the endorsement in a high school.

2. The Superintendent of Public Instruction may issue an endorsement on a secondary license in a field of specialization or area of concentration to an applicant who:

(a) Except as otherwise provided in subsection 2 of NAC 391.120, has completed a major or minor in the field of specialization or area of concentration, as described in NAC 391.1301 to

~~391.1312,~~ **391.13105**, inclusive; ~~or~~ **and**

(b) Has passed, at the level of competence specified by the Department, a competency examination approved by the Department on the subject matter of the field of specialization or area of concentration.

3. The endorsement is based upon the field of specialization or area of concentration in which the applicant has demonstrated proficiency.

Sec. 3. NAC 391.1301 is hereby amended to read as follows:

391.1301 The Commission recognizes the following fields as comprehensive majors or minors, which require 36 or 24 semester hours of credit respectively:

1. In academic education:
 - (a) Art;
 - (b) Biological science;
 - (c) English as a second language;
 - (d) English;
 - (e) General science;
 - (f) Instrumental and vocal music;
 - (g) Instrumental music;
 - (h) Mathematics;
 - (i) Physical education;
 - (j) Physical science;
 - (k) Social studies;
 - (l) Speech and drama; and
 - (m) Vocal music.

↪ For the comprehensive majors and minors identified in this subsection, a person who holds a bachelor's degree or a higher degree with a major or minor conferred by a regionally accredited college or university shall be deemed to qualify for a comprehensive major or minor, as applicable, if he or she has satisfied the requirements of NAC 391.120.

2. In career and technical education:
 - (a) Agricultural education;

- (b) ~~Automotive service technology;~~
- ~~(c)~~ Business education;
- ~~(d)~~ Child care;
- ~~(e)~~ (c) Communications and media ~~;~~
- ~~(f)~~ Construction technology;
- ~~(g)~~ Drafting and design;
- ~~(h)~~ Electronic technology;
- ~~(i)~~ education;
- (d) Computer science education;
- (e) Engineering and technology education;
- (f) Family and consumer sciences ~~;~~
- ~~(j)~~ Food services;
- ~~(k)~~ Health occupations;
- ~~(l)~~ education;
- (g) Hospitality and ~~recreation;~~
- ~~(m)~~ Human services;
- ~~(n)~~ tourism education;
- (h) Industrial arts;
- ~~(o)~~ Manufacturing technologies;
- ~~(p)~~ (i) Marketing education;
- ~~(q)~~ Stage and theater technology; and
- ~~(r)~~ Technology]; and
- (j) Theater education.

Sec. 4. NAC 391.315 is hereby amended to read as follows:

391.315 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]~~ *master's or more advanced* degree from ~~[an]~~ *a regionally* 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 credential as a Nationally Certified School Psychologist issued by the National Association of School Psychologists, or its successor organization; or

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

2. A person who holds an endorsement to serve as a school psychologist is exempt from the requirements of subparagraphs (1) and (2) of paragraph (a) of subsection 1 of NAC 391.036.

3. 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 for the license held by the person and complete professional development consisting of:

(1) At least 1 hour during the previous calendar year related to ethics in the practice of school psychology;

(2) At least 1 hour during the previous calendar year related to evidence-based suicide prevention and awareness or another course of instruction on suicide prevention and awareness; and

(3) At least 1 hour during the previous calendar year related to cultural competency and diversity, equity and inclusion; or

(b) Provide proof that the person holds a valid certificate as a Nationally Certified School Psychologist issued by the National Association of School Psychologists, or its successor organization.

Sec. 5. NAC 391.558 is hereby amended to read as follows:

391.558 1. The Board will appoint a review team to review each application received by the Superintendent of Public Instruction. The Superintendent of Public Instruction shall submit to the Board a list of persons whom he or she recommends for membership on the review team. At least 2 months before the date of the visit required by subsection 5, the Superintendent of Public Instruction shall send a list of his or her recommendations to the chief administrative officer of the institution that submitted the application. The list must include a description of the professional position, experience and areas of expertise of each person recommended by the Superintendent of Public Instruction. If the chief administrative officer has concerns about any of the persons recommended by the Superintendent of Public Instruction, he or she shall, within 30 days after receipt of the list, provide to the Superintendent of Public Instruction, for transmittal to the Board a written response which describes the concerns. The Board will address the concerns of the chief administrative officer before it appoints members to the review team. Employees or other members of the institution shall not contact the persons recommended for membership on the review team before the Board formally appoints members to the team.

2. Upon receipt of the recommendations and a written response, if one has been provided by the chief administrative officer, the Board will appoint no more than seven members to the review team. The Board may, for good cause, refuse to appoint any of the persons recommended by the Superintendent of Public Instruction. If possible, members of the review team must reside in the area where the institution that submitted the application is located. The review team must include, but is not limited to:

(a) One representative from a public educational institution in this State, other than the applicant, which offers a course of study and training for the education of teachers or other educational personnel;

(b) One representative from a private educational institution in this State, other than the applicant, which offers a course of study and training for the education of teachers or other educational personnel;

(c) At least one licensed teacher who has expertise in the course of study and training offered by the applicant;

(d) At least one representative of a local school district;

(e) One member of the Board; and

(f) One member of the general public.

3. The review team shall:

(a) Examine the application submitted; and

(b) Decide whether to recommend that the Board grant provisional approval of the course of study and training.

4. If the Board grants provisional approval of a course of study and training, the applicant may offer the course of study and training to students pending final approval by the Board.

Members of the general public who inquire about the status of the course of study and training must be informed that it has been provisionally approved and that final approval is pending.

5. If the Board grants provisional approval of a course of study and training, the review team shall, within 12 months after provisional approval has been granted, visit the site of instruction to verify the information provided by the institution pursuant to subsection 1 of NAC 391.557. The visit must not exceed 5 days.

6. Within 30 days after the visit, the chair of the review team shall send to the applicant a draft report which summarizes the results of the review conducted by the review team. Within 30 days after receipt of the draft report by the applicant, the applicant may file a reply to the draft report with the Superintendent of Public Instruction for transmittal to the Board and the review team which describes the resolution of any deficiencies in the application that were addressed in the draft report. If the applicant files a reply, the review team shall consider the reply in deciding whether to recommend approval of the course of study and training.

7. Within 60 days after the visit, the review team shall decide whether to recommend approval of the course of study and training and shall submit a final report to the Superintendent of Public Instruction for transmittal to the Board. The final report must state whether the review team recommends approval of the course of study and training. Upon transmittal of the final report to the Board, the Superintendent of Public Instruction shall inform the applicant of the recommendation of the review team. The review team shall recommend approval of the course of study and training if the applicant complies with the:

(a) Requirements of NAC 391.557;

(b) Standards developed by the Interstate Teacher Assessment and Support Consortium, as set forth in the *Model Core Teaching Standards: A Resource for State Dialogue* adopted

pursuant to NAC 391.556 and, as applicable, the standards developed by nationally recognized professional associations of educational personnel other than teachers; or

(c) Program standards approved by the National Council for Accreditation of Teacher Education, if applicable.

8. Upon receipt of the final report, the Board will grant approval of the course of study and training if the applicant complies with the:

(a) Requirements of NAC 391.557;

(b) Standards developed by the Interstate Teacher Assessment and Support Consortium, as set forth in the *Model Core Teaching Standards: A Resource for State Dialogue* adopted pursuant to NAC 391.556 and, as applicable, the standards developed by nationally recognized professional associations of educational personnel other than teachers; or

(c) Program standards approved by the National Council for Accreditation of Teacher Education, if applicable.

↪ If the Board denies approval, the applicant may appear before the Board, and is entitled to a hearing and judicial review pursuant to subsection 5 of NRS 391.038.

9. In addition to the standards of approval set forth in subsections 7 and 8, the review team shall recommend approval of, and the Board will approve, a course of study and training for the education of teachers and other educational personnel for teaching in the secondary grades if:

(a) Enrollment in the course of study and training is restricted to persons who hold a bachelor's degree in a field recognized by the Commission pursuant to NAC 391.1301 ~~or~~ *or a field that is aligned to a program of study for which the board of trustees of a school district may offer a program of career and technical education pursuant to NAC 389.803;* and

(b) The course of study and training includes course work described in paragraph (c) of subsection 1 of NAC 391.120 or subsection 2 of NAC 391.120.

10. Except as otherwise provided in subsection 11, approval of a course of study and training pursuant to this section is valid for 7 years. During the 7-year period of approval, the institution shall, within 90 days, notify the Superintendent of Public Instruction of any changes in the information that it provided in its application pursuant to subsection 1 of NAC 391.557, except for a change in the information required by paragraph (e) of that subsection. Upon expiration of each 7-year period of approval, or during a regularly scheduled review of the institution by the National Council for Accreditation of Teacher Education, the Superintendent of Public Instruction may recommend to the Board that approval of the course of study and training be renewed for an additional 7 years.

11. The Board may require a review of a course of study and training before the expiration of the 7-year period of approval if:

(a) During 1 year, 10 or more students who are enrolled in the course of study and training take specialty or pedagogy competency tests, or both, that are required by this State and the percentage of those students who pass the tests on or after January 1, 2009, is less than 80 percent;

(b) Pursuant to the information collected by the Department pursuant to subsection 12, the percentage of probationary licensed educational personnel employed by school districts in this State who completed the course of study and training and who are terminated from employment or who are not reemployed:

- (1) Before January 1, 2004, is 10 percent or greater for 1 year; and
- (2) On or after January 1, 2004, is 5 percent or greater for 1 year; or

(c) The Board requests a review.

↳ Based upon a review conducted pursuant to this subsection, the Board may renew the approval of a course of study and training or revoke the approval of a course of study and training.

12. On or before July 1 of each year, each school district in this State shall report to the Department:

(a) The number of probationary licensed educational personnel that the school district terminated from employment or did not reemploy for another school year; and

(b) For each licensee who is reported pursuant to paragraph (a), the:

(1) Subject area taught by the licensee, if applicable;

(2) Educational institution that the licensee attended;

(3) Course of study and training completed by the licensee; and

(4) Reason that the school district terminated the licensee from employment or did not reemploy the licensee.

↳ Each school district shall report the information required by this subsection without disclosing the identity of an individual licensee or otherwise violating the confidentiality of a licensee.

13. The applicant shall pay to the Board a fee equal to:

(a) The expenses incurred on behalf of the review team for preparation of the documentation required by this section; and

(b) The travel expenses and per diem allowances to which the review team is entitled which are related to the visit of the site of instruction.

Sec. 6. NAC 391.1312 is hereby repealed.

Sec. 7. 1. This section and sections 2, 4 and 6 of this regulation become effective on the date on which this regulation is filed with the Secretary of State.

2. Sections 1, 3 and 5 of this regulation become effective only if LCB File No. R145-22 is approved by the Legislative Commission and filed with the Secretary of State. Sections 1, 3 and 5 of this regulation become effective on:

(a) The date on which this regulation is filed with the Secretary of State; or

(b) The date on which LCB File No. R145-22 is filed with the Secretary of State,

↳ whichever occurs later.

TEXT OF REPEALED SECTION

391.1312 Requirements and restrictions on hours of credit for certain subjects. (NRS 385.080, 391.019)

1. The semester hours of credit required for a major listed in subsections 25 and 26 of NAC 391.131 must include 15 semester hours in courses normally given to juniors or seniors.

2. The semester hours of credit required for a minor listed in the paragraphs identified in subsection 1 must include 5 semester hours in courses normally given to juniors or seniors.

3. The semester hours of credit required for a major listed in subsections 19, 25 and 26 of NAC 391.131 must not include any semester hours in freshman English. Eighteen of the semester hours must be in courses normally given to juniors or seniors.

4. The semester hours of credit required for a minor in reading must not include any semester hours in freshman English. Nine of the semester hours of credit must be in courses normally given to juniors or seniors.