

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

October 19, 2022

### Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of Regulations of the Commission on Professional Standards in Education  
as proposed in LCB File #R128-22

The Commission on Professional Standards in Education will hold a public hearing at **9:15 A.M.** on **Wednesday, October 19, 2022** via [livestream](#) 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 hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to Chapter 391 of the Nevada Administrative Code (NAC), pursuant to Nevada Revised Statutes (NRS) 391.019, 391.031, 391.032, and 391.040 regarding endorsements to serve as a student teacher resident.

The following information is provided pursuant to the requirements of Nevada Revised Statute (NRS) 233B.0603:

- 1. The need and the purpose of the proposed regulations and/or amendments:** In accordance with NRS 391.019, the Commission on Professional Standards in Education is instructed to adopt regulations:
  - *Prescribing the qualifications for licensing teachers and other educational personnel and the procedures for the issuance and renewal of those licenses.*NRS 391.032 states that Except as otherwise provided in NRS 391.027, the Commission shall:
  - *Adopt regulations which provide for the issuance of provisional licenses to teachers and other educational personnel before completion of all courses of study or other requirements for a license in this State.*NRS 391.040 states that the Commission shall:
  - *Fix fees of not less than \$100 for the:*
    - *Initial issuance of a license, which must include the fees for processing the fingerprints of the applicant by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation; and*
    - *Renewal of a license, which must include the fees for processing the fingerprints of the applicant for renewal by the Central repository for Nevada Records of Criminal History and the Federal Bureau of Investigation.*
- 2. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation authorizes the Superintendent of Public Instruction to issue a provisional special license with an endorsement as a student teacher resident to certain persons; provides a fee for the issuance of such a provisional special license; prescribes requirements and conditions for licensing and qualifications for employment as a student teacher resident; and provides other matters properly relating thereto.

The revised text of the proposed regulation is attached to this notice.

3. **Estimated economic effect of the regulation on the business which it is to regulate and on the public:** There is no economic effect of the regulation on the business that it regulates and no impact on the public.
4. **Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.
5. **The estimated cost to the agency for enforcement of the proposed regulation:** No costs.
6. **Description and citation of duplicative or overlapping regulations of other state or local governmental agencies:** There is no duplication or overlap of regulations of state or local government agencies.
7. **Is the regulation required by federal law?** This regulation is not required pursuant to federal law.
8. **Does the regulation include provisions more stringent than a federal regulation regarding the same activity?** There is no federal law affecting or overlapping the proposed regulations.
9. **Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

A copy of all materials relating to the proposed regulation may be obtained at the hearing, on the [Nevada Department of Education webpage](#), by contacting the Commission on Professional Standards in Education, Nevada Department of Education, via email at [COPS@doe.nv.gov](mailto: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 in Education may provide in-person testimony, submit written comment to the Commission on Professional Standards in Education via email at [COPS@doe.nv.gov](mailto:COPS@doe.nv.gov), or submit their comments, data, views, or arguments in written form to the Commission on Professional Standards in Education, Nevada Department of Education, 2080 E. Flamingo Rd. Las Vegas, Nevada. Comments may be submitted via email leading up to and for the duration of the meeting, and those submitted via mail must be received by the Department on or before Tuesday, October 18, 2022. A record of all submitted comments will be retained, and the Commission on Professional Standards will proceed to consider any public comment received.

This notice and the text of the proposed regulation has been sent to all persons on the agencies mailing list for administrative regulations and the Commission on Professional Standards, 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>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted 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.

**Notice required by NRS 233B.064:** Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

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

**LCB File No. R128-22**

July 27, 2022

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

AUTHORITY: §§ 1-3 and 5, NRS 391.019, 391.031, 391.032 and 391.040; § 4, NRS 391.019.

A REGULATION relating to education; authorizing the Superintendent of Public Instruction to issue a provisional special license with an endorsement as a student teacher resident to certain persons; providing a fee for the issuance of such a provisional special license; prescribing requirements and conditions for licensing and qualifications for employment as a student teacher resident; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel. (NRS 391.019) Existing law further sets forth the various kinds of licenses for teachers and other education personnel in this State, including special licenses which authorize the holder to teach or perform other educational functions in a school or program as designated in the license. (NRS 391.031) Existing law requires the Commission to fix a fee of not less than \$100 for the initial issuance of a license. (NRS 391.040)

**Section 2** of this regulation authorizes the Superintendent of Public Instruction to issue a provisional special license with an endorsement as a student teacher resident to a person if the person seeking licensure: (1) is enrolled in a teacher preparation program that is approved by the Commission; (2) has completed at least 90 semester credits of course work or equivalent course work in a teacher preparation program that is approved by the Commission; (3) has a recommendation to student teach from the teacher preparation program; and (4) applies for the license and pays the corresponding fee. **Sections 2, 4 and 5** of this regulation provide rules governing when the provisional special license expires or becomes invalid and certain exceptions from licensing requirements.

**Section 3** of this regulation requires a person employed as a student teacher resident to: (1) hold a provisional special license with an endorsement as a student teacher resident; (2) be enrolled and in good standing with a teacher preparation program; (3) be supervised by a member of the faculty from his or her teacher preparation program; and (4) be supervised by a licensed teacher at the school or program where the student teacher resident is employed.

**Section 3** further prescribes the minimum pay a student teacher resident must receive from a school district or charter school.

**Section 1.** Chapter 391 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

**Sec. 2. 1.** *The Superintendent of Public Instruction may issue a provisional special license with an endorsement as a student teacher resident to a person to teach pupils in a program of early childhood education, kindergarten, grades 1 to 12, inclusive, or special education if the person:*

- (a) Is enrolled in a teacher preparation program that is approved by the Commission;*
- (b) Has completed at least 90 semester credits of course work or equivalent course work in a teacher preparation program that is approved by the Commission;*
- (c) Has a recommendation from the teacher preparation program to student teach; and*
- (d) Applies for such a provisional special license and pays a fee of \$100 which includes the fees for processing the fingerprints of the applicant by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation.*

**2.** *A provisional special license with an endorsement as a student teacher resident issued pursuant to this section:*

- (a) Authorizes the holder of the provisional special license to teach in a county school district, a charter school or a university school for profoundly gifted pupils;*
- (b) Is valid for 1 year from the date of issue; and*
- (c) Is nonrenewable.*

**3.** *A person who holds only a provisional special license with an endorsement as a student teacher resident issued pursuant to this section is exempt from the provisions of NAC 391.036 and paragraphs (b), (c) and (d) of subsection 1 of NAC 391.045.*

*4. The Department shall not issue any other endorsement on a provisional special license with an endorsement as a student teacher resident issued pursuant to this section.*

*5. If a person who holds a provisional special license with an endorsement as a student teacher resident issued pursuant to this section withdraws from or is no longer enrolled in a teacher preparation program, not later than 15 days after the person withdraws or otherwise ceases to be enrolled in the program, the provider of the program must notify the Department of the name and license number of the person and the date on which the person withdrew or otherwise ceased to be enrolled in the program. A provisional special license issued pursuant to this section becomes invalid immediately upon the receipt of such notification.*

*6. As used in this section, “teacher preparation program” means a course of study and training for the preparation of teachers or other educational personnel approved pursuant to NAC 391.558 or a program for an alternative route for the licensure of teachers and administrators approved pursuant to NAC 391.461.*

**Sec. 3. 1. To be employed as a student teacher resident, a person must:**

*(a) Hold a provisional special license with an endorsement as a student teacher resident issued pursuant to section 2 of this regulation;*

*(b) Be enrolled and in good standing with a teacher preparation program that is approved by the Commission;*

*(c) Be supervised by a member of the faculty from his or her teacher preparation program; and*

*(d) Be supervised by a licensed teacher at the school or program in which the holder of the provisional special license is employed.*

*2. If a school district or charter school compensates a student teacher resident, beginning on his or her first day of employment, the school district or charter school must pay the student teacher resident at least the rate of pay for a long-term substitute teacher.*

*3. As used in this section, “teacher preparation program” means a course of study and training for the preparation of teachers or other educational personnel approved pursuant to NAC 391.558 or a program for an alternative route for the licensure of teachers and administrators approved pursuant to NAC 391.461.*

**Sec. 4.** NAC 391.036 is hereby amended to read as follows:

391.036 1. Except as otherwise provided in this section, paragraph (h) of subsection 1 of NRS 391.019, NAC 391.0545, paragraph (a) of subsection 9 of NAC 391.0896, subsection 7 of NAC 391.0897, paragraph (b) of subsection 3 of NAC 391.233, subsection 3 of NAC 391.276, paragraph (b) of subsection 3 of NAC 391.425 , ~~and~~ subsection 6 of NAC 391.436 ~~;~~ *and section 2 of this regulation*, an applicant who applies for:

(a) A license must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in:

(1) Basic reading, writing and mathematics;

(2) The principles and methods of teaching; and

(3) The subject matter of the area of endorsement on the license or the area of endorsement necessary for the applicant’s area of assignment.

(b) An additional endorsement on a license held by the applicant must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in the subject matter of the area of endorsement for which the applicant is applying.

2. The Superintendent of Public Instruction may exempt an applicant from any of the tests required by subsection 1 if the applicant:

(a) Submits to the Department evidence that he or she:

(1) Has retired from teaching in this State;

(2) Held a special license, a license to teach elementary or secondary education, a license to teach special education, a license to teach pupils in a program of early childhood education or a license to teach middle school or junior high school education, which:

(I) Has expired within the year immediately preceding the date on which his or her application was submitted;

(II) Was free from any conditions that the applicant pass a competency test; and

(III) Authorized the applicant to teach in the same grade level and subject area for which he or she is applying to receive a license;

(3) Was required, for the issuance of the applicant's expired license, to complete courses of study and experience which are substantially equivalent to the courses of study and experience required for the issuance of the license for which he or she is applying; and

(4) Otherwise satisfies the requirements for the issuance of a license;

(b) Submits to the Department evidence that the applicant has passed, as part of a teacher education program approved by a state and offered through a regionally accredited college or university, competency examinations equivalent to those required of the applicant by subsection 1, as determined by the Department; or

(c) Submits to the Department evidence that the applicant holds a license to teach issued by another state which is acceptable to the Department for purposes of reciprocity.

3. An applicant is exempt from the requirement to pass a competency test in basic reading, writing and mathematics if the applicant submits to the Department:

(a) Official documentation which indicates that he or she passed, within the 5 years immediately preceding the date on which his or her application was submitted and at the level of competency specified by the Commission:

(1) The “Praxis Core Academic Skills for Educators” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; or

(2) A test of basic skills that is determined by the Department to be equivalent to the test prescribed by subparagraph 1; or

(b) Evidence that the applicant has:

(1) Received a master’s or more advanced degree from a regionally accredited college or university; and

(2) Completed, within the 5 years immediately preceding the date on which his or her application was submitted, the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, or its equivalent, and received a score which was at or above the midpoint of the score range in effect at the time the examination was administered.

4. An applicant is exempt from the requirement to pass a competency test in the principles and methods of teaching if he or she:

(a) Submits to the Department official documentation which indicates that the applicant passed, at the level of competency specified by the Commission, the “Principles of Learning and Teaching Test” prepared and administered by the Educational Testing Service; or

(b) Is applying for a license with an endorsement in an area for which training in the principles and methods of teaching is not required.



5. An applicant is exempt from the requirement to pass a competency test in the subject matter of the area of endorsement if he or she:

(a) Submits to the Department official documentation which indicates that the applicant passed, within the 5 years immediately preceding the date on which his or her application was submitted and at the level of competency specified by the Commission, the competency test in that subject matter;

(b) Is applying for a license or endorsement in an area for which no competency tests have been approved by the Commission;

(c) Is applying for an endorsement to teach pupils who have speech and language impairments and submits to the Department official documentation which indicates that he or she has received a certificate of clinical competence from the American Speech-Language-Hearing Association; or

(d) Is applying for an endorsement in family and consumer sciences and submits to the Department official documentation which indicates that the applicant satisfactorily completed the “Family and Consumer Sciences Composite Examination,” prepared and administered by the American Association of Family and Consumer Sciences.

6. An applicant who fails to comply with the provisions of this section may not apply for a renewable license.

**Sec. 5.** NAC 391.045 is hereby amended to read as follows:

391.045 1. ~~[Am]~~ *Except as otherwise provided in section 2 of this regulation, an applicant for the initial issuance of a license as a teacher or other educational employee must submit with his or her application:*

(a) His or her official transcripts;

(b) Evidence that the applicant has successfully completed:

(1) At least 3 semester hours of credit in a course of study regarding education or curricular adaptation for pupils with disabilities; or

(2) Professional development or a continuing education course regarding education or curricular adaptation for pupils with disabilities that is approved by the Department; and

(c) Evidence that the applicant has successfully completed:

(1) At least 3 semester hours of credit in a course of study regarding parental involvement and family engagement that:

(I) Is consistent with the elements and goals for effective involvement and engagement set forth in NRS 392.457; and

(II) Includes an emphasis on building relationships, outreach to families and developing an appreciation and understanding of families from diverse backgrounds; or

(2) At least 45 contact hours of professional development or continuing education regarding parental involvement and family engagement that is approved by the Department and:

(I) Is consistent with the elements and goals for effective involvement and engagement set forth in NRS 392.457; and

(II) Includes an emphasis on building relationships, outreach to families and developing an appreciation and understand of families from diverse backgrounds; and

(d) Except as otherwise provided in NAC 391.0565, a fee of \$180, which includes the fees for processing the fingerprints of the applicant by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation. The fee does not include the cost of any examination required by NAC 391.036.

2. If the applicant is not eligible for licensure, the fee will not be returned. The applicant must pay another fee if he or she applies again.

3. An applicant for an endorsement to an existing license or for an additional license must submit with his or her application:

- (a) Current official transcripts; and
- (b) A fee of \$50.

4. The academic credits required to obtain initial licensing or an endorsement to an existing license are not satisfiable by the completion of courses offered by a provider of continuing education, but those courses may be used for the renewal of a license.

5. The Department shall take necessary steps to expedite the processing of an application for a license or endorsement submitted by a person who 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;
- (c) A veteran of the Armed Forces of the United States.