

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R069-18; A regulation relating to education; repealing standards for the course work required to qualify for a major or minor in certain fields of study relating to career and technical education; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel. (NRS 391.019) To receive an endorsement in a field of specialization or area of concentration, existing regulations require a person who holds a secondary license to: (1) have completed a major or minor in the field or area; (2) have passed a competency examination on the subject matter of the field or area; or (3) for an endorsement in career and technical education, hold a bachelor's degree that is aligned to a subject area for which a program of career and technical education may be offered. (NAC 391.120, 391.125) **Section 2** of this regulation repeals standards for the course work required to qualify for a major or minor in certain fields of study relating to career and technical education. These standards are no longer necessary because existing regulations allow a person who holds a bachelor's degree that is aligned to a subject area for which a program of career and technical education may be offered to receive an endorsement in such a subject area. (NAC 391.120, as amended by section 1 of LCB File No. R051-17) **Section 1** makes a conforming change.
2. The Subjects and Issues involved in the regulation are those who would be seeking renewal of their licensure and clarifying that they must submit proof of completion of a course in multicultural education.

3. There is no economic effect of the regulation on the business that it regulates.
There is no economic effect of the regulation on the public.
There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R069-18

August 10, 2018

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

AUTHORITY: §§1 and 2, NRS 391.019.

A REGULATION relating to education; repealing standards for the course work required to qualify for a major or minor in certain fields of study relating to career and technical education; 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) To receive an endorsement in a field of specialization or area of concentration, existing regulations require a person who holds a secondary license to: (1) have completed a major or minor in the field or area; (2) have passed a competency examination on the subject matter of the field or area; or (3) for an endorsement in career and technical education, hold a bachelor’s degree that is aligned to a subject area for which a program of career and technical education may be offered. (NAC 391.120, 391.125) **Section 2** of this regulation repeals standards for the course work required to qualify for a major or minor in certain fields of study relating to career and technical education. These standards are no longer necessary because existing regulations allow a person who holds a bachelor’s degree that is aligned to a subject area for which a program of career and technical education may be offered to receive an endorsement in such a subject area. (NAC 391.120, as amended by section 1 of LCB File No. R051-17) **Section 1** makes a conforming change.

Section 1. NAC 391.13065 is hereby amended to read as follows:

391.13065 1. To receive an endorsement to teach automotive service technology, a person must:

- (a) Hold a secondary license;
- (b) Have satisfied the requirements for ~~{a major or minor}~~ *an endorsement* in automotive service technology pursuant to *subsection 2 of* NAC ~~{391.13064;}~~ *391.120*; and
- (c) Be certified by the National Institute for Automotive Service Excellence as:
 - (1) A master automobile technician; or
 - (2) An automobile technician in the following areas:
 - (I) Brakes;
 - (II) Electrical and electronic systems;
 - (III) Engine performance; and
 - (IV) Suspension and steering.

2. A person who has satisfied the requirements for an endorsement set forth in paragraphs (a) and (b) of subsection 1 but not the requirement of certification by the National Institute for Automotive Service Excellence required by paragraph (c) of that subsection may receive a provisional endorsement to teach automotive service technology. A provisional endorsement issued pursuant to this subsection is valid for 3 years and is not renewable.

3. A person who holds an endorsement to teach automotive service technology is entitled to receive 3 semester hours of credit toward the renewal of his or her license pursuant to NAC 391.065 for each area set forth in paragraph (c) of subsection 1 in which he or she is certified by the National Institute for Automotive Service Excellence as an automobile technician or master automobile technician during the term of the license.

Sec. 2. NAC 391.13062, 391.13064, 391.13066, 391.13068, 391.1307, 391.13072, 391.13074, 391.13076, 391.13078, 391.1308, 391.13082, 391.13086, 391.13088, 391.1309, 391.13092, 391.13094, 391.13096 and 391.13098 are hereby repealed.

TEXT OF REPEALED SECTIONS

391.13062 Major or minor in agricultural education. (NRS 391.019) The semester hours of credit required for a major or minor in agricultural education must include course work in each of the following areas of study:

1. Animal science;
2. Agricultural economics;
3. Agronomy;
4. Horticulture; and
5. Agricultural mechanics.

391.13064 Major or minor in automotive service technology. (NRS 391.019)

1. The semester hours of credit required for a major in automotive service technology must include course work in each of the following areas of study:

- (a) Automatic transmission and transaxle;
- (b) Brakes;

- (c) Electrical and electronic systems;
- (d) Engine performance;
- (e) Engine repair;
- (f) Heating and air-conditioning;
- (g) Manual drivetrain and axles; and
- (h) Suspension and steering.

2. The semester hours of credit required for a minor in automotive service technology must include course work in each of the following areas of study:

- (a) Brakes;
- (b) Electrical and electronic systems;
- (c) Engine performance; and
- (d) Suspension and steering.

391.13066 Major or minor in business education. (NRS 391.019)

1. The semester hours of credit required for a major in business education must include course work in each of the following areas of study, including 9 semester hours in upper division courses:

- (a) Accounting;
- (b) Business law;
- (c) Communications;
- (d) Economics;
- (e) Management or operations management;
- (f) Marketing; and

(g) Except as otherwise provided in subsection 2, use of computers, which must include instruction in each of the following areas of study:

(1) Computer literacy, including, without limitation, proper keyboarding techniques, word processing and the use of databases and spreadsheets;

(2) Desktop publishing or electronic publications;

(3) Safety and research on the Internet; and

(4) Multimedia software and peripherals.

2. A person who holds a Microsoft Office Specialist Certification issued by Microsoft or its successor organization in at least three Microsoft Office programs or any other similar certification approved by the Commission:

(a) Is not required to complete course work in the area of computers required pursuant to paragraph (g) of subsection 1.

(b) Shall be deemed to have completed 3 semester hours of credit for each such certification he or she holds, not to exceed 9 semester hours of credit.

3. The semester hours of credit for a major in business education may include course work in the following areas of study:

(a) Entrepreneurship;

(b) International business;

(c) Management of information systems; or

(d) Organizational behavior.

4. Except as otherwise provided in subsection 2, the semester hours of credit required for a minor in business education must include course work in the areas named in paragraphs (a) to (g), inclusive, of subsection 1, including 6 semester hours of credit in upper division courses.

391.13068 Major or minor in child care. (NRS 391.019)

1. The semester hours of credit required for a major in child care must include course work in each of the following areas of study:

- (a) Child and human development;
- (b) Child guidance;
- (c) Children and families;
- (d) Human sexuality;
- (e) Preschool administration;
- (f) Preschool curriculum and methods;
- (g) Nutrition for young children;
- (h) Family life; and
- (i) Preschool programs and staff organization.

2. The semester hours of credit required for a minor in child care must include course work in each of the areas listed in paragraphs (a) to (g), inclusive, of subsection 1.

391.1307 Major or minor in communications and media. (NRS 391.019)

1. The semester hours of credit required for a major in communications and media must include course work in each of the following areas:

- (a) Advertising;
- (b) Communication technology;

- (c) Speech communication;
- (d) Journalism;
- (e) Print media;
- (f) Public relations;
- (g) Radio;
- (h) Television;
- (i) Film communication;
- (j) International communication;
- (k) Innovative communication; and
- (l) Special communication.

2. The semester hours of credit required for a minor in communications and media must include course work in each of the areas listed in paragraphs (a) to (h), inclusive, of subsection 1.

391.13072 Major or minor in construction technology. (NRS 391.019)

1. The semester hours of credit required for a major in construction technology must include course work in each of the following areas of study:

- (a) A beginning course in industrial woodworking;
- (b) An advanced course in industrial woodworking;
- (c) Construction framing;
- (d) Building construction;
- (e) Reading blueprints;
- (f) Home planning and design;
- (g) Wiring houses;

- (h) Plumbing;
- (i) Cabinetmaking;
- (j) Basic drafting; and
- (k) Concrete drafting.

2. The semester hours of credit required for a minor in construction technology must include course work in each of the areas listed in paragraph (a) to (h), inclusive, of subsection 1.

391.13074 Major or minor in drafting and design technology. (NRS 391.019)

1. The semester hours of credit required for a major in drafting and design technology must include course work in each of the following areas of study:

- (a) Beginning drafting;
- (b) Intermediate drafting;
- (c) Advanced drafting;
- (d) Introduction to drafting assisted by computer;
- (e) Drafting assisted by computer;
- (f) Architectural and mechanical drafting;
- (g) Reading blueprints;
- (h) Inking and office practice in drafting;
- (i) Scheduling construction cost;
- (j) Beginning technical drafting;
- (k) Intermediate technical drafting; and
- (l) Advanced technical drafting.

2. The semester hours of credit required for a minor in drafting and design technology must include course work in each of the following areas of study:

- (a) Beginning drafting;
- (b) Intermediate drafting;
- (c) Introduction to drafting assisted by computer;
- (d) Drafting assisted by computer;
- (e) Home planning and design;
- (f) Architectural drafting; and
- (g) Mechanical drafting.

391.13076 Major or minor in electronic technology. (NRS 391.019)

1. The semester hours of credit required for a major in electronic technology must include course work in each of the following areas:

- (a) Direct current and alternating current electronic theory;
- (b) Solid state electronics;
- (c) Digital and computer electronics;
- (d) Technical computer programming;
- (e) Industrial electronics;
- (f) Ultra high frequency and microwave;
- (g) General electronics;
- (h) Communications;
- (i) Servicing electronics; and
- (j) Microprocessors.

2. The semester hours of credit required for a minor in electronic technology must include course work in each of the areas of study listed in paragraphs (a) to (f), inclusive, of subsection 1.

391.13078 Major or minor in food service. (NRS 391.019)

1. The semester hours of credit required for a major in food service must include course work in each of the following areas of study:

- (a) Production of quantities of food and beverages;
- (b) Purchasing and storing of quantities of food and beverages;
- (c) Management of quantities of food and beverages;
- (d) Planning menus and nutrition;
- (e) Management and administration of food service systems;
- (f) Fast foods;
- (g) Baking;
- (h) Safety and sanitation; and
- (i) Management of personnel.

2. The semester hours of credit required for a minor in food service must include course work in each of the areas of study listed in paragraphs (a) to (h), inclusive, of subsection 1.

391.1308 Major or minor in health occupations. (NRS 391.019)

1. The semester hours of credit required for a major in health occupations must include course work in at least five of the following areas of study:

- (a) Dental health;
- (b) Medical laboratory services;

- (c) Nursing;
- (d) Emergency medical services;
- (e) Medical terminology;
- (f) Sports medicine or athletic training;
- (g) Environmental health;
- (h) Medical office services;
- (i) Health care supportive services;
- (j) Optical care services; and
- (k) Biomedical technology.

2. The semester hours of credit required for a minor in health occupations must include course work in at least five of the following areas of study:

- (a) Dental health;
- (b) Medical laboratory services;
- (c) Nursing;
- (d) Emergency medical services;
- (e) Medical terminology;
- (f) Sports medicine or athletic training;
- (g) Environmental health;
- (h) Medical office services; and
- (i) Health care supportive services.

391.13082 Major or minor in family and consumer sciences. (NRS 391.019) The semester hours of credit required for a major or minor in family and consumer sciences must include course work in each of the following areas of study:

1. Foods or culinary;
2. Nutrition;
3. Clothing and textiles;
4. Consumerism;
5. Housing environment or interior design;
6. Child development; and
7. Family relations.

391.13086 Major or minor in human services. (NRS 391.019)

1. The semester hours of credit required for a major in human services must include course work in each of the following areas of study:

- (a) Human growth and development;
- (b) Human sexuality;
- (c) Adult development and aging;
- (d) Persons with special needs;
- (e) Nutrition for persons with special needs;
- (f) Curriculum and methods of human services;
- (g) Issues facing families;
- (h) Administration of human services; and
- (i) Human relationships.

2. The semester hours of credit required for a minor in human services must include course work in each of the areas of study listed in paragraphs (a) to (f), inclusive, of subsection 1.

391.13088 Major or minor in industrial arts. (NRS 391.019)

1. The semester hours of credit required for a major in industrial arts must include course work in each of the following areas of study:

- (a) Construction;
- (b) Manufacturing products;
- (c) Electricity and electronics;
- (d) Drafting and design;
- (e) Visual communications; and
- (f) Energy power and transportation.

2. The semester hours of credit required for a minor in industrial arts must include course work in each of the areas of study listed in paragraphs (a) to (e), inclusive, of subsection 1.

391.1309 Major or minor in manufacturing technology. (NRS 391.019)

1. The semester hours of credit required for a major in manufacturing technology must include course work in each of the following areas of study:

- (a) Acetylene welding;
- (b) Electric arc welding;
- (c) Machine tool operation;
- (d) Metal fabrication-arc;
- (e) Metal fabrication;
- (f) Industrial metals;

- (g) Reading blueprints;
- (h) Basic metals;
- (i) Welding design and layout;
- (j) Inspection testing;
- (k) Advanced arc welding; and
- (l) GTAW (TIG) and GMAW (MIG) welding.

2. The semester hours of credit required for a minor in manufacturing technology must include course work in each of the following areas of study:

- (a) Acetylene welding;
- (b) Introduction to arc welding;
- (c) Basic metals;
- (d) Welding design and layout;
- (e) Reading blueprints;
- (f) Machine reading;
- (g) Metal fabrication; and
- (h) Inspection testing.

391.13092 Major in marketing education. (NRS 391.019)

1. The semester hours of credit required for a major in marketing education must include course work in each of the following areas of study:

- (a) Retail management or merchandising;
- (b) Marketing;
- (c) Management;

- (d) Market research;
- (e) Internet marketing;
- (f) International marketing; and
- (g) Economics.

2. In addition to the requirements of subsection 1, the semester hours of credit required for a major in marketing education may include course work in one or more of the following areas of study:

- (a) Business administration;
- (b) Business law;
- (c) Professional sales;
- (d) Entrepreneurship; or
- (e) Advertising.

391.13094 Major or minor in technology education: Requirements. (NRS 391.019)

Except as otherwise provided in NAC 391.13098:

1. The 36 semester hours of credit required for a major in technology education must include:

(a) At least 6 semester hours of credit in communication technology, including, without limitation:

- (1) Electronic publishing;
- (2) Lasers and fiber optics;
- (3) Microcomputers;
- (4) Electronics;

- (5) Graphic communications;
- (6) Telecommunications; and
- (7) Drafting and design assisted by computer;

(b) At least 6 semester hours of credit in energy, power and transportation, including, without limitation:

- (1) Alternative sources of energy;
- (2) Electricity;
- (3) Automotive and small engines;
- (4) Systems of transportation; and
- (5) Systems of fluid power;

(c) At least 6 semester hours of credit in manufacturing technology, including, without limitation:

- (1) Processing of materials, including, without limitation, woods, plastics and metals;
- (2) Systems of manufacturing assisted by computer;
- (3) Robotics; and
- (4) Machine tool technology; and

(d) At least 6 semester hours of credit in construction technology, including, without limitation:

- (1) Building construction;
- (2) Welding and metal fabrication; and
- (3) Engineering.

2. The 24 semester hours of credit required for a minor in technology education must include course work in each of the following areas of study:

- (a) Communications technology;
- (b) Energy, power and transportation;
- (c) Manufacturing technology; and
- (d) Construction technology.

391.13096 Major or minor in technology education: Exemption of teachers from requirements. (NRS 391.019)

1. Before the commencement of each school year, the superintendent of schools of a school district, the administrative head of a charter school or the executive head of a private school may submit to the Department a request for an exemption from the requirements of NAC 391.13094 on behalf of a licensed teacher who teaches in the school district, charter school or private school. A request for an exemption must include proof that the licensed teacher:

- (a) Holds a valid secondary or special license, including, without limitation, a secondary or special license with a business and industry endorsement;
- (b) Satisfactorily taught in a program of technology education pursuant to a contract at least one class period per day during the 1997 to 1998 school year or the 1998 to 1999 school year, or both; and
- (c) Has maintained continuous service as a teacher of technology education in this State. An exemption granted by the Department is valid for 1 school year and may be renewed annually if a request is submitted in accordance with this subsection.

2. On or before October 1 of each year, the superintendent of schools of each school district, the administrative head of each charter school and the executive head of each private school shall submit to the Superintendent of Public Instruction a list of the licensed teachers who teach in the school district, charter school or private school for whom the Department has approved a request for an exemption for the current school year.

391.13098 Major or minor in technology education: Application for endorsement without satisfying requirements. (NRS 391.019)

1. A person who holds a valid secondary license to teach with an endorsement in industrial arts may apply for an endorsement in technology education without satisfying the requirements of NAC 391.13094 if:

(a) The person submits an application for an endorsement to the Department accompanied by the appropriate fee;

(b) The person submits proof that he or she satisfactorily taught in a program of technology education pursuant to a contract at least one class period per day during the 1997 to 1998 school year or the 1998 to 1999 school year, or both; and

(c) The Department receives the person's application on or before June 30, 1999.

2. A person who holds a valid secondary license to teach in any subject area may apply for an endorsement in technology education without satisfying the requirements of NAC 391.13094 if:

(a) The person submits an application for an endorsement to the Department accompanied by the appropriate fee;

- (b) The person submits proof that he or she satisfactorily taught in a program of technology education pursuant to a contract at least one class period per day for at least 3 school years during 1992 to 1999; and
- (c) The Department receives the person's application on or before June 30, 1999.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13065 Endorsement to teach automotive service technology: Qualifications; provisional endorsement; credit toward renewal of license. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13065 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

*(1) The Proposed regulation will have no adverse or beneficial effects; and
(2) The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.

8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13062 Major or minor in agricultural education. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13062 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

BRIAN SANDOVAL
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STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13064 Major or minor in automotive service technology. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13064 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13066 Major or minor in business education. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13066 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13068 Major or minor in child care. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13068 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.1307 Major or minor in communications and media. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.1307 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13072 Major or minor in construction technology. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13072 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13074 Major or minor in drafting and design technology. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13074 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13076 Major or minor in electronic technology. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13076 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13078 Major or minor in food service. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13078 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

BRIAN SANDOVAL
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.1308 Major or minor in health occupations. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.1308 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13082 Major or minor in family and consumer sciences. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13082 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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www.doe.nv.gov

**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13086 Major or minor in human services. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13086 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13088 Major or minor in industrial arts. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13088 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.1309 Major or minor in manufacturing technology. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.1309 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13092 Major in marketing education. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13092 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13094 Major or minor in technology education: Requirements. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13094 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13096 Major or minor in technology education: Exemption of teachers from requirements. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13096 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 2, 2018

Re: NAC 391.13098 Major or minor in technology education: Application for endorsement without satisfying requirements. ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.13098 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R105-18; A regulation relating to educational personnel; revising requirements for teaching pupils in a program of early childhood education; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing educational personnel. (NRS 391.019) Existing law also establishes the kinds of licenses that the Department of Education is authorized to issue for teachers and other educational personnel. (NRS 391.031) Assembly Bill No. 77 of the 2017 Legislative Session authorized the Department to issue a license to teach pupils in a program of early childhood education. (NRS 391.031, as amended by section 21 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2120) Existing regulations: (1) require a person to hold a special license or endorsement to teach pupils from birth through second grade in order to teach prekindergarten; and (2) set forth the requirements for obtaining such a special license or endorsement. (NAC 391.087, 391.089). **Section 1** of this regulation requires that a person hold a license to teach pupils in a program of early childhood education in order to teach prekindergarten. **Section 2** of this regulation sets forth the requirements for obtaining such a license, which are the same requirements to obtain a special license or endorsement to teach pupils from birth through second grade under existing regulations.
2. The Subjects and Issues involved in the regulation are those who would be teaching pupils in a program of early childhood education.
3. There is no economic effect of the regulation on the business that it regulates. There is no economic effect of the regulation on the public.

There are no immediate or long-term effects on the public.

4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R105-18

June 13, 2018

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

AUTHORITY: §§1-3, NRS 391.019 and 391.031.

A REGULATION relating to educational personnel; revising requirements for teaching pupils in a program of early childhood education; 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 educational personnel. (NRS 391.019) Existing law also establishes the kinds of licenses that the Department of Education is authorized to issue for teachers and other educational personnel. (NRS 391.031) Assembly Bill No. 77 of the 2017 Legislative Session authorized the Department to issue a license to teach pupils in a program of early childhood education. (NRS 391.031, as amended by section 21 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2120) Existing regulations: (1) require a person to hold a special license or endorsement to teach pupils from birth through second grade in order to teach prekindergarten; and (2) set forth the requirements for obtaining such a special license or endorsement. (NAC 391.087, 391.089). **Section 1** of this regulation requires that a person hold a license to teach pupils in a program of early childhood education in order to teach prekindergarten. **Section 2** of this regulation sets forth the requirements for obtaining such a license, which are the same requirements to obtain a special license or endorsement to teach pupils from birth through second grade under existing regulations.

Section 1. NAC 391.087 is hereby amended to read as follows:

391.087 1. Except as otherwise provided in this section, a person must hold a ~~special~~ license ~~for endorsement~~ *to teach pupils in a program of early childhood education* issued pursuant to NAC 391.089 before teaching in a program of instruction for prekindergarten pupils conducted by a public school or a private school licensed pursuant to chapter 394 of NRS.

2. The provisions of this section do not apply to a person who:
 - (a) Holds an elementary license pursuant to the provisions of NAC 391.095;
 - (b) On July 1, 2002, ~~is~~ *was* employed full-time teaching pupils in such a program; and
 - (c) After July 1, 2002, ~~is~~ *has been* continuously employed full-time teaching pupils in such a program.

Sec. 2. NAC 391.089 is hereby amended to read as follows:

391.089 To receive a ~~special~~ license ~~for endorsement~~ to teach pupils ~~from birth through the second grade,~~ *in a program of early childhood education*, a person must hold a bachelor's degree or graduate degree from an accredited college or university and must:

1. Have completed a program of preparation to teach such pupils that is approved by the Board;
2. Hold a license to teach such pupils that was issued by another state and approved by the Commission;
3. Hold an elementary license, a secondary license, or a license to teach middle school or junior high school education, that is endorsed with a major in child care, and:
 - (a) Have experience teaching pupils under 6 years of age that consists of:
 - (1) Eight semester hours of student teaching;
 - (2) One year of verifiable experience teaching pupils in a program of early childhood education conducted by a public school, a public agency or a private school licensed pursuant to chapter 394 of NRS at the conclusion of which the person was eligible for reemployment; or
 - (3) An equivalent field experience or practicum conducted by an accredited college or university;

(b) Have completed at least 6 semester hours of courses in early childhood education

consisting of courses in any of the following subjects:

- (1) Early childhood curriculum;
- (2) Emergent language and literacy; or
- (3) Play theory and creativity; and

(c) Have completed at least 6 additional semester hours of courses in any of the courses

described in paragraph (b) or in any of the following subjects:

- (1) Child development from birth to 8 years of age;
- (2) Diversity in young children;
- (3) Introduction to early childhood education;
- (4) Positive discipline and guidance for young children; or
- (5) Working with families with young children; or

4. Have completed at least 35 semester hours of courses in early childhood education for children who are developing typically and atypically consisting of:

(a) Six semester hours in child development and learning, with the content of the courses covering diversity in culture, language and ability;

(b) Twelve semester hours in early childhood curriculum and program implementation that include at least one course in each of the following subjects:

- (1) Language and literacy;
- (2) Mathematics and science;
- (3) Social studies; and
- (4) Strategies for working with children with disabilities;

- (c) Three additional semester hours in early childhood curriculum and program implementation consisting of courses in any of the following subjects:
- (1) Curriculum for infants and toddlers;
 - (2) Early childhood classroom management;
 - (3) Integrated curriculum;
 - (4) Play theory and creativity;
 - (5) Positive discipline and guidance for young children; or
 - (6) Technology;
- (d) Three semester hours in family and community relations, including working with families;
- (e) Three semester hours in assessment and evaluation for early childhood education; and
- (f) Except as otherwise provided in this paragraph, 8 semester hours of student teaching involving pupils in at least two different age groups, one of which must have included pupils in the first or second grade and one of which must have included pupils of any age from birth through kindergarten. At least one of the groups must have included pupils with and without disabilities. In lieu of completing 8 semester hours of student teaching, a person may have 1 year of verifiable experience teaching pupils under 6 years of age in a program of early childhood education conducted by a public school, a public agency or a private school licensed pursuant to chapter 394 of NRS at the conclusion of which the person was eligible for reemployment.

Sec. 3. A person who, on the effective date of this regulation, holds a special license or endorsement to teach pupils from birth through the second grade as described in NAC 391.089 shall be deemed to hold a license to teach pupils in a program of early childhood education as

described in NAC 391.089, as amended by section 2 of this regulation, on and after the effective date of this regulation.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: April 2, 2018

Re: **NAC 391.087 Requirements for teaching in program of instruction for prekindergarten pupils; exception. ([NRS 391.019](#)).**

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.087 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R106-18; A regulation relating to education; revising certain qualifications for teaching pupils who have autism; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which 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 regulations prescribe the qualifications for teaching pupils who have autism which include, in part: (1) holding a certain license; or (2) holding an endorsement to teach pupils who have autism. Existing regulations prescribe the qualifications to obtain such an endorsement which include, in part, holding a certain license or degree. (NAC 391.378) This regulation revises the qualifications to teach pupils who have autism to include, as an alternative to the qualifications prescribed by existing regulations, holding a special education license with an endorsement to perform the duties of a generalist in special education and completing certain coursework.
2. The Subjects and Issues involved in the regulation are those who would be teaching pupils who have autism.
3. There is no economic effect of the regulation on the business that it regulates. There is no economic effect of the regulation on the public. There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.

5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R106-18

June 27, 2018

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

AUTHORITY: §1, NRS 391.019 and 391.032.

A REGULATION relating to education; revising certain qualifications for teaching pupils who have autism; 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 regulations prescribe the qualifications for teaching pupils who have autism which include, in part: (1) holding a certain license; or (2) holding an endorsement to teach pupils who have autism. Existing regulations prescribe the qualifications to obtain such an endorsement which include, in part, holding a certain license or degree. (NAC 391.378) This regulation revises the qualifications to teach pupils who have autism to include, as an alternative to the qualifications prescribed by existing regulations, holding a special education license with an endorsement to perform the duties of a generalist in special education and completing certain coursework.

Section 1. NAC 391.378 is hereby amended to read as follows:

391.378 1. Before teaching pupils, ages 3 to 21, inclusive, who have autism, a person must:

- (a) Hold an endorsement issued pursuant to this section; or
- (b) Hold a teacher’s elementary or secondary license, a license to teach special education, a license to teach middle school or junior high school education, or a bachelor’s or ~~master’s~~ *a more advanced* degree with a major or minor in special education, must have completed 6 semester hours from course work prescribed in subparagraph (2) of paragraph ~~(d)~~ *(e)* of

subsection 2 and must complete a program of preparation leading to licensing in this field within 3 years after beginning to teach such pupils.

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have autism, which has been approved by the ~~Board;~~ *Department;*

(b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have autism;

(c) Hold a bachelor's or ~~master's~~ *a more advanced* degree in the education of pupils who have autism and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education; ~~for~~

(d) *Hold a license to teach special education with an endorsement to perform the duties of a generalist in special education issued pursuant to NAC 391.343 and have completed 12 semester hours of course work through a regionally accredited college or university, including course work in each of the following areas:*

(1) Speech and language development;

(2) Assistive technology, or alternative or augmentative communication;

(3) Characteristics of pupils who have autism; and

(4) Curriculum development or methods and strategies for teaching pupils who have autism; or

(e) Hold a bachelor's or ~~master's~~ *a more advanced* degree and have completed:

(1) Eight semester hours of student teaching with pupils who have autism, equivalent field experience with such pupils or 1 year of verifiable teaching experience with such pupils; and

(2) Thirty semester hours of course work, including course work in the following areas:

(I) Behavior management;

(II) Speech and language development;

(III) Assistive technology, or alternative or augmentative communication;

(IV) Characteristics of pupils who have autism;

(V) Curriculum development or methods and strategies for teaching pupils who have autism;

(VI) Introduction to special education or the education of pupils who have disabilities;

(VII) The assessment of pupils who have disabilities;

(VIII) Parental involvement in programs for pupils who have disabilities;

(IX) Education or planning for the transition of pupils who have disabilities from their current placement to placement in additional educational programs, employment and living independently as an adult;

(X) Methods of teaching mathematics; and

(XI) Methods of teaching literacy.

↪ The requirement for course work in two of these areas may be satisfied by completing one course, of at least 3 semester hours, that encompasses both subject matters.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: April 2, 2018

Re: **NAC 391.378 Qualifications for teaching pupils who have autism. ([NRS 391.019](#), [391.032](#)).**

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.378 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R107-18; A regulation relating to educational personnel; revising the requirements to obtain an endorsement as a substitute teacher of business and industry; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations identifying fields of specialization in teaching which require the specialized training of teachers. Existing law also requires the Commission to adopt regulations requiring teachers to obtain an endorsement in a field of specialization to be eligible to teach in that field of specialization. (NRS 391.019) **Section 2** of this regulation revises the qualifications required to receive an endorsement as a substitute teacher of business and industry. **Section 1** of this regulation makes a conforming change.
2. The Subjects and Issues involved in the regulation are those who would be obtaining an endorsement as a substitute teacher of business and industry.
3. There is no economic effect of the regulation on the business that it regulates.
There is no economic effect of the regulation on the public.
There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.

6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R107-18

June 19, 2018

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

AUTHORITY: §§1 and 2, NRS 391.019.

A REGULATION relating to educational personnel; revising the requirements to obtain an endorsement as a substitute teacher of business and industry; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations identifying fields of specialization in teaching which require the specialized training of teachers. Existing law also requires the Commission to adopt regulations requiring teachers to obtain an endorsement in a field of specialization to be eligible to teach in that field of specialization. (NRS 391.019) **Section 2** of this regulation revises the qualifications required to receive an endorsement as a substitute teacher of business and industry. **Section 1** of this regulation makes a conforming change.

Section 1. 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, subsection 2 of NAC 391.0585, paragraph (b) of subsection 3 of NAC 391.233, paragraph (b) of subsection 6 of NAC 391.330, subsection 5 of NAC 391.363, paragraph (b) of subsection 4 of NAC 391.425 and subsection ~~7~~ 6 of NAC 391.436, an applicant who applies for an initial license must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in:

- (a) Basic reading, writing and mathematics;
- (b) The principles and methods of teaching; and

(c) The subject matter of the initial area of endorsement on the license or the area of endorsement necessary for the applicant's area of assignment.

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, or a license to teach middle school or junior high school education, which:

(I) Has expired within the 3 years 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 an initial 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 an initial license; and

(4) Otherwise satisfies the requirements for the issuance of an initial 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; or

(c) Submits to the Department evidence that the applicant holds a license to teach issued by another state which is not a provisional license, and the Commission determines that the examinations required for licensure in that state are comparable to the competency tests required by subsection 1.

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, at the level of competency specified by the Commission:

(1) The “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; or

(2) The “California Basic Educational Skills Test,” prepared and administered by the California Commission on Teacher Credentialing;

(b) Evidence that the applicant has received a master’s or more advanced degree from a regionally accredited college or university, the receipt of which required the passage of the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, or its equivalent;

(c) An official transcript which indicates that the applicant achieved at least a 3.0 grade-point average in his or her undergraduate studies and evidence that he or she has taken the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, and received a score of:

(1) At least 420 on the verbal portion of the examination;

(2) At least 460 on the quantitative portion of the examination; and

(3) At least 430 on the analytical portion of the examination or at least 3.5 on the analytical writing portion of the examination, as applicable; or

(d) Evidence that:

(1) The applicant did not pass, at the level of competency specified by the Commission, the “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; and

(2) After not passing the test described in subparagraph (1), the applicant began and completed, with a grade of B or better, a course of study in a subject area approved by the Commission or the Director of Licensure for the Department.

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 “Professional Knowledge Test,” prepared and administered by the Educational Testing Service;

(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; or

(c) Is applying for an elementary endorsement and submits to the Department evidence that the applicant passed, at the level of competency specified by the Commission, the “Elementary Education: Curriculum, Instruction, and Assessment Test” and the “Elementary Education: Content Area Exercises Test,” both prepared and administered by the Educational Testing Service.

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

(a) Submits to the Department official documentation which indicates that the applicant previously passed, at the level of competency specified by the Commission, the competency test in that subject matter;

(b) Is applying for an initial license with an 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 “National Family and Consumer Sciences Certification Examination,” prepared and administered by the American Association of Family and Consumer Sciences.

6. If a competency test in a subject matter has been reviewed by the Commission for less than 1 year but is not yet approved, an applicant must take the test, but is not required to pass the test at a level of competence specified by the Commission.

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

8. The tests required by subsection 1 will be administered three times each year at locations and times established by the Commission.

Sec. 2. NAC 391.436 is hereby amended to read as follows:

391.436 1. The Superintendent of Public Instruction shall issue to a qualified applicant an endorsement as a substitute teacher of business and industry for a specific ~~program~~ *course of*

study included in a *program area for a program of* career and technical education group ~~identified in NAC 391.420.~~ *set forth in NAC 389.803.*

2. To receive an endorsement as a substitute teacher of business and industry ~~and~~ *pursuant to subsection 1*, the applicant must:

- (a) Have earned a high school diploma or its equivalent;
- (b) ~~Have been employed for at least 3~~ *Provide to the Department proof acceptable to the*

Department that the applicant has:

(1) *Two* years ~~and~~ *of full-time employment*, after ~~16~~ *18* years of age, in a position which relates to the ~~program~~ *course of study* for which he or she is applying for the endorsement;

~~and~~ *or*

(2) *An aggregate total of 4,000 hours of employment, after 18 years of age, in a position which relates to the course of study for which he or she is applying for the endorsement; and*

(c) ~~Submit written verification of the employment required by paragraph (b) in the format required by the Department.~~ *Hold the appropriate license if one is required by law for employment in an occupation which the person desires to teach.*

3. ~~One of the 3 years of work experience required by paragraph (b) of subsection 2 may be fulfilled by the completion of courses or training in an area of career and technical education~~

~~which relates to the desired endorsement at the rate of 1 year of full-time employment to:~~

~~—(a) Sixteen semester hours of credit from an accredited or licensed postsecondary institution;~~

~~—(b) Two hundred and fifty hours of training from an accredited or licensed postsecondary institution;~~

~~—(c) Two thousand hours of part-time employment; or~~

~~—(d) One thousand hours of employment, which is preplanned. A training agreement between industry and the appropriate sponsor must be on file with, supervised by and approved by an accredited postsecondary institution or the Department.~~

~~—4.†~~ A person who desires to renew for the first time an endorsement issued pursuant to this section must provide proof that he or she has completed 3 semester hours of credit from an accredited postsecondary institution, *or an equivalent number of hours of professional development*, in a course *or program of professional development* that is approved by the Department and that involves ~~{career and technical education}~~ teaching methodology ~~†~~.

~~—5.†~~ *for career and technical education or secondary education.*

4. A school district may hire a person who has an endorsement as a substitute teacher of business and industry in kindergarten through grade 12 for:

(a) Unlimited days of service if filling the position of a licensed teacher who is under contract.

(b) Except as otherwise provided in subsection ~~{6.†} 5~~, 60 days of service if filling a teaching position for which a licensed teacher has not been hired under contract.

~~{6.†} 5.~~ The Department may grant a school district one extension for 30 days with regard to a person who is hired pursuant to paragraph (b) of subsection ~~{5.†} 4~~ in an exceptional case upon request from the superintendent of schools of the school district.

~~{7.†} 6.~~ An endorsement issued pursuant to this section is not subject to the provisions of NAC 391.030, ~~{and}~~ 391.036 ~~†~~ and *391.065*.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: April 2, 2018

Re: **NAC 391.436 Endorsement as substitute teacher of business and industry: Issuance; qualifications for receipt and first renewal; period of hire. ([NRS 391.019](#)).**

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.436 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R117-18; A regulation relating to education; revising the qualifications to receive an endorsement to teach pupils in a program of occupational therapy; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in a field of specialization. (NRS 391.019) Existing regulations prescribe the qualifications to receive an endorsement to teach pupils in a program of occupational therapy. These regulations allow a person who holds a bachelor's or master's degree in a field other than occupational therapy to qualify for such an endorsement if he or she has successfully completed an educational program for occupational therapists which is accredited by the Committee on Allied Health Education and Accreditation of the American Medical Association in collaboration with the American Occupational Therapy Association and meets certain other requirements. (NAC 391.277) This regulation removes the reference to the Committee on Allied Health Education and Accreditation.

Existing regulations also require a person applying for such an endorsement to hold a certificate as an occupational therapist issued by the American Occupational Therapy Certification Board. (NAC 391.277) This regulation removes that requirement and instead requires such a person to hold a specialty certification in school systems issued by the American Occupational Therapy Association or its successor organization.

2. The Subjects and Issues involved in the regulation are those who would be seeking renewal of their licensure and clarifying that they must submit proof of completion of

a course in multicultural education.

3. There is no economic effect of the regulation on the business that it regulates.
There is no economic effect of the regulation on the public.
There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R117-18

July 23, 2018

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to education; revising the qualifications to receive an endorsement to teach pupils in a program of occupational therapy; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in a field of specialization. (NRS 391.019) Existing regulations prescribe the qualifications to receive an endorsement to teach pupils in a program of occupational therapy. These regulations allow a person who holds a bachelor’s or master’s degree in a field other than occupational therapy to qualify for such an endorsement if he or she has successfully completed an educational program for occupational therapists which is accredited by the Committee on Allied Health Education and Accreditation of the American Medical Association in collaboration with the American Occupational Therapy Association and meets certain other requirements. (NAC 391.277) This regulation removes the reference to the Committee on Allied Health Education and Accreditation.

Existing regulations also require a person applying for such an endorsement to hold a certificate as an occupational therapist issued by the American Occupational Therapy Certification Board. (NAC 391.277) This regulation removes that requirement and instead requires such a person to hold a specialty certification in school systems issued by the American Occupational Therapy Association or its successor organization.

Section 1. NAC 391.277 is hereby amended to read as follows:

391.277 1. To receive an endorsement to teach pupils 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 Committee on Allied Health Education and Accreditation of~~ 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 ~~certificate as an occupational therapist~~ *specialty certification in school systems* issued by the American Occupational Therapy ~~Certification Board~~ *Association or its successor organization*.
2. Such an endorsement is not required to teach pupils in a program of occupational therapy.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



DEPARTMENT OF EDUCATION
Northern Nevada Office
700 E. Fifth Street
Carson City, Nevada 89701-5096
(775) 687 - 9200
Fax: (775) 687 - 9101
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SOUTHERN NEVADA OFFICE
9890 S. Maryland Parkway, Suite 221
Las Vegas, Nevada 89183
(702) 486-6458
Fax: (702) 486-6450

**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: April 27, 2018

Re: **NAC 391.277 Endorsement to teach occupational therapy. ([NRS 391.019](#)).**

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.277 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R118-18; A regulation relating to educational personnel; revising provisions governing the requirements to teach pupils who have disabilities and who are under 8 years of age; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations setting forth the requirements a teacher must satisfy to qualify for an endorsement in a field of specialization. (NRS 391.019) Existing regulations prescribe the requirements a person must satisfy to teach pupils who have disabilities and who are under 8 years of age. Existing regulations also authorize the Department of Education to grant an extension of up to 2 years to a person for the purpose of completing a program of preparation leading to licensing in early childhood special education. (NAC 391.363) **Section 2** of this regulation revises the educational and licensure requirements a person must satisfy to teach pupils who have disabilities and who are under 8 years of age. **Section 2** also removes the authorization of the Department to grant such a person an extension to complete a program of preparation leading to licensing in early childhood special education. Finally, **section 2** removes the exemption in existing regulations from the requirement to pass a competency test in the principles and methods of teaching for a person who wishes to receive a license to teach special education with an endorsement to teach pupils who have disabilities and who are under 8 years of age. **Section 1** of this regulation makes a conforming change.
2. The Subjects and Issues involved in the regulation are those who would be teaching pupils who have disabilities and who are under 8 years of age.

3. There is no economic effect of the regulation on the business that it regulates.
There is no economic effect of the regulation on the public.
There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R118-18

July 10, 2018

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

AUTHORITY: §§1 and 2, NRS 391.019.

A REGULATION relating to educational personnel; revising provisions governing the requirements to teach pupils who have disabilities and who are under 8 years of age; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations setting forth the requirements a teacher must satisfy to qualify for an endorsement in a field of specialization. (NRS 391.019) Existing regulations prescribe the requirements a person must satisfy to teach pupils who have disabilities and who are under 8 years of age. Existing regulations also authorize the Department of Education to grant an extension of up to 2 years to a person for the purpose of completing a program of preparation leading to licensing in early childhood special education. (NAC 391.363) **Section 2** of this regulation revises the educational and licensure requirements a person must satisfy to teach pupils who have disabilities and who are under 8 years of age. **Section 2** also removes the authorization of the Department to grant such a person an extension to complete a program of preparation leading to licensing in early childhood special education. Finally, **section 2** removes the exemption in existing regulations from the requirement to pass a competency test in the principles and methods of teaching for a person who wishes to receive a license to teach special education with an endorsement to teach pupils who have disabilities and who are under 8 years of age. **Section 1** of this regulation makes a conforming change.

Section 1. 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, subsection 2 of NAC 391.0585, paragraph (b) of subsection 3 of NAC 391.233, paragraph (b) of subsection 6 of NAC 391.330, ~~subsection 5 of NAC 391.363,~~ paragraph (b) of subsection 4 of NAC 391.425 and subsection 7 of NAC 391.436, an applicant

who applies for an initial license must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in:

- (a) Basic reading, writing and mathematics;
- (b) The principles and methods of teaching; and
- (c) The subject matter of the initial area of endorsement on the license or the area of endorsement necessary for the applicant's area of assignment.

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, or a license to teach middle school or junior high school education, which:
 - (I) Has expired within the 3 years 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 an initial 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 an initial license; and
 - (4) Otherwise satisfies the requirements for the issuance of an initial 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; or

(c) Submits to the Department evidence that the applicant holds a license to teach issued by another state which is not a provisional license, and the Commission determines that the examinations required for licensure in that state are comparable to the competency tests required by subsection 1.

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, at the level of competency specified by the Commission:

(1) The “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; or

(2) The “California Basic Educational Skills Test,” prepared and administered by the California Commission on Teacher Credentialing;

(b) Evidence that the applicant has received a master’s or more advanced degree from a regionally accredited college or university, the receipt of which required the passage of the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, or its equivalent;

(c) An official transcript which indicates that the applicant achieved at least a 3.0 grade-point average in his or her undergraduate studies and evidence that he or she has taken the “Graduate

Record Examinations,” prepared and administered by the Educational Testing Service, and received a score of:

- (1) At least 420 on the verbal portion of the examination;
- (2) At least 460 on the quantitative portion of the examination; and
- (3) At least 430 on the analytical portion of the examination or at least 3.5 on the

analytical writing portion of the examination, as applicable; or

(d) Evidence that:

(1) The applicant did not pass, at the level of competency specified by the Commission, the “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; and

(2) After not passing the test described in subparagraph (1), the applicant began and completed, with a grade of B or better, a course of study in a subject area approved by the Commission or the Director of Licensure for the Department.

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 “Professional Knowledge Test,” prepared and administered by the Educational Testing Service;

(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; or

(c) Is applying for an elementary endorsement and submits to the Department evidence that the applicant passed, at the level of competency specified by the Commission, the “Elementary Education: Curriculum, Instruction, and Assessment Test” and the “Elementary Education:

Content Area Exercises Test,” both prepared and administered by the Educational Testing Service.

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

(a) Submits to the Department official documentation which indicates that the applicant previously passed, at the level of competency specified by the Commission, the competency test in that subject matter;

(b) Is applying for an initial license with an 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 “National Family and Consumer Sciences Certification Examination,” prepared and administered by the American Association of Family and Consumer Sciences.

6. If a competency test in a subject matter has been reviewed by the Commission for less than 1 year but is not yet approved, an applicant must take the test, but is not required to pass the test at a level of competence specified by the Commission.

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

8. The tests required by subsection 1 will be administered three times each year at locations and times established by the Commission.

Sec. 2. NAC 391.363 is hereby amended to read as follows:

391.363 1. Except as otherwise provided in subsection ~~4,~~ **5**, before teaching pupils who have disabilities and who are under 8 years of age in a program of early childhood special education, a person must:

(a) Hold an endorsement issued pursuant to this section; or

(b) Hold a teacher's elementary or secondary license, a license to teach special education, or a license to teach middle school or junior high school education, complete 6 semester hours from the courses prescribed in paragraph ~~(b)~~ **(a)** of subsection 3 within 1 year after beginning that teaching and complete a program of preparation leading to licensing in early childhood special education within 3 years after beginning that teaching. ~~The Department may grant a person an extension of up to 2 years in which to complete a program of preparation leading to licensing in early childhood special education upon receipt of:~~

~~—(1) Documentation which shows that the courses prescribed in paragraph (b) of subsection 3 were not offered at times or locations available to the person; or~~

~~—(2) Verification that the person's medical condition prevented the person from enrolling in or completing the courses prescribed in paragraph (b) of subsection 3.~~

2. To receive ~~the~~ **an** endorsement ~~to~~ **to teach pupils who have disabilities and who are under 8 years of age in a program of early childhood special education**, a person must:

(a) Have completed a program of special education, approved by the ~~Board,~~ **Department**, for children who have disabilities and who are under 8 years of age;

(b) Hold a current license or certificate with a similar endorsement issued by another state;

(c) Hold a ~~master's~~ *bachelor's or a more advanced* degree in early childhood special education and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in early childhood special education; or

(d) Satisfy the requirements of subsection 3.

3. A person may also receive the endorsement if he or she:

(a) ~~Holds an elementary or secondary license, a license to teach special education, a license to teach middle school or junior high school education, or a bachelor's or master's degree in early childhood special education, special education, education for early childhood, child development or a related field that customarily involves providing service to children who have disabilities and who are under 8 years of age, such as counseling of children or families, educational or developmental psychology, speech language pathology, physical or occupational therapy, elementary education, social work, or nursing if the person has at least 1 year of experience in pediatric nursing.~~

~~(b)~~ Has completed at least 18 semester hours which included a course in each subject listed in subparagraphs (1) to (5), inclusive, with any remaining hours completed by courses in any of the subjects listed in subparagraphs (6) to (9), inclusive:

- (1) Foundations or overview of early childhood special education;
- (2) Typical and atypical development of children who are under 8 years of age;
- (3) Assessment of children who have disabilities and who are under 8 years of age;
- (4) Strategies for intervention or development of curriculum for children who have disabilities and who are under 8 years of age;
- (5) Working with families of children who have disabilities and who are under 8 years of age;

(6) Issues regarding physical and medical management of children who have disabilities and who are under 8 years of age;

(7) Development of language and strategies for intervention for children who have disabilities and who are under 8 years of age;

(8) Social and emotional development and strategies for intervention for children who have disabilities and who are under 8 years of age; and

(9) Coordination and collaboration of services among other agencies and disciplines which serve children who have disabilities and who are under 8 years of age †.

→ ~~For the purpose of completing the requirements for the subjects listed in subparagraphs (1) to (5), inclusive, a single course of 3 semester hours may be applied to satisfy the required course work in no more than two of those subjects.~~

~~(e)† ; and~~

(b) Has completed ***a minimum of 8 semester hours of credit through a regionally accredited college or university in*** student teaching of pupils who have disabilities or developmental delays and who are under 8 years of age or has 1 year of verifiable experience, at the conclusion of which the person is eligible for reemployment, working as a teacher in a program of early childhood special education in a public or private agency that is licensed by the State or that has been approved by a national organization and which serves such pupils and their families or has completed equivalent field experience with such pupils through a regionally accredited college or university.

4. For the purpose of completing the requirements for the subjects listed in subparagraphs (1) to (5), inclusive, a single course of 3 semester hours may be applied to satisfy the required course work in no more than two of those subjects.

5. A person may teach in a class in which the majority of the children have developmental delays and are the age of pupils in kindergarten if the person:

(a) On or before September 1, 1994, has at least 3 years of experience teaching pupils who have developmental delays and are the age of pupils in kindergarten in a program of early childhood special education at a public or private agency that is licensed by the State or that has been approved by a national organization; and

(b) Holds a license to teach special education for kindergarten through grade 12 with an endorsement issued pursuant to NAC 391.343, 391.347, 391.360, 391.370 or 391.376.

~~{5.—Testing in the principles and methods of teaching pupils in kindergarten through grade 6 is not required to receive a license to teach special education with an endorsement to teach pupils who have disabilities and who are under 8 years of age. A person who, on December 13, 1999, holds a provisional special license to teach pupils who have disabilities and who are under 8 years of age that was provisioned on passing the competency test required by paragraph (b) of subsection 1 of NAC 391.036 is exempt from the requirement to pass that test to receive a special license.}~~

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



DEPARTMENT OF EDUCATION
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: April 2, 2018

Re: **NAC 391.363 Qualifications for teaching pupils who have disabilities and who are under 8 years of age.** ([NRS 385.080](#), [391.019](#), [391.032](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.363 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R119-18; A regulation relating to educational personnel; revising the requirements to obtain an endorsement to teach pupils who have speech and language impairments; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations identifying fields of specialization in teaching which require specialized training of teachers. Existing law also requires the Commission to adopt regulations setting forth the requirements a teacher must satisfy to qualify for an endorsement in each field of specialization. (NRS 391.019) Existing regulations set forth the requirements a teacher must satisfy to obtain an endorsement to teach pupils who have speech and language impairments. (NAC 391.370) This regulation revises such requirements by requiring a person who wishes to receive an endorsement to teach pupils who have speech and language impairments to submit transcripts to demonstrate attainment of certain educational requirements.
2. The Subjects and Issues involved in the regulation are those who would be teaching pupils who have speech and language impairments.
3. There is no economic effect of the regulation on the business that it regulates. There is no economic effect of the regulation on the public. There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.

5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R119-18

June 20, 2018

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to educational personnel; revising the requirements to obtain an endorsement to teach pupils who have speech and language impairments; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations identifying fields of specialization in teaching which require specialized training of teachers. Existing law also requires the Commission to adopt regulations setting forth the requirements a teacher must satisfy to qualify for an endorsement in each field of specialization. (NRS 391.019) Existing regulations set forth the requirements a teacher must satisfy to obtain an endorsement to teach pupils who have speech and language impairments. (NAC 391.370) This regulation revises such requirements by requiring a person who wishes to receive an endorsement to teach pupils who have speech and language impairments to submit transcripts to demonstrate attainment of certain educational requirements.

Section 1. NAC 391.370 is hereby amended to read as follows:

391.370 1. Before teaching pupils, ages 3 to 21, inclusive, who have speech and language impairments, a person must hold an endorsement issued pursuant to this section.

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have speech and language impairments, which has been approved by the Board;

(b) ~~Hold a~~ *Submit a transcript which indicates the person holds a master's degree or a more advanced degree in an area of concentration in speech and language impairments conferred by a regionally accredited college or university and hold:*

(1) A certificate of clinical competence in speech from the American Speech-Language-Hearing Association ; or ~~an~~

(2) An equivalent license from the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board ~~is~~ *created by NRS 637B.100;*

(c) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have speech and language impairments;

(d) Hold a bachelor's or master's degree in the area of speech and language impairments, and have 8 semester hours of student teaching, a clinical practicum, equivalent field experience or 1 year of verifiable teaching experience with pupils who have speech and language impairments; or

(e) Have completed a bachelor's or master's degree and:

(1) Have completed 8 semester hours in student teaching of pupils who have speech and language impairments, a clinical practicum with those pupils, equivalent field experience with those pupils or 1 year of verifiable teaching experience with those pupils; and

(2) Have completed at least 28 semester hours of course work, including course work in the following areas:

(I) Audiology;

(II) Methods for the assessment and treatment of the disorders of articulation, fluency, voice and language;

(III) The development of normal speech and language;

(IV) Science of speech and voice;

(V) Phonetics;

(VI) Introduction to special education or the education of pupils who have disabilities;

and

(VII) Parental involvement in programs for pupils who have disabilities.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



DEPARTMENT OF EDUCATION
Northern Nevada Office
700 E. Fifth Street
Carson City, Nevada 89701-5096
(775) 687 - 9200
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SOUTHERN NEVADA OFFICE
9890 S. Maryland Parkway, Suite 221
Las Vegas, Nevada 89183
(702) 486-6458
Fax: (702) 486-6450

**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: April 27, 2018

Re: **NAC 391.370 Qualifications for teaching pupils who have speech and language impairments.** ([NRS 385.080](#), [391.019](#), [391.032](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.370 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

*(1) The Proposed regulation will have no adverse or beneficial effects; and
(2) The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.

8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R130-18; A regulation relating to education; prescribing requirements concerning courses in multicultural education for certain licensed teachers; clarifying that certain applicants for the issuance or renewal of a license as a teacher must submit proof of completion of a course in multicultural education; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires a licensed teacher who is initially licensed on or after July 1, 2015, except for a teacher who is licensed only as a substitute teacher, to submit with his or her first application for renewal of his or her license proof of the completion of a course in multicultural education. If the teacher is initially issued a nonrenewable license, he or she must submit such proof with his or her first application for a renewable license. Existing law also requires the Commission on Professional Standards in Education to prescribe the contents and credits required for a course in multicultural education. (NRS 391.0347) **Section 1** of this regulation: (1) clarifies that such a course must be completed after the date of initial licensure; (2) specifies who may offer such a course; and (3) prescribes the hours of credit or training that must comprise such a course and the required contents of the course. **Sections 2-5** of this regulation make conforming changes.
2. The Subjects and Issues involved in the regulation are those who would be seeking renewal of their licensure and clarifying that they must submit proof of completion of a course in multicultural education.
3. There is no economic effect of the regulation on the business that it regulates. There is no economic effect of the regulation on the public.

There are no immediate or long-term effects on the public.

4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R130-18

July 23, 2018

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

AUTHORITY: §§1-4, NRS 391.019, 391.033 and 391.0347; §5, NRS 391.019.

A REGULATION relating to education; prescribing requirements concerning courses in multicultural education for certain licensed teachers; clarifying that certain applicants for the issuance or renewal of a license as a teacher must submit proof of completion of a course in multicultural education; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires a licensed teacher who is initially licensed on or after July 1, 2015, except for a teacher who is licensed only as a substitute teacher, to submit with his or her first application for renewal of his or her license proof of the completion of a course in multicultural education. If the teacher is initially issued a nonrenewable license, he or she must submit such proof with his or her first application for a renewable license. Existing law also requires the Commission on Professional Standards in Education to prescribe the contents and credits required for a course in multicultural education. (NRS 391.0347) **Section 1** of this regulation: (1) clarifies that such a course must be completed after the date of initial licensure; (2) specifies who may offer such a course; and (3) prescribes the hours of credit or training that must comprise such a course and the required contents of the course. **Section 1** also clarifies that such a course may be used to satisfy certain other requirements for a course in multicultural education if the course otherwise satisfies those requirements. **Sections 2-5** of this regulation make conforming changes.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. The course in multicultural education required by NRS 391.0347 must:*
 - (a) Be completed by a licensee for whom the course is required after the date on which his or her initial license was issued;*

(b) Be offered by:

(1) An accredited college or university and consist of at least 3 semester hours of credit;

or

(2) A school district in this State, the State Public Charter School Authority or a regional training program and consist of at least 45 hours of in-service training;

(c) Increase awareness and understanding of race and ethnicity and the interconnectedness of race and ethnicity with other aspects of diversity, including, without limitation, geographic origin, residency status, language, socioeconomic status, sex, gender identity or expression, sexual orientation, religion, spirituality, age, physical appearance and disability;

(d) Assess the capacity of the licensee for cultural competency, facilitate the development of knowledge and skills for cultural competency and build the capacity of the licensee for cultural competency;

(e) Include:

(1) A review of best practices in pedagogy and selection and use of instructional materials, curriculum and assessments to ensure that all pupils are treated equitably;

(2) Instruction in skills for communicating and developing relationships with pupils, families, colleagues and members of the community; and

(3) A field-based experience demonstrating the application of all course materials and topics in an educational setting;

(f) Be aligned with the standards and indicators for instructional leadership practices and professional responsibilities prescribed by NAC 391.572, 391.573, 391.575 and 391.576, as applicable;

(g) Use resources that are based on current scientific research and national best practices in the field of multicultural education; and

(h) Address the roles and responsibilities of the licensees for whom the course is designed.

2. A course in multicultural education completed to satisfy the requirements of NRS 391.0347 may also be used to satisfy the requirements of paragraph (c) of subsection 1 of NAC 391.0575 or subparagraph 5 of paragraph (b) of subsection 1 of NAC 391.111 if it also meets the requirements of paragraph (c) of subsection 1 of NAC 391.0575 or subparagraph 5 of paragraph (b) of subsection 1 of NAC 391.111, as applicable.

3. As used in this section, “regional training program” has the meaning ascribed to it in NRS 391A.105.

Sec. 2. NAC 391.0565 is hereby amended to read as follows:

391.0565 1. The holder of a provisional nonrenewable license issued pursuant to NAC 391.056 must remove all the provisions under which the license was issued before he or she may apply for a license pursuant to NAC 391.045. An application for a license issued pursuant to NAC 391.045 may be made at any time after the removal of all of the provisions under which the provisional nonrenewable license was issued.

2. The holder of a provisional nonrenewable license for which all of the provisions have not been removed on the date on which the license expires may apply as a new applicant for a license pursuant to NAC 391.045 as soon as the provisions under which the expired provisional nonrenewable license was issued have been removed.

3. If an application is made for a license pursuant to NAC 391.045 by the holder of a provisional nonrenewable license before the provisional nonrenewable license expires, the applicant must ~~pay~~:

(a) Submit to the Department current official transcripts or verification of credits for the course in multicultural education required by NRS 391.0347 and section 1 of this regulation, if applicable; and

(b) Pay an application fee of \$150, 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.

Sec. 3. NAC 391.065 is hereby amended to read as follows:

391.065 1. Except as otherwise provided in subsection 2, the educational prerequisites for renewal of a license , *in addition to those prescribed by NRS 391.0347, if applicable,* are as follows:

(a) Except as otherwise provided in paragraph (b), ~~fa license that is renewable may be renewed if its~~ *to renew a license, the* holder ~~learns~~ *must earn* 6 semester hours of credit or the equivalent during the term of the license. For a license that is not a professional license pursuant to NAC 391.100 and is renewed on or after October 1, 2018, unless the holder has an endorsement to teach English as a second language or in English language acquisition and development issued by the Superintendent of Public Instruction, at least 3 semester hours of credit or the equivalent must pertain to teaching English as a second language or English language acquisition and development.

(b) The holder of a license issued on a specialist's or doctor's degree or a National Board Certification must show evidence of professional growth in the area of endorsement during the term of the license.

2. The provisions of this section do not apply to the renewal of a license pursuant to NAC 391.073.

Sec. 4. NAC 391.070 is hereby amended to read as follows:

391.070 1. To renew a license, the holder must submit before it expires:

(a) An application for renewal in the form prescribed by the Department;

(b) Current official transcripts or verification of credits for in-service or continuing education courses ~~H~~, *including, without limitation, the course in multicultural education required by NRS 391.0347 and section 1 of this regulation, if applicable;* and

(c) Except as otherwise provided in this paragraph, a renewal fee of \$150. If the holder has been granted an extension of time pursuant to NAC 391.077, the applicant must instead submit a fee in an amount equal to the fee prescribed by NAC 391.045 for the initial issuance of a license. Any fee submitted pursuant to this paragraph includes the fees for processing the fingerprints of the licensee by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation.

2. An application for renewal may not be submitted more than than 9 months before the expiration date of a license.

3. The Superintendent of Public Instruction may delay the expiration date of a license:

(a) For not more than 30 days if the licensee has completed the educational prerequisites prescribed in NAC 391.065 and the general prerequisites prescribed in subsection 1 in a timely manner, except:

(1) Submission of the application for renewal or the renewal fee, or both; or

(2) Submission of the current official transcript or verification of credits.

(b) For not more than 120 days pending receipt of the reports of the criminal history of the licensee by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation.

Sec. 5. NAC 391.075 is hereby amended to read as follows:

391.075 1. ~~{Credits}~~ *Except as otherwise provided by specific regulation, credits* for renewal may be earned by:

(a) Attending a course at, or taking a correspondence course given by, an accredited college or university, attending any state or national conference which has been approved by the Department to offer credit for continuing education or taking an in-service course offered by the Department or a continuing education course offered by a provider who is approved by the Commission if the course or conference:

(1) Is directly related to the person's current license or will enhance the effectiveness of the person's teaching;

(2) Is in a subject for which shortages of personnel, as determined by the Board, exist; or

(3) Is part of an approved program leading to an advanced degree;

(b) Engaging in foreign or domestic travel which is directly related to the area of licensure of the person and is approved not less than 30 days before departure by the Department; or

(c) Completing courses provided by or under the jurisdiction of a state or national professional organization or association which is specific to the person's area of discipline and which is on a list maintained by the Department.

2. One credit will be given for the completion of 15 hours of:

(a) Course work at a college or university accredited by a regional accrediting association;

(b) In-service courses offered by the Department; or

(c) Classroom instruction in continuing education or attendance at a conference for which continuing education credits may be earned, if the state or national professional organization or association and the course or conference have been approved by the Department at least 15 days

before the course or conference commences. Two credits will be given for 6 weeks of travel, 1 credit for 1 month. No credit will be allowed for travel of less than 1 month.

3. A person holding a master's degree or a more advanced degree may receive not more than 2 credits by conducting a seminar or workshop or by teaching at the college or university level, if the seminar, workshop or course being taught is in the area of licensure of the person.

4. A holder of a special license to teach career and technical education may earn a maximum of 2 credits for 160 or more hours of full-time continuous employment in the career and technical education field in which he or she teaches and is licensed. The credit for employment must be approved by the Department or a university or college.

5. A person is entitled to receive 6 credits for the completion of the requirements for the National Board Certification upon the submission of a copy of the official assessment scores issued to that person by the National Board for Professional Teaching Standards. A person is not required to be a holder of a National Board Certification to receive such credits.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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www.doe.nv.gov

**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: DATE

Re: **Proposed Adoption of Regulations Regarding AB 234 of the 2015 Legislative Session**

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed regulations regarding AB234 are 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. The Department of Education has relied on the expert knowledge of Department staff and the Attorney General's Office the impact is solely on school districts and the Department of Education.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
4. Comment has not been solicited from small business, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or 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 blue ink that reads "Steve Canavero".

STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R158-18; A regulation relating to education; revising the qualifications for an endorsement to serve as a school nurse; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in a field of specialization. (NRS 391.019) Existing regulations prescribe the qualifications a person must satisfy to receive and renew an endorsement to serve as a school nurse. (NAC 391.305) This regulation removes the requirement to provide a copy of a renewed license issued by the State Board of Nursing to the Teacher Licensure Office within the Department of Education each time the holder of an endorsement to serve as a school nurse wishes to renew such an endorsement.

Existing regulations provide that a person who is a registered nurse and who satisfies certain licensure and employment requirements is exempt from the requirements prescribed to receive an endorsement to serve as a school nurse. (NAC 391.305) This regulation removes that exemption. Additionally, this regulation provides that a person who holds only a special license with an endorsement as a school nurse is exempt from completing certain competency tests required for initial licensure.

2. The Subjects and Issues involved in the regulation are those who would be seeking renewal of their licensure and clarifying that they must submit proof of completion of a course in multicultural education.

3. There is no economic effect of the regulation on the business that it regulates.
There is no economic effect of the regulation on the public.
There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R158-18

July 24, 2018

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to educational personnel; revising the qualifications for an endorsement to serve as a school nurse; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in a field of specialization. (NRS 391.019) Existing regulations prescribe the qualifications a person must satisfy to receive and renew an endorsement to serve as a school nurse. (NAC 391.305) This regulation removes the requirement to provide a copy of a renewed license issued by the State Board of Nursing to the Teacher Licensure Office within the Department of Education each time the holder of an endorsement to serve as a school nurse wishes to renew such an endorsement.

Existing regulations provide that a person who is a registered nurse and who satisfies certain licensure and employment requirements is exempt from the requirements prescribed to receive an endorsement to serve as a school nurse. (NAC 391.305) This regulation removes that exemption. Additionally, this regulation provides that a person who holds only a special license with an endorsement as a school nurse is exempt from completing certain competency tests required for initial licensure.

Section 1. NAC 391.305 is hereby amended to read as follows:

391.305 1. Except as otherwise provided in NAC 391.307 and this section, to receive an endorsement to serve as a school nurse, a person must hold a valid license issued by the State Board of Nursing to practice as a registered nurse and must:

(a) Submit evidence of having received a baccalaureate degree and having completed an educational program that:

- (1) Grants postgraduate certificates in school nursing; and
- (2) Is under a regionally accredited institution of higher learning;

(b) Hold a degree in nursing earned under a college or university baccalaureate program in nursing accredited by the National League for Nursing or the Commission on Collegiate Nursing Education;

(c) Submit evidence of having received:

- (1) A baccalaureate degree; and
- (2) Certification as a school nurse from the National Board for Certification of School

Nurses; or

(d) Hold a baccalaureate degree and certification as a:

- (1) Family nursing practitioner;
- (2) Pediatric nursing practitioner;
- (3) School nursing practitioner; or
- (4) School nursing generalist,

↳ from the American Nurses Association or from the State Board of Nursing.

2. The Superintendent of Public Instruction may grant an endorsement to a person who is a registered nurse and holds a baccalaureate degree from a program in nursing that is not accredited by the National League for Nursing or the Commission on Collegiate Nursing Education if, in his or her discretion, the courses offered and requirements for a diploma from the unaccredited program are comparable with an accredited program.

3. To renew an endorsement to serve as a school nurse, the holder must ~~+~~

~~—(a) Continue~~ *continue* to hold a valid license issued by the State Board of Nursing . ~~}; and~~
~~—(b) Each time that the license is renewed by the State Board of Nursing, deliver a copy of the license to the Teacher Licensure Office within the Department.}~~

4. ~~{The provisions of this section do not apply to a registered nurse who:~~

~~—(a) Holds a current license issued by the State Board of Nursing pursuant to the provisions of NRS 632.150; and~~

~~—(b) Has been employed in this State as a school nurse for not less than 1 year immediately preceding July 1, 1993.}~~ *A person who holds only a special license with an endorsement as a school nurse is exempt from the provisions of NAC 391.036.*

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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Northern Nevada Office
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: June 4, 2018

Re: **NAC 391.305** Endorsement to serve as school nurse. ([NRS 385.080](#), [391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.305 are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R159-18; A regulation relating to educational personnel; prescribing the qualifications for an endorsement to teach the Navajo language and government of the Navajo Nation; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel. (NRS 391.019) This regulation adds an endorsement to teach the Navajo language and government of the Navajo Nation and prescribes the qualifications for such an endorsement.
2. The Subjects and Issues involved in the regulation are those who would be seeking renewal of their licensure and clarifying that they must submit proof of completion of a course in multicultural education.
3. There is no economic effect of the regulation on the business that it regulates.
There is no economic effect of the regulation on the public.
There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.

7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R159-18

July 18, 2018

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to educational personnel; prescribing the qualifications for an endorsement to teach the Navajo language and government of the Navajo Nation; 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) This regulation adds an endorsement to teach the Navajo language and government of the Navajo Nation and prescribes the qualifications for such an endorsement.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto a new section to read as follows:

1. To teach a course in Navajo language and government of the Navajo Nation, a person must:

(a) Have a high school diploma or its equivalent;

(b) Have completed 6 semester hours of course work that included, without limitation:

(1) Professional education and teaching methodology; or

(2) The study of the Navajo language and government of the Navajo Nation; and

(c) Be certified as a fluent speaker of the Navajo language by:

(1) A chapter of the Navajo Nation;

(2) The Tribal Council of the Colorado River Indian Tribes; or

(3) A qualified official of a university or college.

2. An endorsement issued pursuant to this section:

(a) Is valid for 3 years.

(b) Is renewable.

(c) May be used only to teach Navajo language and government of the Navajo Nation.

3. An applicant for an endorsement issued pursuant to this section:

(a) Must submit with his or her application:

(1) The applicable documents and fees required for initial licensure pursuant to NAC 391.045; and

(2) Written documentation verifying the applicant's certification as a fluent speaker of the Navajo language, pursuant to paragraph (c) of subsection 1.

(b) Is not subject to the provisions of NAC 391.036.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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Las Vegas, Nevada 89183
(702) 486-6458
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: June 4, 2018

Re: **NAC 391.XXX Endorsement to teach Navajo Language and Government. ([NRS 391.019](#)).**

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.XXX are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R160-18; A regulation relating to educational personnel; prescribing the qualifications for an endorsement in cultural competency; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel. Existing law also requires the Commission to adopt regulations prescribing the requirements for obtaining an endorsement on the license of a teacher, administrator or other educational personnel in cultural competency. (NRS 391.019) This regulation prescribes the qualifications for such an endorsement or an endorsement as a specialist in cultural competency.
2. The Subjects and Issues involved in the regulation are those who would be seeking renewal of their licensure and clarifying that they must submit proof of completion of a course in multicultural education.
3. There is no economic effect of the regulation on the business that it regulates.
There is no economic effect of the regulation on the public.
There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.

6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R160-18

July 25, 2018

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to educational personnel; prescribing the qualifications for an endorsement in cultural competency; 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. Existing law also requires the Commission to adopt regulations prescribing the requirements for obtaining an endorsement on the license of a teacher, administrator or other educational personnel in cultural competency. (NRS 391.019) This regulation prescribes the qualifications for such an endorsement or an endorsement as a specialist in cultural competency.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto a new section to read as follows:

1. To receive an endorsement in cultural competency, a person must:

(a) Hold an elementary, secondary or special license, or a license to teach middle school or junior high education; and

(b) Have completed 12 semester hours of course work, including course work in each of the following areas of study:

(1) Three semester hours of course work in critical multicultural education, which must include:

(I) Cultural competency identification and assessment, development of knowledge bases and skill sets and building capacity for cultural competency;

(II) Awareness, knowledge and understanding of race and ethnicity, with the content of the course covering, without limitation, geographic origin, residency status, languages, socioeconomic status, sex, gender identity or expression, sexual orientation, religion, spirituality, age, physical appearance and disability;

(III) Equitable practice in pedagogy, selection and use of instructional materials and curriculum and assessments measuring student learning;

(IV) Communication and developing relationships with pupils, families, colleagues and community members;

(V) Alignment with the standards in the domain of instructional practices of the teacher in the classroom as prescribed by NAC 391.575 and the domain of professional responsibilities of the teacher to support learning and promote effectiveness of the school community as prescribed by NAC 391.576; and

(VI) Course materials which reflect current and relevant educational research and evidence-based practices;

(2) At least 2 semester hours of course work in culturally responsive engagement;

(3) At least 1 semester hour of a practicum, which must:

(I) Include, without limitation, at least 30 hours of culturally responsive community engagement work within an organization serving the community adjacent to a high-need school; and

(II) Demonstrate a practical application of all course content required by subparagraph (1);

(4) Three semester hours of course work driven by cultural assets in high-need school pedagogy, high-need school leadership or high-need school care or counseling; and

(5) Three semester hours of course work in participatory action research which includes completion of a participatory action research project related to a sociopolitical issue in education.

2. For the purpose of completing the requirements of subparagraph (3) of paragraph (b) of subsection 1, the 1 semester hour of practicum may be satisfied by the course in critical multicultural education pursuant to subparagraph (1) of paragraph (b) of subsection 1.

3. To receive an endorsement as a specialist in cultural competency, a person must:

(a) Have completed the requirements for the endorsement in cultural competency pursuant to subsection 1 of this section;

(b) Have at least 3 years of verified employment experience in this State in a position at a high-need school that requires licensure by the Superintendent of Public Instruction pursuant to chapter 391 of NRS; and

(c) Have completed a minimum of 9 credits of course work encompassing at least three of the following areas:

(1) Multicultural organizational development;

(2) Culturally responsive educational leadership in diverse educational organizations;

(3) Advanced course work in multicultural curriculum development;

(4) Advanced course work in ethnic studies, cultural studies or United States racial formations-focused history;

(5) Intergroup dialogue facilitation; or

(6) Justice-focused advocacy or justice-focused conflict negotiation.

4. *As used in this section, “high-need school” has the meaning ascribed to it in 20 U.S.C. § 1021(11).*

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: June 4, 2018

Re: **NAC 391.XXX Endorsement in Cultural Competency.** ([NRS 391.019](#)).

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.XXX are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **September 19, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R161-18; A regulation relating to educational personnel; establishing provisions related to educator ethics; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which authorizes the Commission on Professional Standards in Education to adopt regulations it deems necessary to carry out its duties. (NRS 391.019).

Section 2 of this regulation provides that the Commission adopts by reference the *Model Code of Ethics for Educators*, published by the National Association of State Directors of Teacher Education and Certification, as the Nevada Model Code of Educator Ethics. **Section 2** also provides that the adopted publication: (a) will be used for certain purposes; and (b) will not constitute standards of professional conduct for teachers, administrators or other persons employed by a school district or a charter school.

Existing law requires the board of trustees of each school district and the governing body of each charter school to provide training on the *Model Code of Ethics for Educators*, as adopted by the Commission, to teachers, administrators and other persons employed by the school district or charter school. (NRS 391.2056) **Section 3** of this regulation provides that such training must be provided on an annual basis.

2. The Subjects and Issues involved in the regulation are those who would be seeking renewal of their licensure and clarifying that they must submit proof of completion of a course in multicultural education.

3. There is no economic effect of the regulation on the business that it regulates.
There is no economic effect of the regulation on the public.
There are no immediate or long-term effects on the public.
4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before September 4, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to 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.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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

LCB File No. R161-18

July 25, 2018

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

AUTHORITY: §§1-3, NRS 391.019 and 391.2056.

A REGULATION relating to educational personnel; establishing provisions related to educator ethics; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Commission on Professional Standards in Education to adopt regulations it deems necessary to carry out its duties. (NRS 391.019)

Section 2 of this regulation provides that the Commission adopts by reference the *Model Code of Ethics for Educators*, published by the National Association of State Directors of Teacher Education and Certification, as the Nevada Model Code of Educator Ethics. **Section 2** also provides that the adopted publication: (a) will be used for certain purposes; and (b) will not constitute standards of professional conduct for teachers, administrators or other persons employed by a school district or a charter school.

Existing law requires the board of trustees of each school district and the governing body of each charter school to provide training on the *Model Code of Ethics for Educators*, as adopted by the Commission, to teachers, administrators and other persons employed by the school district or charter school. (NRS 391.2056) **Section 3** of this regulation provides that such training must be provided on an annual basis.

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 Commission hereby adopts by reference the Model Code of Ethics for Educators, 2015 edition, and any subsequent edition published by the National Association of State Directors of Teacher Education and Certification, as the Nevada Model Code of Educator Ethics. A copy of the publication may be obtained from the National Association of*

State Directors of Teacher Education and Certification, 1629 K Street N.W., Suite 300, Washington, D.C. 20006, or on the Internet website of the National Association of State Directors of Teacher Education and Certification at https://www.nasdtrec.net/page/MCEE_Doc.

2. The Commission will use the publication described in subsection 1 to:

(a) Assist teachers, administrators and other persons employed by a school district or a charter school in making ethical decisions; and

(b) Facilitate discussion among teachers, administrators and other persons employed by a school district or a charter school concerning issues related to ethical questions.

3. The publication described in subsection 1 must not be used to constitute standards of professional conduct for teachers, administrators and other persons employed by a school district or a charter school.

Sec. 3. *The board of trustees of each school district and the governing body of each charter school must, on an annual basis, provide training on the Nevada Model Code of Educator Ethics adopted by the Commission pursuant to section 2 of this regulation to teachers, administrators and other persons employed by the school district or charter school pursuant to NRS 391.2056.*

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: June 4, 2018

Re: **NAC 391.XXX Educator Ethics. ([NRS 391.019](#))**.

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.XXX are **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. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction