

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

LCB File No. R067-24

June 13, 2024

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

AUTHORITY: § 1, NRS 391.019 and 391.021, as amended by section 3.4 of Assembly Bill No. 428, chapter 491, Statutes of Nevada 2023, at page 3015.

A REGULATION relating to education; exempting certain applicants for licensure as a teacher or other educational personnel from the requirement to pass a competency test in basic reading, writing and mathematics; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel. (NRS 391.019) Existing law also requires the Commission to adopt regulations governing examinations for the initial licensing of teachers and other education personnel. (NRS 391.021) Assembly Bill No. 428 (A.B. 428) of the 2023 Legislative Session requires that these regulations exempt an applicant from any requirement to pass a competency test in basic reading, writing and mathematics, at the level of competence specified by the Commission, if, after not passing such a test, the applicant completes a course of study approved by the Department of Education, with a grade of B or better, in each subject area of the competency test that the applicant did not pass. (NRS 391.021, as amended by section 3.4 of Assembly Bill No. 428, chapter 491, Statutes of Nevada 2023, at page 3015) This regulation creates such an exemption and requires the submission of official transcripts indicating completion of the required course of study to establish eligibility for the exemption.

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, paragraph (a) of subsection 9 of NAC 391.0896, subsection 7 of NAC 391.0897, subsection 3 of NAC 391.180, subsection 3 of NAC 391.223, paragraph (b) of subsection 3 of NAC 391.231, paragraph (b) of subsection 3 of NAC 391.233, subsection 3 of

NAC 391.276, subsection 2 of NAC 391.277, subsection 2 of NAC 391.279, subsection 4 of NAC 391.305, subsection 4 of NAC 391.312, subsection 2 of NAC 391.315, subsection 4 of NAC 391.320, subsection 3 of NAC 391.370, paragraph (b) of subsection 4 of NAC 391.425, subsection 6 of NAC 391.436, subsection 2 of section 2 of LCB File No. R123-22, subsection 2 of section 3 of LCB File No. R123-22 and section 2 of LCB File No. R128-22, an applicant who applies for:

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

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

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

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

- (a) Submits to the Department evidence that he or she:
- (1) Has retired from teaching in this State;
 - (2) Held a special license, a license to teach elementary or secondary education, a license to teach special education, a license to teach pupils in a program of early childhood education or a license to teach middle school or junior high school education, which:

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

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

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

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

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

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

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

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

(a) Official documentation which indicates that he or she passed, within the 10 years immediately preceding the date on which his or her application was submitted and at the level of competency specified by the Commission:

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

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

(b) Evidence that the applicant has:

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

(2) Completed, within the 10 years immediately preceding the date on which his or her application was submitted, the "Graduate Record Examinations," prepared and administered by the Educational Testing Service, or its equivalent, and received a score which was at or above the midpoint of the score range in effect at the time the examination was administered; ~~100~~

(c) Official documentation which indicates that the applicant completed, within the 10 years immediately preceding the date on which his or her application was submitted:

(1) The ACT, administered by ACT, Inc., with a combined score of at least 21; or

(2) The SAT, administered by the Educational Testing Service, with a combined score of at least 1100 ~~1~~; *or*

(d) Evidence that the applicant:

(1) Did not pass, at the level of competence specified by the Commission, the "Praxis Core Academic Skills for Educators" in reading, mathematics and writing, prepared and administered by the Educational Testing Service; and

(2) After not passing the competency test described in subparagraph (1), began and completed, with a grade of B or better, a course of study approved by the Department in each subject area of the competency test described in subparagraph (1) that the applicant did not pass. Evidence of the completion of a course of study pursuant to this subparagraph must

consist of official transcripts indicating completion of the course of study as required by this subparagraph.

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

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

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

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

(a) Submits to the Department official documentation which indicates that the applicant passed, within the 10 years immediately preceding the date on which his or her application was submitted and at the level of competency specified by the Commission, the competency test in that subject matter;

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

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

(d) Is applying for an endorsement in family and consumer sciences and submits to the Department official documentation which indicates that the applicant satisfactorily completed the

“Family and Consumer Sciences Composite Examination,” prepared and administered by the American Association of Family and Consumer Sciences.

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