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February 21, 2024

Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of Regulations of the Commission on Professional Standards in Education as proposed in LCB File #R090-23

The Commission on Professional Standards in Education will hold a public hearing at **9:04 A.M.** on **Wednesday, February 21, 2024** via [livestream](#) and at the following locations: **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada.** The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to Chapters 391 of the Nevada Administrative Code (NAC) pursuant to the Nevada Revised Statute (NRS) 391.019.

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

- 1. The need and the purpose of the proposed regulations and/or amendments:** In accordance with NRS 391.019, the Commission on Professional Standards in Education shall adopt regulations:
 - *Prescribing the qualifications and process for licensing teachers and other educational personnel.*
- 2. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation is relating to educational personnel; revising provisions relating to an administrative endorsement as a professional administrator of a program; and providing other matters properly thereto. This regulation will update the administrative endorsement for Professional administrator of a program adding social workers, counselors, and mental health workers.

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

- 3. Estimated economic effect of the regulation on the business which it is to regulate and on the public:** There is no economic effect of the regulation on the business that it regulates and no impact on the public.
- 4. Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.
- 5. The estimated cost to the agency for enforcement of the proposed regulation:** No costs.
- 6. Description and citation of duplicative or overlapping regulations of other state or local governmental agencies:** There is no duplication or overlap of regulations of state or local government

agencies.

7. **Is the regulation required by federal law?** This regulation is not required pursuant to federal law.
8. **Does the regulation include provisions more stringent than a federal regulation regarding the same activity?** There is no federal law affecting or overlapping the proposed regulations.
9. **Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

A copy of all materials relating to the proposed regulation may be obtained at the hearing, on the [Nevada Department of Education webpage](#), by contacting the Commission on Professional Standards in Education, Nevada Department of Education, via email at COPS@doe.nv.gov, by telephone at (702) 668-4308 or in person at the Nevada Department of Education, 2080 E. Flamingo Rd. Las Vegas, Nevada. Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may provide in-person testimony, submit written comment to the Commission on Professional Standards in Education via email at COPS@doe.nv.gov, or submit their comments, data, views, or arguments in written form to the Commission on Professional Standards in Education, Nevada Department of Education, 2080 E. Flamingo Rd. Las Vegas, Nevada. Comments may be submitted via email leading up to and for the duration of the meeting, and those submitted via mail must be received by the Department on or before Tuesday, November 15, 2023. A record of all submitted comments will be retained, and the Commission on Professional Standards will proceed to consider any public comment received.

This notice and the text of the proposed regulation has been sent to all persons on the agencies mailing list for administrative regulations and the Commission on Professional Standards, and posted on the Nevada Department of Education's website at <https://doe.nv.gov>, Nevada's Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature's webpage at <https://leg.state.nv.us>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted at the Nevada Department of Education Offices and with Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

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

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

LCB File No. R090-23

November 16, 2023

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 provisions relating to an administrative endorsement as a professional administrator of a program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations: (1) identifying fields of specialization in teaching that require the specialized training of teachers; and (2) prescribing the educational requirements for teachers to qualify for an endorsement in each field of specialization. (NRS 391.019) Existing regulations authorize the Department of Education to issue endorsements for a professional administrator of a school and a professional administrator of a program. Existing regulations require a person to hold an endorsement as a professional administrator of a program if he or she supervises or coordinates a program in certain fields of specialization. (NAC 391.160) **Section 1** of this regulation adds other fields of specialization to the list of such programs.

Section 1. NAC 391.160 is hereby amended to read as follows:

391.160 1. The Department will issue the following types of administrative endorsements:

- (a) Professional administrator of a school; and
- (b) Professional administrator of a program.

2. A person who holds an endorsement as a professional administrator of a school may be employed by a school district as:

- (a) An assistant superintendent of schools;
- (b) A superintendent of schools;

- (c) An associate superintendent of schools;
- (d) A principal;
- (e) A vice principal;
- (f) A supervisor;
- (g) A dean; or
- (h) A supervisor or coordinator of:
 - (1) A program of nursing;
 - (2) A program of psychology as it is applied in a school;
 - (3) A program of speech therapy;
 - (4) A program of physical therapy;
 - (5) A program of occupational therapy; or
 - (6) Any other program area.

3. Except as otherwise provided in subsection 2, a person must hold an endorsement as a professional administrator of a program if he or she supervises or coordinates a program of:

- (a) Nursing;
- (b) Psychology as it is applied in a school;
- (c) Speech therapy;
- (d) Physical therapy; ~~or~~
- (e) Occupational therapy ~~H~~;

(f) Counseling;

(g) Social work; or

(h) Mental health.