

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



Southern Nevada Office
2080 East Flamingo Rd, Suite 210
Las Vegas, Nevada 89119-0811
Phone: (702) 486-6458
Fax: (702) 486-6450

STATE OF NEVADA
DEPARTMENT OF EDUCATION
700 E Fifth Street | Carson City, Nevada 89701-5096
Phone: (775) 687-9200 | www.doe.nv.gov | Fax: (775) 687-1116

August 18, 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 #R010-24

The Commission on Professional Standards in Education will hold a public hearing at **9:06 A.M.** on **Wednesday, September 18, 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 Chapter 391.XXX of the Nevada Administrative Code (NAC) pursuant to the Nevada Revised Statute (NRS) 391.019, 391.032 and 391.040.

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 for licensing teachers and other educational personnel and the procedures for the issuance and renewal of those licenses.*

NRS 391.032, the Commission on Professional Standards in Education shall adopt regulations:

 - *Providing for the issuance of provisional licenses to teachers and other educational personnel before completion of all courses of study or other requirements for a license in this State.*

NRS 391.040, the Commission on Professional Standards in Education shall adopt regulations:

 - *Prescribing fees for issuance and renewal of licenses; fee for duplicate license; waiver of fees for certain persons affiliated with Armed Forces.*
- 2. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation is relating to educational personnel; providing for the issuance of an interim endorsement as a professional administrator to applicants who meet certain criteria; revising the qualifications for obtaining an endorsement as a professional administrator of a school; clarifying certain fees relating to the issuance of an endorsement as a professional administrator or an interim endorsement as a professional administrator; and providing other matters properly relating thereto. This regulation will create an Interim Route to Certification pathway allowing certain licensed educators to obtain a provisional license as a school or program administrator.
- 3. The revised text of the proposed regulation is attached to this notice.**

4. **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.
5. **Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.
6. **The estimated cost to the agency for enforcement of the proposed regulation:** No costs.
7. **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.
8. **Is the regulation required by federal law?** This regulation is not required pursuant to federal law.
9. **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.
10. **Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulation does not establish a new fee or increase an existing fee.

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, September 17, 2024**. 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. R010-24

July 18, 2024

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

AUTHORITY: § 1, NRS 385.080, 391.019, 391.027 and 391.032; § 2, NRS 385.080, 391.019 and 391.040; § 3, NRS 385.080, 391.019 and 391.027.

A REGULATION relating to educational personnel; providing for the issuance of an interim endorsement as a professional administrator to applicants who meet certain criteria; revising the qualifications for obtaining an endorsement as a professional administrator of a school; clarifying certain fees relating to the issuance of an endorsement as a professional administrator or an interim endorsement as a professional administrator; 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) prescribing the qualifications for licensing teachers and other educational personnel; and (2) identifying fields of specialization in teaching that require the specialized training of teachers. Existing law also requires the Commission to adopt regulations 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 administrative endorsements for: (1) a professional administrator of a school; and (2) a professional administrator of a program. (NAC 391.160) **Section 1** of this regulation provides for the issuance of an interim endorsement in these areas. Under **section 1**, to obtain an interim endorsement as a professional administrator of a school or program, an applicant must: (1) meet certain requirements relating to education and experience; (2) have been accepted for enrollment in an approved program for an interim route to certification; (3) hold a valid renewable license to teach or a valid renewable license in the program for which the interim endorsement is requested, as applicable; (4) comply with the instructional and training policies and procedures of the provider of the program for an interim route to certification in which the applicant enrolls; and (5) pay the applicable fee.

An interim endorsement issued pursuant to **section 1** authorizes the holder to be employed as an administrator in: (1) a county school district other than Clark County, Washoe County or Carson City; (2) a charter school; or (3) a private school. Under **section 1**, an interim endorsement as a professional administrator is valid for not more than 3 years. **Section 1** also: (1) requires a provider of an approved program for an interim route to certification to provide

certain notice to the Office of Educator Licensure within the Department if the holder of an interim endorsement withdraws from or is no longer enrolled in a program; (2) prescribes requirements related to the reinstatement of an endorsement that has become invalid; and (3) provides that an interim endorsement as a professional administrator may be converted to an initial endorsement if the holder satisfies certain requirements.

Existing law requires the Commission to fix fees for the issuance of a license. (NRS 391.040) Existing regulations require an applicant for an endorsement to an existing license to submit a fee of \$50 with the application. (NAC 391.045) **Section 2** of this regulation clarifies that this requirement applies to an applicant for an endorsement as a professional administrator and an applicant for an interim endorsement as a professional administrator.

Existing regulations establish qualifications for obtaining an endorsement as a professional administrator. (NAC 391.170) **Section 3** of this regulation revises the qualifications for obtaining an endorsement as a professional administrator of a school by requiring an applicant to: (1) hold a valid renewable license to teach; and (2) submit to the Department evidence of 5 years of classroom teaching experience as a licensed teacher in the grade level or subject area for which the applicant holds a valid renewable license to teach.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The Superintendent of Public Instruction shall issue an interim endorsement as a professional administrator of a school to a person who submits an application which is accompanied by proof satisfactory to the Superintendent that the applicant:

(a) Holds a bachelor's degree or more advanced degree;

(b) Has been accepted for enrollment in a program for an interim route to certification approved by the Department;

(c) Holds a valid renewable license to teach;

(d) Has completed at least 5 years of classroom teaching experience as a licensed teacher in the grade level or subject area for which the applicant holds a valid renewable license to teach;

(e) Complies with the instructional and training policies and procedures of the provider of the program for an interim route to certification relating to professional education administration; and

(f) Has paid the fee required by NAC 391.045.

2. The Superintendent of Public Instruction shall issue an interim endorsement as a professional administrator of a program to a person who submits an application which is accompanied by proof satisfactory to the Superintendent that the applicant:

(a) Holds a bachelor's degree or more advanced degree;

(b) Has been accepted for enrollment in a program for an interim route to certification approved by the Department;

(c) Holds a valid renewable special license in the program for which the interim endorsement is requested;

(d) Has completed at least 5 years of experience as a licensed employee in a program of early childhood education, kindergarten or grades 1 to 12, inclusive, in schools approved by the State;

(e) Complies with the instructional and training policies and procedures of the provider of the program for an interim route to certification relating to professional education administration; and

(f) Has paid the fee required by NAC 391.045.

3. An interim endorsement issued pursuant to this section:

(a) Authorizes the holder of the interim endorsement to be employed as an administrator in:

(1) A county school district other than Clark County, Washoe County or Carson City;

(2) A charter school; or

(3) A private school;

(b) Becomes valid on the date on which the holder of the interim endorsement satisfies all the requirements of subsection 1 or 2, as applicable;

(c) Except as otherwise provided in subsection 4, is valid for not more than 3 years; and

(d) Is not renewable.

4. If the holder of an interim endorsement issued pursuant to this section withdraws from or is no longer enrolled in a program for an interim route to certification, the provider of the program in which the holder was enrolled must, not later than 15 days after the holder withdraws or otherwise ceases to be enrolled, notify the Office of Educator Licensure within the Department of the name and license number of the holder, the date on which the holder withdrew or otherwise ceased to be enrolled and the reason that the holder withdrew or ceased to be enrolled. The interim endorsement automatically becomes invalid immediately upon the receipt of such notification by the Office of Educator Licensure.

5. The holder of an interim endorsement that has become invalid pursuant to subsection 4 may, at any time within 1 year after the date on which the endorsement was issued, apply to the Department for the reinstatement of the endorsement if the holder:

(a) Has not previously applied for the reinstatement of the endorsement;

(b) Is accepted by another approved program for an interim route to certification; and

(c) Pays the fee required by NAC 391.045.

6. The Department shall not reinstate an interim endorsement pursuant to subsection 5 more than once.

7. An interim endorsement issued pursuant to this section may be converted to an initial endorsement after the completion of at least 2 full school years if the holder has:

(a) Received at least one evaluation rating designating his or her overall performance as highly effective or effective during each such school year;

(b) Successfully completed the education and training required by the provider of the program for an interim route to certification, including, without limitation, the supervised, school-based experience provided by the provider;

(c) Completed the academic requirements prescribed by subsection 1 or 2, as applicable, of NAC 391.170 for the issuance of an initial endorsement as a professional administrator of a school or program; and

(d) Paid the fee required by NAC 391.045.

8. As used in this section, “classroom teaching experience” means experience as a licensed teacher whose primary duty is the daily instruction of pupils in a classroom setting. The term does not include experience as a licensed teacher designated to serve as a literacy specialist pursuant to NRS 388.159.

Sec. 2. NAC 391.045 is hereby amended to read as follows:

391.045 1. An applicant for the initial issuance of a license as a teacher or other educational employee must submit with his or her application:

(a) His or her official transcripts;

(b) Evidence that the applicant has successfully completed:

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

(2) An in-service or continuing education course regarding education or curricular adaptation for pupils with disabilities that is approved by the Department; and

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

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

3. An applicant for an endorsement to an existing license or *an applicant* for an additional license, *including, without limitation, an applicant for an endorsement as a professional administrator pursuant to NAC 391.170 and an applicant for an interim endorsement as a professional administrator pursuant to section 1 of this regulation*, must submit with his or her application:

(a) Current official transcripts; and

(b) A fee of \$50.

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

Sec. 3. NAC 391.170 is hereby amended to read as follows:

391.170 1. Except as otherwise provided in NAC 391.171 ~~§~~ *and section 1 of this regulation*, to receive a license or endorsement as a professional administrator of a school, an applicant:

(a) Must:

(1) Hold ~~§~~ :

(I) A master's degree or higher in educational administration from a regionally accredited college or university; and

(II) A valid renewable license to teach; and

(2) Submit to the Department evidence of 5 years of *classroom* teaching experience as a licensed teacher in ~~fa program of early childhood education, kindergarten or grades 1 through 12;~~ *the grade level or subject area for which the applicant holds a valid renewable license to teach;* or

(b) Must:

(1) Hold ~~fa~~ :

(I) A master's degree or higher from a regionally accredited college or university; *and*

(II) A valid renewable license to teach;

(2) Submit to the Department evidence of 5 years of *classroom* teaching experience as a licensed teacher in ~~fa program of early childhood education, kindergarten or grades 1 through 12;~~ *the grade level or subject area for which the applicant holds a valid renewable license to teach;* and

(3) Have completed at least 36 semester hours of graduate courses in the administration of a school, which must include course work in:

(I) Administration and organization of a school;

(II) Supervision and evaluation of instruction;

(III) Development of personnel;

(IV) Finances of a school;

(V) The laws that apply to schools;

(VI) Curriculum;

(VII) Research; and

(VIII) Internship or field experience.

2. ~~For~~ *Except as otherwise provided in section 1 of this regulation, to* receive an endorsement as a professional administrator of a program, an applicant must:

- (a) Hold a master's degree or higher from a regionally accredited college or university;
- (b) Hold a valid special license in the program for which an endorsement is requested;
- (c) Have and submit to the Department evidence of 5 years of experience as a licensed employee in a program of early childhood education, kindergarten or grades 1 through 12; and
- (d) Have completed at least 27 semester hours in courses of study in administration, which must include course work in:

- (1) Administration and organization of a school or the role of an administrator of a program in the applicant's area of endorsement;

- (2) General principles of supervision of personnel or supervision of personnel for a program in the applicant's area of endorsement;

- (3) Finances of a school or finances of a program in the applicant's area of endorsement;

- (4) The laws that apply to schools; and

- (5) The evaluation and development of personnel for a school or the evaluation and development of personnel for a program in the applicant's area of endorsement.

3. *As used in this section, "classroom teaching experience" means experience as a licensed teacher whose primary duty is the daily instruction of pupils in a classroom setting. The term does not include experience as a licensed teacher designated to serve as a literacy specialist pursuant to NRS 388.159.*