

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



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Notice of Workshop to Solicit Comments on Proposed Regulation

The Commission on Professional Standards in Education is proposing regulation language pertaining to the Nevada Administrative Code (NAC). The Workshop has been scheduled for **Wednesday, February 21, 2024**, via [Livestream Link](#) 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 Workshop is to solicit comments from interested persons on the following general topics to be addressed in a proposed regulation:

9:08 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.XXX; NAC 391.340; NAC 391.343; NAC 391.360; NAC 391.363; NAC 391.367; 391.378; and 391.390 – Interim Route to Certification special education endorsement: Qualifications; authorized employment; term of validity; automatic invalidity; reinstatement; requirements to apply for an initial standard endorsement.

A copy of all materials relating to the proposal may be obtained at the workshop, on the [Meeting Materials page](#), by contacting the Nevada Department of Education, via email at geraldine.mendiola@doe.nv.gov, by telephone at 702-668-4317, or in person at the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Persons wishing to comment upon the proposed action of the Department of Education may provide in-person testimony, submit written comment to the Department via email at COPS@doe.nv.gov or submit their comments, data, views, or arguments in written form to the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Comments may be submitted via email leading up to and for the duration of the workshop, and those submitted via mail must be received by the Department on or before **Tuesday, February 20, 2024**.

This notice has been sent to all persons on the agencies mailing list for administrative regulations and the Department of Education 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>, and physically 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.

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SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608

DATE: February 21, 2024

RE: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.XXX; NAC 391.340; NAC 391.343; NAC 391.360; NAC 391.363; NAC 391.367; 391.378; and 391.390 – Interim Route to Certification special education endorsement: Qualifications; authorized employment; term of validity; automatic invalidity; reinstatement; requirements to apply for an initial standard endorsement.

I, Jhone M. Ebert, being the duly appointed Superintendent of Public Instruction of the Nevada Department of Education, do hereby certify, to the best of my knowledge or belief:

1. The proposed regulation is 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.
3. All relevant materials were reviewed, and the Department considered its history with implementing similar regulations; the proposed changes are within the scope of the Department's activities and present no significant cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or adverse 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,

Jhone M. Ebert
Superintendent of Public Instruction

Agenda Item #14

The intent of this regulation is to clearly define an Interim Route to Certification (IRC) pathway to obtain a special education endorsement and to remove the current inadequate pathways in several special education endorsement regulations that currently do not meet requirements.

NAC 391.XXX Interim Route to Certification special education endorsement: Qualifications; authorized employment; term of validity; automatic invalidity; reinstatement; requirements to apply for initial standard endorsement. ([NRS 391.019](#), [391.032](#))

1. The Superintendent of Public Instruction shall issue an interim special education endorsement in the area of Generalist, Intellectual Disabilities, Early Childhood Developmentally Delayed, Adapted Physical Education, Autism, Hearing Impaired or Visually Impaired to a person who submits an application which is accompanied by proof satisfactory to the Superintendent of Public Instruction that the applicant:

(a) Will complete coursework requirements through a regionally accredited institution able to confer a bachelor's or more advanced degree;

(b) Holds a valid renewable elementary, secondary or special teaching license, a valid license to teach special education, a valid license to teach middle school or junior high school education or a valid renewable license to teach pupils in a program of early childhood education;

(d) Has a bachelor's degree or more advanced degree; and

(e) Complies with the instructional and training policies and procedures of the qualified provider relating to a special education endorsement.

(f) Pays the fee required by NAC 391.045 for an additional endorsement.

2. An interim special education endorsement issued pursuant to this section:

(a) Authorizes the holder of the interim endorsement to be employed as teacher in a school district, a charter school or a private school;

(b) Becomes valid on the date on which the holder of the interim endorsement satisfies all the requirements of subsection 1;

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

(d) Is not renewable.

3. If the holder of an interim endorsement issued pursuant to this section withdraws from or is no longer enrolled in a program, the qualified 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 Educator Licensure Office of 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 Educator Licensure Office.

4. The holder of an interim special education endorsement that has become invalid pursuant to subsection 3 may apply to the Department for the reinstatement of the endorsement within 1 year of the issuance of the interim endorsement if the holder:

- (a) Is accepted by the same program provider in another special education area; or
- (b) Is accepted by another program provider in the same or another special education area for an interim route to certification offered by a qualified provider; and
- (b) Pays the fee required by NAC 391.045 for an additional endorsement.

➔ An interim endorsement may be reinstated pursuant to this subsection only once.

5. A person who is issued an interim special education endorsement pursuant to this section may apply for an initial standard special education endorsement after the completion of at least 2 full school years if the applicant:

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

(b) Received at least one evaluation rating designating the overall performance of the licensee as highly effective or effective during each school year;

(c) Pays the appropriate fee in NAC 391.045 for an additional endorsement; and

(d) meets the requirements of NAC 391.340, 391.343, 391.360, 391.363, 391.367, 391.378, or 391.390 for the respective special education endorsement that the applicant is pursuing.

Remove the IRC option from these regulations.

Generalist [NAC 391.343](#)

1.(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 degree with a major or minor in special education, must have completed at least 6 semester hours from the courses prescribed in subparagraph (2) of paragraph (d) 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.

Intellectual Disabilities [NAC 391.360](#)

1.(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 degree with a major or minor in special education, must have completed 6 semester hours from the courses prescribed in subparagraph (2) of paragraph (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.

Early Childhood Developmentally Delayed [NAC 391.363](#)

1.(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 (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.

Adapted Physical Education [NAC 391.367](#)

1.(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 degree with a major or minor in special education, must have completed 6 semester hours from the course work prescribed in subparagraph (2) of paragraph (d) 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.

Autism [NAC 391.378](#)

1.(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 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 (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.