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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 #R009-24

The Commission on Professional Standards in Education will hold a public hearing **at 9:00 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 391.067 of the Nevada Administrative Code (NAC) pursuant to the Nevada Revised Statute (NRS) 391.019, 391.033, and 391.0347.

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

- *Prescribing the qualifications for fingerprinting and investigation into the background of applicants.*

NRS 391.0347, The Commission on Professional Standards in Education shall adopt regulations:

- *Prescribing the qualifications for additional requirements for renewal of a license of certain teachers.*

2. Description of the proposed regulation, or the subjects and issues involved: The proposed regulation is relating to education; revising requirements concerning courses in multicultural education for certain licensed teachers; and providing other matters properly relating thereto. This regulation will allow educators to take the required course at any time prior to renewal of their license.

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. R009-24

May 6, 2024

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

AUTHORITY: § 1, NRS 391.019, as amended by section 2 of Senate Bill No. 442, chapter 139, Statutes of Nevada 2023, at page 693, NRS 391.033 and 391.0347, as amended by section 3.6 of Assembly Bill No. 428, chapter 491, Statutes of Nevada 2023, at page 3016.

A REGULATION relating to education; revising requirements concerning courses in multicultural education for certain licensed teachers; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires a teacher who is initially licensed on or after July 1, 2019, except for a teacher who is licensed only as a substitute teacher, to submit with the first application for renewal of the license proof of the completion of a course in multicultural education. If the teacher is initially issued a nonrenewable license, the teacher must submit proof of the completion of a course in multicultural education with the first application for a renewable license to teach. Existing law requires the Commission on Professional Standards in Education to prescribe the required contents and number of credits for a course in multicultural education, as well as establish standards for professional development training which may be used to satisfy such course work requirements. (NRS 391.0347, as amended by section 3.6 of Assembly Bill No. 428, chapter 491, Statutes of Nevada 2023, at page 3016) Existing regulations require that the licensee complete such a course after the date of initial licensure. (NAC 391.067) This regulation removes the requirement that the course be completed after the initial date of licensure and provides that the course may be completed at any time before the date on which the licensee is required to submit proof of the completion of the course.

Section 1. NAC 391.067 is hereby amended to read as follows:

391.067 1. The course in multicultural education required by NRS 391.0347 ~~must~~, *as amended by section 3.6 of Assembly Bill No. 428, chapter 491, Statutes of Nevada 2023, at page 3016:*

(a) ~~{Be}~~ *May be* completed by a licensee for whom the course is required ~~{after the date on which his or her initial license was issued;}~~ *at any time before the date on which the licensee is required to submit proof of completion of the course required by NRS 391.0347, as amended by section 3.6 of Assembly Bill No. 428, chapter 491, Statutes of Nevada 2023, at page 3016;*

(b) ~~{Be}~~ *Must 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}~~ *Must 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}~~ *Must 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:}~~ *Must 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}~~ ***Must 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}~~ ***Must use*** resources that are based on current scientific research and national best practices in the field of multicultural education; and

(h) ~~{Address}~~ ***Must 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, ***as amended by section 3.6 of Assembly Bill No. 428, chapter 491, Statutes of Nevada 2023, at page 3016,*** may also be used to satisfy the requirements of subparagraph 5 of paragraph (b) of subsection 1 of NAC 391.111 if it also meets the requirements of subparagraph 5 of paragraph (b) of subsection 1 of NAC 391.111.

3. As used in this section, “regional training program” has the meaning ascribed to it in NRS 391A.105.