

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



Southern Nevada Office
2080 E Flamingo Road, 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

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, October 16, 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:

9:00 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.059 – Testing or assessment of teacher assigned to program of bilingual education; maintenance of records; annual report and NAC 391.242 – Endorsements to teach program of bilingual education; provisional 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 **Friday, October 11, 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: October 1, 2024

RE: Workshop to Solicit Comments on Proposed Amendments to NAC 391.059 and 391.242
– Bilingual Endorsement exam and teaching requirements.

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. Comments have 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

The intent of this regulation is to combine the two Bilingual regulations into one by removing the exam requirement from the employer and adding it to the Department as it is in other content area endorsements and as required per NAC 391.036. The Bilingual major requirement was removed because such a major does not exist. A valid base teaching license will be required to hold this endorsement.

~~**NAC 391.059 Testing or assessment of teacher assigned to program of bilingual education; maintenance of records; annual report. (NRS 391.019)**~~

~~—1. A school district which has a program of bilingual education shall select or develop, and administer, an appropriate test or other means of assessment to ascertain that the language proficiency of each teacher assigned to teach pupils enrolled in a program of bilingual education in the school district is sufficient to provide instruction to those pupils in a language other than English.~~

~~—2. Passage of a test or other means of assessment administered by a school district pursuant to this section does not exempt a teacher from any other requirement of title 34 of NRS and any regulations adopted pursuant thereto relating to licensure, endorsements or other required qualifications.~~

~~—3. A school district that has a program of bilingual education shall:~~

~~—(a) Maintain records of the testing or assessment conducted pursuant to this section of teachers assigned to teach pupils enrolled in a program of bilingual education in the school district; and~~

~~—(b) Annually report to the Department the results of that testing or assessment conducted during the previous year.~~

~~—(Added to NAC by Comm'n on Prof. Standards in Education by R101-00, 1-22-2001)~~

NAC 391.242 Endorsements to teach program of bilingual education; provisional endorsement. (NRS 391.019, 391.032)

1. To teach pupils enrolled in a program of bilingual education, a person must:

~~—(a) Hold an endorsement issued pursuant to this section; and~~

~~(b) Within 2 years after the issuance of an endorsement, pass an examination approved by the Commission which demonstrates the person's oral and written proficiency in the native language, if such an examination is available.~~

2. To receive an endorsement to teach pupils in a program of bilingual education, a person must hold a **valid bachelor's degree with a major in bilingual education, an early childhood**, elementary, secondary or special **teaching** license, a license to teach special education, or a license to teach middle school or junior high school education, and must have completed:

(a) A bilingual program of preparation for teaching pupils who are identified as having limited proficiency in English which has been approved by the **Board Department** for this purpose; or

(b) At least 12 semester hours of credit in a course of study which includes theories for the acquisition of a second language and at least three of the following other areas of study:

- (1) Methods of teaching language arts or reading in the native language;
- (2) Methods of teaching math, science and social studies in the native language;
- (3) Testing and evaluating pupils of a second language in English and the native language;
- (4) Development of curriculum, materials and teaching methods for bilingual education;
- (5) Native language and culture; or
- (6) Bilingual education, history, philosophy and theory; and

(c) Pass an examination approved by the Commission which demonstrates the person's oral and written proficiency in the native language.

3. The endorsement cannot be issued provisionally for the exam requirement.

~~—3.— The Superintendent of Public Instruction may issue a provisional 3-1-year endorsement to teach a program of bilingual education to a person who has a deficiency in credits of more than 6 semester hours if the school district, charter school or private school that will employ the person provides a written assurance to the Superintendent of Public Instruction that the person will complete the courses of study necessary to ensure that he or she has a deficiency in credits of 6 semester hours or less by the end of the 1-year period for which the endorsement is valid. The written assurance must also identify the courses of study that will be completed.~~

~~—4.— Upon expiration of an endorsement issued pursuant to subsection 3, a person may apply for another provisional endorsement pursuant to NAC 391.055 if he or she satisfies the requirements of that section.~~

(Added to NAC by Comm'n on Prof. Standards in Education, eff. 3-18-94; A 1-10-96; 9-6-96; R021-01, 10-22-2001, eff. 7-1-2002; R056-03, 10-21-2003; R005-05, 10-31-2005; R070-06, 9-18-2006; R028-11, 10-26-2011)