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August 10, 2026

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 #R102-26

The Commission on Professional Standards in Education will hold a public hearing **at 9:00 A.M. on Wednesday, September 16, 2026** via [livestream](#) and at the following locations: **Nevada Department of Education Offices at 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, 391.277, and 391.279 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 for licensing teachers and other educational personnel and the procedures for the issuance and renewal of those licenses.*
- 2. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation is relating to educational personnel; revising certain qualifications to receive an endorsement to provide services to pupils as an occupational therapist and occupational therapy assistant; revising certain qualifications to receive an endorsement to provide services to pupils as a physical therapist and physical therapist assistant; and providing other matters properly relating thereto.
- 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 [Commission on Professional Standards in 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) 668-4317 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 89119. 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 **Friday, September 11, 2026**. A record of all submitted comments will be retained, and the Commission 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 the Commission on Professional Standards in Education, posted on the [Commission on Professional Standards in Education](#) webpage, [Nevada's Public Notice](#) webpage, the [Nevada State Legislature's Administrative Regulations notices](#) webpage, 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. 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.

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

LCB File No. R102-25

June 4, 2026

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

AUTHORITY: §§ 1-5, NRS 391.019.

A REGULATION relating to educational personnel; revising certain qualifications to receive an endorsement to provide services to pupils as an occupational therapist and occupational therapy assistant; revising certain qualifications to receive an endorsement to provide services to pupils as a physical therapist and physical therapist assistant; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations, including, without limitation, regulations: (1) prescribing the qualifications for licensing teachers and other educational personnel; (2) identifying fields of specialization in teaching which require specialized training; and (3) setting forth the requirements a person must satisfy to qualify for an endorsement in each field of specialization. (NRS 391.019)

Existing regulations require that to receive an endorsement to provide services to pupils as an occupational therapist in a program of occupational therapy, a person must hold a license as an occupational therapist issued by the Board of Occupational Therapy in this State. (NAC 391.277) **Section 1** of this regulation requires that to receive such an endorsement, a person must also hold a bachelor's degree or higher degree in occupational therapy.

Existing regulations require that to receive an endorsement to provide services to pupils as a physical therapist in a program of physical therapy, a person must hold a license as a physical therapist issued by the Nevada Physical Therapy Board. (NAC 391.279) **Section 2** of this regulation requires that to receive such an endorsement, a person must also hold a bachelor's degree or higher degree in physical therapy.

Existing regulations require that to receive an endorsement to provide services to pupils as an occupational therapy assistant in a program of occupational therapy, a person must hold a license as an occupational therapy assistant issued by the Board of Occupational Therapy in this State. (Section 2 of LCB File No. R123-22) **Section 3** of this regulation requires that to receive such an endorsement, a person must also hold an associate's degree or higher degree in occupational therapy.

Existing regulations require that to receive an endorsement to provide services to pupils as a physical therapist assistant in a program of physical therapy, a person must hold a license as a physical therapist assistant issued by the Nevada Physical Therapy Board. (Section 3 of LCB

File No. R123-22) **Section 4** of this regulation requires that to receive such an endorsement, a person must also hold an associate's degree or higher degree in physical therapy.

Section 1. NAC 391.277 is hereby amended to read as follows:

391.277 1. To receive an endorsement to provide services to pupils as an occupational therapist in a program of occupational therapy, a person must hold ~~the~~ :

(a) A license as an occupational therapist issued by the Board of Occupational Therapy in this State ~~the~~ ; and

(b) A bachelor's degree or higher degree in occupational therapy.

2. A person who holds only a special license with an endorsement to provide services as an occupational therapist is exempt from the requirements of NAC 391.036 and 391.065.

3. Such an endorsement is ~~not~~ required to provide services to pupils as an occupational therapist in a program of occupational therapy.

Sec. 2. NAC 391.279 is hereby amended to read as follows:

391.279 1. To receive an endorsement to provide services to pupils as a physical therapist in a program of physical therapy, a person must hold ~~the~~ :

(a) A license as a physical therapist issued by the Nevada Physical Therapy Board ~~the~~ ; and

(b) A bachelor's degree or higher degree in physical therapy.

2. A person who holds only a special license with an endorsement to provide services as a physical therapist is exempt from the requirements of NAC 391.036 and 391.065.

3. Such an endorsement is ~~not~~ required to provide services to pupils as a physical therapist in a program of physical therapy.

Sec. 3. Section 2 of LCB File No. R123-22 is hereby amended to read as follows:

Sec. 2. 1. To receive an endorsement to provide services to pupils as an occupational therapy assistant in a program of occupational therapy, a person must hold ~~the~~ :

(a) A license as an occupational therapy assistant issued by the Board of Occupational Therapy in this State ~~the~~ ; and

(b) *An associate's degree or higher degree in occupational therapy.*

2. A person who holds only a special license with an endorsement to provide services as an occupational therapy assistant is exempt from the requirements of NAC 391.036 and 391.065.

3. Such an endorsement is ~~not~~ required to provide services to pupils as an occupational therapy assistant in a program of occupational therapy.

Sec. 4. Section 3 of LCB File No. R123-22 is hereby amended to read as follows:

Sec. 3. 1. To receive an endorsement to provide services to pupils as a physical therapist assistant in a program of physical therapy, a person must hold ~~the~~ :

(a) A license as a physical therapist assistant issued by the Nevada Physical Therapy Board ~~the~~ ; and

(b) *An associate's degree or higher degree in physical therapy.*

2. A person who holds only a special license with an endorsement to provide services as a physical therapist assistant is exempt from the requirements of NAC 391.036 and 391.065.

3. Such an endorsement is ~~not~~ required to provide services to pupils as a physical therapist assistant in a program of physical therapy.

Sec. 5. This regulation is hereby amended by adding thereto the following transitory language which has the force and effect of law but which will not be codified in the Nevada Administrative Code:

Notwithstanding the amendatory provisions of this regulation, a person who is employed pursuant to NAC 391.277, NAC 391.279, section 2 of LCB File No. R123-22 or section 3 of LCB File No. R123-22, as applicable, may continue his or her employment without obtaining the applicable endorsement if the person:

1. Is employed at a public school on or before the date on which this regulation is filed with the Secretary of State; and
2. Maintains continuous employment at the public school after the date on which this regulation is filed with the Secretary of State.