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November 20, 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 #T003-24

The Commission on Professional Standards in Education will hold a public hearing **at 9:02 A.M.** on **Wednesday, November 20, 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 391.229, 391.237, and 391.323 of the Nevada Administrative Code (NAC) pursuant to the Nevada Revised Statute (NRS) 391.019 and 391.032.

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.*

2. Description of the proposed regulation, or the subjects and issues involved: The proposed temporary regulation is relating to educational personnel; 391.229 – Endorsements in Cultural competency and specialist in cultural competency, NAC 391.237 – Endorsements in English language acquisition and development; and specialist in English language acquisition and development, and NAC 391.323 – Endorsements in social, emotional, and academic development and specialist in social, emotional and academic development. This regulation will update the Cultural Competency, English language acquisition and development, and Social Emotional, and academic development endorsements to ensure language is conforming.

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) 668-4308 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 **Friday, November 15, 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 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.

**TEMPORARY REGULATION OF THE
COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION**

LCB FILE NO. T003-24P

**The following document is a temporary regulation submitted
by the agency on 10/01/2024**

The intent of updating these regulations are to conform with other tiered endorsements which include the base endorsement and the specialist endorsement.

NAC 391.229 Endorsements in cultural competency and specialist in cultural competency. (NRS 391.019)

1. To receive an endorsement in cultural competency, a person must:

(a) Hold an *early childhood*, elementary, secondary, *special education*, ~~or~~ special license *to teach*, or a license to teach middle school or junior high education; *a special license in school psychology, counseling, social work, mental health, speech language pathologist, or nurse* and

(b) Have completed 12 semester hours of course work, including course work in each of the following areas of study:

(1) Three semester hours of course work in critical multicultural education, which must include:

(I) Cultural competency identification and assessment, development of knowledge bases and skill sets and building capacity for cultural competency;

(II) Awareness, knowledge and understanding of race and ethnicity, with the content of the course covering, without limitation, geographic origin, residency status, languages, socioeconomic status, sex, gender identity or expression, sexual orientation, religion, spirituality, age, physical appearance and disability;

(III) Equitable practice in pedagogy, selection and use of instructional materials and curriculum and assessments measuring student learning;

(IV) Communication and developing relationships with pupils, families, colleagues and community members;

(V) Alignment with the standards in the domain of instructional practices of the teacher in the classroom as prescribed by NAC 391.575 and the domain of professional responsibilities of the teacher to support learning and promote effectiveness of the school community as prescribed by NAC 391.576; and

(VI) Course materials which reflect current and relevant educational research and evidence-based practices;

(2) At least 2 semester hours of course work in culturally responsive engagement;

(3) At least 1 semester hour of a practicum, which must:

(I) Include, without limitation, at least 30 hours of culturally responsive community engagement work within an organization serving the community adjacent to a high-need school; and

(II) Demonstrate a practical application of all course content required by subparagraph (1);

(4) Three semester hours of course work driven by cultural assets in high-need school pedagogy, high-need school leadership or high-need school care or counseling; and

(5) Three semester hours of course work in participatory action research which includes completion of a participatory action research project related to a sociopolitical issue in education.

2. For the purpose of completing the requirements of subparagraph (3) of paragraph (b) of subsection 1, the 1 semester hour of practicum may be satisfied by the course in critical multicultural education pursuant to subparagraph (1) of paragraph (b) of subsection 1.

3. To receive an endorsement as a specialist in cultural competency, a person must:

(a) Have completed the requirements for the endorsement in cultural competency pursuant to subsection 1 of this section;

(b) Have at least 3 years of verified employment experience in this State in a position at a high-need school that requires licensure by the Superintendent of Public Instruction pursuant to chapter 391 of NRS; and

(c) Have completed a minimum of 9 credits of course work encompassing at least three of the following areas:

(1) Multicultural organizational development;

(2) Culturally responsive educational leadership in diverse educational organizations;

(3) Advanced course work in multicultural curriculum development;

(4) Advanced course work in ethnic studies, cultural studies or United States racial formations-focused history;

(5) Intergroup dialogue facilitation; or

(6) Justice-focused advocacy or justice-focused conflict negotiation.

4. As used in this section, “high-need school” has the meaning ascribed to it in 20 U.S.C. § 1021(11).

(Added to NAC by Comm’n on Prof. Standards in Education by R160-18, eff. 6-26-2019)

NAC 391.237 Endorsements ~~to teach in~~ English language acquisition and development; ~~endorsement as professional teacher of English as second language; endorsement as~~ *and* specialist in English language acquisition and development. (NRS 385.080, 391.019, 391.032)

1. To receive an English language acquisition and development endorsement, a person must have:

(a) A valid *early childhood*, elementary, secondary or special license *to teach*, a valid license to teach special education, or a valid license to teach middle school or junior high school education; *a special license in school psychology, counseling, social work, mental health, speech language pathologist, or nurse*.

(b) Completed at least 3 semester hours of credit in each of the following areas of study:

- (1) Language acquisition theory and English language development practices;
 - (2) Methods and curriculum for teaching English learners; and
 - (3) Assessment and evaluation of English learners;
- (c) Completed at least 2 semester hours of credit in one of the following areas of study:
- (1) Policies, critical issues and best practices for English learners in prekindergarten and elementary school; or
 - (2) Policies, critical issues and best practices for English learners in secondary school; and
- (d) Completed at least 1 semester hour of credit of practicum, which must include, without limitation, at least 25 hours of experience working in the classroom.
- ~~2. To receive an endorsement as a professional teacher of English as a second language, a person must have completed the requirements for an English language acquisition and development endorsement as described in subsection 1 and:~~
- ~~(a) Hold a master's degree; and~~
- ~~(b) Have 3 years of experience as a teacher.~~
3. To receive an endorsement as a specialist in English language acquisition and development, a person must:
- (a) Have completed the requirements for an English language acquisition and development endorsement as described in subsection 1; and
 - (b) Have completed at least 3 semester hours of credit in each of the following areas of study:
 - (1) Foundations in education in cultural and linguistic diversity; and
 - (2) Cultural and linguistic diversity program leadership.
4. Requirements for the successful completion of a course of study in which a person is enrolled are in addition to the requirements to receive an endorsement.
- (Added to NAC by Bd. of Education, eff. 12-15-86; A by Comm'n on Prof. Standards in Education, 11-4-91; R103-98, 12-18-98; 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; R012-13, 10-23-2013; R140-15, 6-28-2016)

REVISER'S NOTE.

The regulation of the Commission on Professional Standards in Education filed with the Secretary of State on June 28, 2016 (LCB File No. R140-15), which amended this section, contains the following provision not included in NAC:

“Sec. 2. A person who, on June 28, 2016, possesses a valid endorsement to teach English as a second language that was granted before June 28, 2016, by the Superintendent of Public Instruction:

1. Shall be deemed to hold an English language acquisition and development endorsement issued by the Superintendent pursuant to NAC 391.237, as amended by section 1 of this regulation; and

2. May continue to renew the endorsement as if the endorsement were an English language acquisition and development endorsement issued by the Superintendent pursuant to NAC 391.237, as amended by section 1 of this regulation.”

NAC 391.323 Endorsements *in social, emotional, and academic development as specialist or professional and specialist in social, emotional and academic development.* (NRS 391.019)

1. To receive an endorsement ~~as a specialist~~ in social, emotional and academic development, a person must:

(a) Hold a valid elementary, secondary or special license to teach, a valid license to teach special education, a valid license to teach pupils in a program of early childhood education or a valid license to teach middle school or junior high school education; *a special license in school psychology, counseling, social work, mental health, speech language pathologist, or nurse* and

(b) Have completed at least 3 semester hours of credit in each of the following areas of study:

- (1) Introduction to social, emotional and academic development;
- (2) Curriculum and methods for modeling, teaching and implementing social, emotional and academic development;
- (3) Assessment, evaluation, monitoring and plan improvement of social, emotional and academic development; and
- (4) Best practices which support policies, equity and critical issues for social, emotional and academic improvement.

2. To receive an endorsement as a ~~professional~~ specialist in social, emotional and academic development, a person must:

(a) Have completed the requirements for an endorsement as a specialist in social, emotional and academic development pursuant to subsection 1;

(b) Have completed at least 3 semester hours of credit in at least one of the following areas of study:

- (1) Foundations in cultural and linguistic diversity;
- (2) Cultural and linguistic diversity program leadership; or
- (3) Equity in education; and

(c) Have completed, in a school setting, at least 25 hours of practicum, or work experience determined to be equivalent by the Department, in social, emotional and academic development supports for all pupils and all educational personnel.

(Added to NAC by Comm'n on Prof. Standards in Education by R154-18, eff. 6-26-2019)