

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



Southern Nevada Office
2080 East Flamingo Rd, 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

February 21, 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 #R087-23

The Commission on Professional Standards in Education will hold a public hearing at **9:03 A.M.** on **Wednesday, February 21, 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 Chapters 391 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 and process for licensing teachers and other educational personnel.*
- 2. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation is relating to educational personnel; revising provisions relating to the expiration of certain licenses issued by the Department of Education; and providing other matters properly relating thereto. This regulation will update the license expiration specific to educators who hold a National Board Certification to ensure they are not penalized if they qualify for a longer licensure period.

The revised text of the proposed regulation is attached to this notice.
- 3. 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.
- 4. Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.
- 5. The estimated cost to the agency for enforcement of the proposed regulation:** No costs.
- 6. 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.

7. **Is the regulation required by federal law?** This regulation is not required pursuant to federal law.
8. **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.
9. **Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

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, November 15, 2023. 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. R087-23

November 6, 2023

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

AUTHORITY: § 1, NRS 391.019.

A REGULATION relating to educational personnel; revising provisions relating to the expiration of certain licenses issued by the Department of Education; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations regarding the qualifications and process for licensing teachers and other educational personnel. (NRS 391.019) Existing regulations specify the number of years for which renewable licenses are valid based upon certain credentials of the applicant, including requiring the Department of Education to issue a license upon application to a person with a National Board Certification issued by the National Board for Professional Teaching Standards, for the period of the certificate. (NAC 391.060) This regulation clarifies that a license issued for a specified number of years to a person who also holds a National Board Certification issued by the National Board for Professional Teaching Standards based on credentials other than such certification remains valid for the specified number of years, rather than the period of the certificate, if the period of the certificate is less.

Section 1. NAC 391.060 is hereby amended to read as follows:

391.060 1. Upon application, the Department shall issue a license for the specified number of years to a person with:

- (a) A bachelor’s degree or less, for 5 years.
- (b) A master’s degree and 3 years of verified teaching experience, for 6 years.
- (c) A specialist’s degree and 3 years of verified teaching experience, for 8 years.
- (d) A doctoral degree and 3 years of verified teaching experience, for 10 years.

(e) A National Board Certification issued by the National Board for Professional Teaching Standards, for the period of the certificate ~~[.]~~, *unless the person is issued a license for a longer period pursuant to paragraph (a), (b), (c) or (d).*

↪ A license specified in this subsection is renewable.

2. Except as otherwise provided in this section, NAC 391.056 and 391.057, a license expires on the holder's date of birth in the year of expiration.

3. A provisional license that is renewable becomes invalid on the date of expiration of the provision. If the holder of such a license provides evidence to the Department of his or her completion of the course work required to satisfy the provision, the Department will remove the provision and the license remains valid until the date of expiration of the license.

4. An endorsement becomes invalid on the date that the license to which it is attached expires.