

Amendment No. 616

Senate Amendment to Assembly Bill No. 425 First Reprint (BDR 34-817)

Proposed by: Senate Committee on Health and Education**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold dashed underlining* is newly added transitory language.

KCR



Date: 5/7/2009

A.B. No. 425—Revises provisions governing the licensure of certain educational personnel. (BDR 34-817)



ASSEMBLY BILL NO. 425—ASSEMBLYMEN DONDERO LOOP, PARNELL, HORNE, KIHUEN; ARBERRY, BOBZIEN, CONKLIN, DENIS, GOICOECHEA, GUSTAVSON, HAMBRICK, KOIVISTO, MANENDO, MASTROLUCA, MCCLAIN, MORTENSON, OHRENSCHALL, SEGERBLOM AND SMITH

MARCH 16, 2009

Referred to Committee on Education

SUMMARY—Revises provisions governing the licensure of certain educational personnel. (BDR 34-817)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

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

AN ACT relating to education; authorizing the Superintendent of Public Instruction to issue an additional license to teach elementary education, middle school or junior high school education or secondary education to certain licensed teachers; revising provisions governing the reciprocal licensure of teachers and other educational personnel; requiring the Commission on Professional Standards in Education to conduct a review of the regulations of the Commission governing the licensure and endorsement of special education teachers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Superintendent of Public Instruction to issue a license to teach elementary education, middle school or junior high school education or secondary education to an applicant pursuant to regulations adopted by the Commission on Professional Standards in Education. (NRS 391.031, 391.033) Existing regulations of the Commission require a teacher licensed in this State to apply for and meet the requirements for an initial license to teach elementary education, middle school or junior high school education or secondary education, including participation in a program of student teaching or supervised teaching in the designated grade level, if he is applying for a license outside the grade level he is licensed to teach. (NAC 391.025, 391.095, 391.111, 391.120) **Section 1** of this bill authorizes the Superintendent to issue to a licensed teacher an additional license to teach elementary education, middle school or junior high school education or secondary education, other than for the teaching pupils with disabilities, which is outside his grade level of experience if he meets the course work requirements and qualifications for the license. A licensed teacher must not be required to participate in a program of student teaching or supervised teaching as a condition for the issuance of the additional license if he has 3 years of verified teaching experience.

Existing law authorizes the Commission to adopt regulations that exempt an applicant from the examinations required for initial licensure of teachers and other educational personnel if the applicant has previous teaching experience or has performed other educational functions in another state. (NRS 391.021, 391.032) **Sections 4 and 5** of this bill remove the

requirement that an applicant have previous experience and authorizes the exemption if the Commission determines that the examinations required for initial licensure in the other state are comparable to the examinations required for initial licensure in this State.

Section 6 of this bill requires the Commission to conduct a review of the regulations of the Commission governing the licensure and endorsement of special education teachers to improve and enhance the reciprocal licensure in this State of special education teachers from other states.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 391 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person licensed to teach elementary education, middle school or junior high school education or secondary education in this State may apply for and the Superintendent of Public Instruction may issue to that person an additional license to teach elementary education, middle school or junior high school education or secondary education, other than for the teaching pupils with disabilities, which is outside his grade level of experience if he meets the course work requirements and qualifications for the license.

2. A licensed teacher who applies for an additional license pursuant to this section must not be required to participate in a program of student teaching as a condition for the issuance of the additional license if he has 3 years of verified teaching experience.

Sec. 2. NRS 391.019 is hereby amended to read as follows:

391.019 1. Except as otherwise provided in NRS 391.027, the Commission:

(a) Shall adopt regulations:

(1) Prescribing the qualifications for licensing teachers and other educational personnel, including, without limitation, the qualifications for a license to teach middle school or junior high school education, and the procedures for the issuance and renewal of those licenses. *The regulations must not prescribe qualifications which are more stringent than the qualifications set forth in section 1 of this act for a licensed teacher who applies for an additional license in accordance with that section.*

(2) Identifying fields of specialization in teaching which require the specialized training of teachers.

(3) Except as otherwise provided in NRS 391.125, requiring teachers to obtain from the Department an endorsement in a field of specialization to be eligible to teach in that field of specialization.

(4) Setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in each field of specialization.

(5) Setting forth the qualifications and requirements for obtaining a license or endorsement to teach American Sign Language, including, without limitation, being registered with the Office of Disability Services of the Department of Health and Human Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting.

(6) Requiring teachers and other educational personnel to be registered with the Office of Disability Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting if they:

(I) Provide instruction or other educational services; and

(II) Concurrently engage in the practice of interpreting, as defined in

NRS 656A.060.

(7) Providing for the issuance and renewal of a special qualifications license to an applicant who holds a master's degree or a doctoral degree from an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and who has:

(I) At least 2 years of experience teaching at an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and at least 3 years of experience working in that field; or

(II) At least 5 years of experience working in a field for which the applicant will provide instruction in a classroom.

(8) Requiring an applicant for a special qualifications license to:

(I) Pass each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; or

(II) Hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the master's degree or doctoral degree held by the applicant.

(9) Setting forth the subject areas that may be taught by a person who holds a special qualifications license, based upon the subject area of the master's degree or doctoral degree held by that person.

(10) Providing for the issuance and renewal of a special qualifications license to an applicant who:

(I) Holds a graduate degree from an accredited college or university in the field for which he will be providing instruction;

(II) Is not licensed to teach public school in another state;

(III) Has at least 5 years of experience teaching with satisfactory evaluations at a school that is accredited by a national or regional accrediting agency recognized by the United States Department of Education; and

(IV) Submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring for the first year of his employment as a teacher with a school district or charter school.

➤ An applicant for licensure pursuant to this subparagraph is exempt from each examination required by NRS 391.021 if the applicant successfully passed the examination in another state.

(11) If the Commission approves the Passport to Teaching certification from the American Board for Certification of Teacher Excellence as an alternative route to licensure, providing for the issuance and renewal of a special qualifications license to an applicant who:

(I) Holds a Passport to Teaching certification from the American Board for Certification of Teacher Excellence;

(II) Passes each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; and

(III) Agrees to participate in a program of mentoring prescribed by the Commission for the first year of his employment as a teacher with a school district or charter school.

(b) May adopt such other regulations as it deems necessary for its own government or to carry out its duties.

2. Any regulation which increases the amount of education, training or experience required for licensing:

(a) Must, in addition to the requirements for publication in chapter 233B of NRS, be publicized before its adoption in a manner reasonably calculated to inform those persons affected by the change.

(b) Must not become effective until at least 1 year after the date it is adopted by the Commission.

(c) Is not applicable to a license in effect on the date the regulation becomes effective.

3. A person who is licensed pursuant to subparagraph (7), (10) or (11) of paragraph (a) of subsection 1:

(a) Shall comply with all applicable statutes and regulations.

(b) Except as otherwise provided by specific statute, is entitled to all benefits, rights and privileges conferred by statutes and regulations on licensed teachers.

(c) Except as otherwise provided by specific statute, if he is employed as a teacher by the board of trustees of a school district or the governing body of a charter school, is entitled to all benefits, rights and privileges conferred by statutes and regulations on the licensed employees of a school district or charter school, as applicable.

Sec. 3. NRS 391.019 is hereby amended to read as follows:

391.019 1. Except as otherwise provided in NRS 391.027, the Commission:

(a) Shall adopt regulations:

(1) Prescribing the qualifications for licensing teachers and other educational personnel, including, without limitation, the qualifications for a license to teach middle school or junior high school education, and the procedures for the issuance and renewal of those licenses. *The regulations must not prescribe qualifications which are more stringent than the qualifications set forth in section 1 of this act for a licensed teacher who applies for an additional license in accordance with that section.*

(2) Identifying fields of specialization in teaching which require the specialized training of teachers.

(3) Except as otherwise provided in NRS 391.125, requiring teachers to obtain from the Department an endorsement in a field of specialization to be eligible to teach in that field of specialization.

(4) Setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in each field of specialization.

(5) Setting forth the qualifications and requirements for obtaining a license or endorsement to teach American Sign Language, including, without limitation, being registered with the Office of Disability Services of the Department of Health and Human Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting.

(6) Requiring teachers and other educational personnel to be registered with the Office of Disability Services pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting if they:

(I) Provide instruction or other educational services; and

(II) Concurrently engage in the practice of interpreting, as defined in NRS 656A.060.

(7) Providing for the issuance and renewal of a special qualifications license to an applicant who holds a master's degree or a doctoral degree from an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and who has:

(I) At least 2 years of experience teaching at an accredited degree-granting postsecondary educational institution in a field for which the applicant will provide instruction in a classroom and at least 3 years of experience working in that field; or

(II) At least 5 years of experience working in a field for which the applicant will provide instruction in a classroom.

(8) Requiring an applicant for a special qualifications license to:

(I) Pass each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; or

(II) Hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the master's degree or doctoral degree held by the applicant.

(9) Setting forth the subject areas that may be taught by a person who holds a special qualifications license, based upon the subject area of the master's degree or doctoral degree held by that person.

(10) Providing for the issuance and renewal of a special qualifications license to an applicant who:

(I) Holds a graduate degree from an accredited college or university in the field for which he will be providing instruction;

(II) Is not licensed to teach public school in another state;

(III) Has at least 5 years of experience teaching with satisfactory evaluations at a school that is accredited by a national or regional accrediting agency recognized by the United States Department of Education; and

(IV) Submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring for the first year of his employment as a teacher with a school district or charter school.

➤ An applicant for licensure pursuant to this subparagraph is exempt from each examination required by NRS 391.021 if the applicant successfully passed the examination in another state.

(b) May adopt such other regulations as it deems necessary for its own government or to carry out its duties.

2. Any regulation which increases the amount of education, training or experience required for licensing:

(a) Must, in addition to the requirements for publication in chapter 233B of NRS, be publicized before its adoption in a manner reasonably calculated to inform those persons affected by the change.

(b) Must not become effective until at least 1 year after the date it is adopted by the Commission.

(c) Is not applicable to a license in effect on the date the regulation becomes effective.

3. A person who is licensed pursuant to subparagraph (7) or (10) of paragraph (a) of subsection 1:

(a) Shall comply with all applicable statutes and regulations.

(b) Except as otherwise provided by specific statute, is entitled to all benefits, rights and privileges conferred by statutes and regulations on licensed teachers.

(c) Except as otherwise provided by specific statute, if he is employed as a teacher by the board of trustees of a school district or the governing body of a charter school, is entitled to all benefits, rights and privileges conferred by statutes and regulations on the licensed employees of a school district or charter school, as applicable.

Sec. 4. NRS 391.021 is hereby amended to read as follows:

391.021 Except as otherwise provided in subparagraph (10) of paragraph (a) of subsection 1 of NRS 391.019 and NRS 391.027, the Commission shall adopt regulations governing examinations for the initial licensing of teachers and other educational personnel. The examinations must test the ability of the applicant to teach and his knowledge of each specific subject he proposes to teach. Each examination must include the following subjects:

1. The laws of Nevada relating to schools;
2. The Constitution of the State of Nevada; and
3. The Constitution of the United States.

➤ The provisions of this section do not prohibit the Commission from adopting regulations pursuant to subsection 2 of NRS 391.032 that provide an exemption

from the examinations for teachers and other educational personnel ~~{who have previous experience in teaching or performing other educational functions in}~~ from another state ~~{}~~ *if the Commission determines that the examinations required for initial licensure for teachers and other educational personnel in that state are comparable to the examinations required for initial licensure in this State.*

Sec. 5. NRS 391.032 is hereby amended to read as follows:

391.032 1. Except as otherwise provided in NRS 391.027, the Commission shall:

(a) Consider and may adopt regulations which provide for the issuance of conditional licenses to teachers and other educational personnel before completion of all courses of study or other requirements for a license in this State.

(b) Adopt regulations which provide for the reciprocal licensure of educational personnel from other states.

2. The regulations adopted pursuant to paragraph (b) of subsection 1 may provide an exemption from the examinations required for initial licensure for teachers and other educational personnel ~~{who have previous experience in teaching or performing other educational functions in}~~ from another state ~~{- If the Commission adopts regulations providing such an exemption, the Commission shall identify the examinations to which the exemption applies.}~~ *if the Commission determines that the examinations required for initial licensure for teachers and other educational personnel in that state are comparable to the examinations required for initial licensure in this State.*

3. A person who is issued a conditional license must complete all courses of study and other requirements for a license in this State which is not conditional within 3 years after the date on which a conditional license is issued.

Sec. 6. 1. The Commission on Professional Standards in Education shall conduct a review of the regulations of the Commission governing the licensure and endorsement of special education teachers to improve and enhance the reciprocal licensure in this State of special education teachers from other states. The review must include an analysis of:

(a) The possible consolidation of the categorical special education endorsements into broader, noncategorical endorsements; and

(b) The possible issuance of a waiver of the requirement of specific course work for the categorical endorsements for teaching pupils with disabilities required by regulation of the Commission if a teacher has 3 years of verified teaching experience in a classroom providing instruction to pupils with the area of disability in which he seeks the categorical endorsement.

2. On or before January 1, 2010, the Commission shall submit to the Legislative Committee on Education a report of:

(a) The results of the review conducted pursuant to subsection 1; and

(b) Any regulations relating to the endorsements proposed by the Commission as a result of its review or, if the Commission is not proposing any regulations, a detailed explanation of why it is not.

3. On or before July 1, 2010, the Commission shall submit to the Legislative Committee on Education:

(a) A report of the regulations adopted by the Commission as a result of its review or, if no regulations are adopted, a detailed explanation of why the Commission did not adopt regulations; and

(b) Any recommendations for legislation relating to the licensure and endorsement of special education teachers.

Sec. 7. 1. This section and sections 1, 2, 4, 5 and 6 of this act become effective ~~on July 1, 2009,~~ **upon passage and approval.**

2. Section 3 of this act becomes effective on July 1, 2011.