

Amendment No. 523

Senate Amendment to Senate Bill No. 41
(BDR 34-337)

Proposed by: Senate Committee on Education

Amendment Box: Replaces Amendment No. 165.

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.



SENATE BILL NO. 41—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 19, 2018

Referred to Committee on Education

SUMMARY—Revises provisions relating to the licensure of teachers and other educational personnel. (BDR 34-337)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to education; revising provisions governing the membership of the Commission on Professional Standards in Education; eliminating the special qualifications license to teach; ~~creating a separate category of licensure for paraprofessionals;~~ revising provisions relating to the granting of additional licenses to teachers; revising provisions relating to applications for a license to be a teacher or other educational personnel; authorizing the Department of Education to require annual background checks of employees who have access to certain confidential information; revising provisions relating to the notification of employees whose licenses are near expiration; revising provisions governing the disclosure of certain information about licensed personnel; ~~transferring certain authority relating to the suspension and revocation of licenses held by teachers and other educational personnel from the State Board of Education to the Commission on Professional Standards in Education and the Department of Education in certain circumstances;~~ revising provisions related to the suspension or revocation of a license of any teacher, administrator or other licensed employee; establishing provisions relating to hearings conducted by the ~~Commission; repealing provisions authorizing the State Board to disapprove regulations adopted by the Commission;~~ State Board of Education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Commission on Professional Standards in Education and provides that the Commission consists of eleven members who are appointed by the Governor, including two members who are administrators of schools who are employed by a school district or charter school to provide administrative service at an individual

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5 school. (NRS 391.011) Section 4.5 of this bill requires the Commission to include: (1) one
6 member who is such an administrator; and (2) one member who is the superintendent of
7 schools of a school district.

8 Existing law authorizes the Superintendent of Public Instruction to issue a special
9 qualifications license, which authorizes a person who holds a postsecondary degree and meets
10 certain other requirements to teach in designated grades and designated subject matters within
11 the field of his or her degree. (NRS 391.019, 391.031, 391.033). **Sections 5 and 8** of this bill
12 eliminate this type of license. **Sections 1, 6 and 12** of this bill make conforming changes.

13 Existing law requires the Commission on Professional Standards in Education to
14 prescribe regulations for licensing teachers and other educational personnel. (NRS 391.019)
15 **Section 5** makes nonsubstantive changes to these provisions for clarification purposes by :(1)
16 requiring a qualified provider to provide in-person or virtual supervised, school-based
17 experiences; and (2) removing the specific examples of middle school or junior high school
18 education and the endorsement to teach English as a second language.

19 Existing law requires the Commission to submit a report containing certain information to
20 the State Board of Education and the Legislative Committee on Education on or before
21 December 1 each year. (NRS 391.028) **Section 7** of this bill ~~eliminates the requirement that~~
22 ~~the report be sent to the State Board and~~ changes the date of submission to on or before
23 December 31.

24 ~~Section 8 adds a license to perform all the duties of a paraprofessional as prescribed by~~
25 ~~the Commission to the kinds of licenses available for teachers and other educational~~
26 ~~personnel.~~

27 ~~Existing law requires a paraprofessional working in a program supported with Title I~~
28 ~~money to possess certain requirements prescribed by the Department of Education to comply~~
29 ~~with federal law. (NRS 391.094, 391.100) Section 15 of this bill transfers the authority of~~
30 ~~prescribing such requirements for paraprofessionals from the Department to the Commission.~~
31 ~~Section 15 also transfers, from the State Board to the Commission, the duty to adopt~~
32 ~~regulations prescribing an examination to meet such requirements. Sections 2, 3, 17 and 19 of~~
33 ~~this bill make conforming changes.~~

34 Existing law authorizes the Superintendent to issue to a teacher licensed to teach
35 elementary education, middle school or junior high school education or secondary education
36 an additional license to teach outside the teacher's grade level and experience if he or she
37 meets the course requirements and qualifications for the license. (NRS 391.0315) **Section 9** of
38 this bill expands the teachers and licenses that qualify under this provision to include early
39 childhood education and requires that such teachers meet any competency testing
40 requirements.

41 Existing law requires every applicant to be licensed as a teacher or other educational
42 personnel to submit to a background investigation and requires a license to be issued if
43 the information obtained as a result of the background investigation does not indicate
44 that the applicant has committed certain types of conduct. (NRS 391.033) Section 10.5 of
45 this bill provides that the following would result in a license not being issued: (1) an
46 indication that there has been a substantiated report of abuse or neglect of a child; and
47 (2) an indication that the applicant has a warrant for his or her arrest. Section 10.5
48 provides that if the information indicates that a substantiated report of child abuse or
49 neglect exists against the applicant, the Superintendent shall: (1) suspend the application
50 process; (2) notify the applicant of the substantiated report; and (3) provide the
51 applicant with an opportunity to rebut the substantiated report.

52 Existing law requires teachers initially licensed on or after July 1, 2015, to complete a
53 course in multicultural education meeting certain requirements prescribed by the Commission.
54 (NRS 391.0347) **Sections 11 and 29** of this bill instead apply this requirement to teachers
55 initially licensed on or after July 1, 2019.

56 Existing law provides that certain information provided in an application for a
57 license as a teacher or to perform other educational functions is confidential. (NRS
58 391.035) Section 11.5 of this bill authorizes the Department of Education to require an
59 employee who has access to such confidential information to annually submit
60 fingerprints and written authorization to forward such fingerprints to the Central
61 Repository for Nevada Records of Criminal History. Section 11.5 further authorizes the
62 Department to deny an employee access to confidential information provided in an

application if the information obtained from the Central Repository indicates that the employee has been convicted of a felony or any offense involving moral turpitude.

Section 13 of this bill eliminates the requirement that the board of trustees for each school district must notify each licensed employee of the expiration date of his or her license not later than 6 months before the expiration date. Section 13 instead ~~authorizes~~ **requires** the Department to notify licensed personnel whose license is within 9 months of expiring of the date on which the license will expire.

~~Section~~ **Upon the request of a parent or legal guardian of a pupil who is enrolled in a public school, section 16** of this bill requires ~~that certain information regarding the professional qualifications of any licensed employee of a public school be made available to parents and guardians, and authorizes such information to be made available to the general public.~~

~~Existing law provides that if the Superintendent determines there is a teacher shortage, he or she must submit a report to the Commission and the State Board. Section 18 of this bill requires that such a report be sent only to the Commission.~~

~~Sections 20-28 of this bill transfer the authority to suspend or revoke the license of a teacher from the State Board to the Commission and, in certain limited circumstances involving the nonpayment of child support and certain criminal convictions, to the Department.~~ **the board of trustees of the school district in which the school is located or the governing body of a charter school to provide to the parent or guardian information regarding the professional qualifications of any licensed employee of the public school in which the pupil is enrolled. Section 16 additionally requires that such information include the competency examinations passed by the teacher.**

Existing law requires that certain notice be given to a licensee before the revocation or suspension of his or her license and that the licensee be given the opportunity for a hearing. (NRS 391.322) **Section 23 of this bill revises the provisions relating to the recommendation to suspend or revoke a license when the Department receives notice of certain convictions. Section 25 authorizes the State Board to issue a letter of reprimand to any teacher, administrator or licensed employee upon receiving notice of certain types of conduct. Section 27 of this bill adds requirements for the rules of procedure of such hearings, and revises provisions related to the parties that will bear certain costs of such hearings, and transfers the duty to adopt rules of procedure for the conduct of such hearings from the State Board to the Commission. Sections 4 and 14 of this bill make conforming changes.**

~~Section 29 of this bill repeals a provision authorizing the State Board to disapprove regulations adopted by the Commission. Section 10 of this bill makes a conforming change.~~

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

Section 1. NRS 385.635 is hereby amended to read as follows:

385.635 1. The Office of Parental Involvement and Family Engagement created by NRS 385.630 shall:

(a) Review and evaluate the programs implemented by the school districts and public schools, including, without limitation, programs which are supported in part with money received from the Federal Government, for carrying out and increasing parental involvement and family engagement in the public schools. The review and evaluation must include an identification of current strategies and practices for effective parental involvement and family engagement.

(b) Develop a list of practices which have been proven effective in increasing the involvement of parents and the engagement of families in the education of their children, including, without limitation, practices that increase the ability of school districts and public schools to effectively reengage parents and families and provide those parents and families with the skills and resources necessary to support the academic achievement of their children.

(c) Work in cooperation with the Statewide Council for the Coordination of the Regional Training Programs in carrying out the duties of the Office, including, without limitation, the establishment of a statewide training program concerning parental involvement and family engagement required pursuant to NRS 391A.135.

(d) Provide information to the school districts and public schools on the availability of competitive grants for programs which offer:

(1) Professional development for educational personnel on practices to reengage disengaged parents and families in the education of their children;

(2) Training for parents and families in skills of leadership and volunteerism;

(3) Family literacy training;

(4) Home visitation programs to encourage the involvement of parents and the engagement of families in the education of their children; and

(5) Other innovative programs that are designed to increase the involvement of parents and the engagement of families in the academic achievement of their children.

(e) Provide support to those school districts which have established an advisory council on parental involvement and family engagement pursuant to NRS 385.625 and encourage those school districts which have not established such an advisory council to consider creating an advisory council for the school district.

(f) Build the capacity of public schools to work in collaboration with parents to establish policies for the involvement of parents and the engagement of families, including, without limitation, policies that focus on partnerships between public schools and the parents and families of children enrolled in public schools and the empowerment of parents and families in support of the education of their children.

(g) Work in cooperation with the Commission on Professional Standards in Education in developing the regulations required by paragraph ~~(f)(4)~~ (g) of subsection 1 of NRS 391.019 and monitoring the implementation of those regulations.

(h) Establish, in collaboration with the State Board, guidelines to assist parents and families in helping their children achieve the standards of content and performance adopted by the State Board pursuant to NRS 389.520.

(i) Collaborate with the Nevada State Parent Information and Resource Center, the Parent Training and Information Centers, the Nevada Parent Teacher Association, the Advisory Council and the teachers who are trained to serve as liaisons to parents and legal guardians of pupils enrolled in public schools to plan and implement a statewide summit on parental involvement and family engagement, which must be held at least biennially. After each summit, the Office of Parental Involvement and Family Engagement shall evaluate the success of the summit in consultation with the entities identified in this paragraph.

(j) Assist each school district and the public schools within the school district with incorporating strategies and practices for effective parental involvement and family engagement into the plans to improve the achievement of pupils prepared by the public schools pursuant to NRS 385A.650.

(k) Work in partnership with the Advisory Council to:

(1) Review and evaluate the annual reports of accountability prepared by the board of trustees of each school district pursuant to NRS 385A.070 relating to parental involvement and family engagement in the school districts and public schools;

(2) Review and evaluate the plans to improve the achievement of pupils prepared by each public school pursuant to NRS 385A.650 relating to the strategies and practices for effective parental involvement and family engagement incorporated into the plans; and

(3) Review the status of the implementation of the provisions of this section and the effectiveness of the Office in carrying out the duties prescribed in this section.

2. On or before August 1 of each year, the Office of Parental Involvement and Family Engagement shall prepare a report which includes a summary of the:

(a) Status of the progress made by the school districts and public schools in effectively involving parents and engaging families in the education of their children and an identification of any areas where further improvement is needed; and

(b) Activities of the Office during the immediately preceding school year, including the progress made by the Office, in consultation with the Advisory Council, in assisting the school districts and public schools with increasing the effectiveness of involving parents and engaging families in the education of their children.

3. The Department shall post on its Internet website:

(a) The list of practices developed by the Office of Parental Involvement and Family Engagement pursuant to paragraph (b) of subsection 1;

(b) The report prepared by the Office pursuant to subsection 2; and

(c) Any other information that the Office finds useful for the school districts, public schools, parents, families and general public relating to effective parental involvement and family engagement.

Sec. 2. ~~NRS 385A.230 is hereby amended to read as follows:~~

~~385A.230 1. The annual report of accountability prepared pursuant to NRS 385A.070 must include information on teachers, other licensed educational personnel and paraprofessionals, including, without limitation:~~

~~(a) Information on the professional qualifications of teachers and other licensed educational personnel employed by each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district. The information must include, without limitation:~~

~~(1) The total number of:~~

~~(I) Teachers and other licensed educational personnel employed at each school;~~

~~(II) Vacancies at each school which are not filled by a teacher who has a contract to teach at the school on a full time basis, as determined by the Commission on Professional Standards in Education;~~

~~(III) Teachers and other licensed educational personnel employed at each school who provide instruction in a grade level or subject area for which they do not meet the requirements for licensure or do not hold a required endorsement;~~

~~(IV) Teachers and other licensed educational personnel employed at each school who are inexperienced, as defined by the Commission on Professional Standards in Education; and~~

~~(V) Employees at each school whose overall performance was determined to be highly effective, effective, developing or ineffective under the statewide performance evaluation system.~~

~~(2) The percentage of:~~

~~(I) Teachers and other licensed educational personnel employed by the school district who are employed at each school;~~

~~(II) Vacancies at each school which are not filled by a teacher who has a contract to teach at the school on a full time basis, as determined by the Commission on Professional Standards in Education;~~

~~(III) Teachers and other licensed educational personnel employed at each school who provide instruction in a grade level or subject area for which they do not meet the requirements for licensure or do not hold a required endorsement;~~

~~1 (IV) Teachers and other licensed educational personnel employed at~~
~~2 each school who are inexperienced, as defined by the Commission on Professional~~
~~3 Standards in Education; and~~

~~4 (V) Employees at each school whose overall performance was~~
~~5 determined to be highly effective, effective, developing or ineffective under the~~
~~6 statewide performance evaluation system.~~

~~7 (3) For each middle school, junior high school and high school:~~

~~8 (I) The number of persons employed as substitute teachers for 20~~
~~9 consecutive days or more in the same classroom or assignment, designated as long-~~
~~10 term substitute teachers, including the total number of days long-term substitute~~
~~11 teachers were employed at each school, identified by grade level and subject area;~~
~~12 and~~

~~13 (II) The number of persons employed as substitute teachers for less~~
~~14 than 20 consecutive days, designated as short-term substitute teachers, including the~~
~~15 total number of days short-term substitute teachers were employed at each school,~~
~~16 identified by grade level and subject area.~~

~~17 (4) For each elementary school:~~

~~18 (I) The number of persons employed as substitute teachers for 20~~
~~19 consecutive days or more in the same classroom or assignment, designated as long-~~
~~20 term substitute teachers, including the total number of days long-term substitute~~
~~21 teachers were employed at each school, identified by grade level; and~~

~~22 (II) The number of persons employed as substitute teachers for less~~
~~23 than 20 consecutive days, designated as short-term substitute teachers, including the~~
~~24 total number of days short-term substitute teachers were employed at each school,~~
~~25 identified by grade level.~~

~~26 (b) Records of attendance of teachers who provide instruction, for each school~~
~~27 in the district and the district as a whole, including, without limitation, each charter~~
~~28 school sponsored by the district. The records of attendance maintained by a school~~
~~29 for purposes of this paragraph must include the number of teachers who are in~~
~~30 attendance at school and the number of teachers who are absent from school. A~~
~~31 teacher shall be deemed in attendance if the teacher is excused from being present~~
~~32 in the classroom by the school in which the teacher is employed for one of the~~
~~33 following reasons:~~

~~34 (1) Acquisition of knowledge or skills relating to the professional~~
~~35 development of the teacher; or~~

~~36 (2) Assignment of the teacher to perform duties for cocurricular or~~
~~37 extracurricular activities of pupils.~~

~~38 (c) Information on the paraprofessionals employed by each public school in the~~
~~39 district, including, without limitation, each charter school sponsored by the district.~~
~~40 The information must include:~~

~~41 (1) The number of paraprofessionals employed at the school;~~

~~42 (2) The number of paraprofessionals employed at the school who do not~~
~~43 satisfy the requirements prescribed by the [Department] *Commission on*~~
~~44 *Professional Standards in Education* to comply with 20 U.S.C. § 6311(g)(2)(M);~~

~~45 (3) The percentage of paraprofessionals employed by the school district~~
~~46 who do not satisfy the requirements prescribed by the [Department] *Commission*~~
~~47 *on Professional Standards in Education* to comply with 20 U.S.C. §~~
~~48 6311(g)(2)(M) who are employed at the school; and~~

~~49 (4) Any other information required by regulation of the State Board.~~

~~50 2. As used in this section, "paraprofessional" has the meaning ascribed to it in~~
~~51 NRS 391.008.] **(Deleted by amendment.)**~~

Sec. 3. ~~NRS 385A.440 is hereby amended to read as follows:~~

~~385A.440 1. The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on teachers, other licensed personnel and paraprofessionals, including, without limitation:~~

~~(a) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, information on the professional qualifications of teachers and other licensed educational personnel employed by the school districts and charter schools, including, without limitation:~~

~~(1) The total number of:~~

~~(I) Teachers and other licensed educational personnel employed by each school district, including, without limitation, each charter school in the district, and for this State as a whole;~~

~~(II) Vacancies at each school district, including, without limitation, each charter school in the district, which are not filled by a teacher who has a contract to teach on a full-time basis, as determined by the Commission on Professional Standards in Education and for this State as a whole;~~

~~(III) Teachers and other licensed educational personnel employed by each school district, including, without limitation, each charter school in the district, who provide instruction in a grade level or subject area for which they do not meet the requirements for licensure or do not hold a required endorsement, and for this State as a whole;~~

~~(IV) Teachers or other licensed educational personnel who are inexperienced, as defined by the Commission on Professional Standards in Education, employed by each school district, including, without limitation, each charter school in the district, and for this State as a whole; and~~

~~(V) Employees at each school district, including, without limitation, each charter school in the district, whose overall performance was determined to be highly effective, effective, developing or ineffective under the statewide performance evaluation system, and for this State as a whole.~~

~~(2) The percentage of:~~

~~(I) Teachers and other licensed educational personnel employed in this State who are employed by each school district, including, without limitation, each charter school in the district, and for this State as a whole;~~

~~(II) Vacancies at each school district including, without limitation, each charter school in the district, which are not filled by a teacher who has a contract to teach on a full-time basis, as determined by the Commission on Professional Standards in Education, and for this State as a whole;~~

~~(III) Teachers and other licensed educational personnel employed by each school district, including, without limitation, each charter school in the district, who provide instruction in a grade level or subject area in which they do not meet the requirements for licensure or do not hold a required endorsement, and for this State as a whole;~~

~~(IV) Teachers and other licensed educational personnel employed by each school district, including, without limitation, each charter school in the district, who are inexperienced, as defined by the Commission on Professional Standards in Education, and for this State as a whole; and~~

~~(V) Employees at each school district, including, without limitation, each charter school in the district, whose overall performance was determined to be highly effective, effective, developing or ineffective under the statewide performance evaluation system, and for this State as a whole.~~

~~(3) For each middle school, junior high school and high school:~~

~~(I) The number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-~~

~~term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level and subject area; and~~

~~— (II) The number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level and subject area.~~

~~— (4) For each elementary school:~~

~~— (I) The number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level; and~~

~~— (II) The number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level.~~

~~— (b) The attendance of teachers who provide instruction, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.~~

~~— (c) Information on the paraprofessionals employed at public schools in this State, including, without limitation, the charter schools in this State. The information must include:~~

~~— (1) The number of paraprofessionals employed, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole;~~

~~— (2) The number of paraprofessional employed by each school district, including, without limitation, each charter school in the district, who do not satisfy the requirements prescribed by the [Department] *Commission on Professional Standards in Education* to comply with 20 U.S.C. § 6311(g)(2)(M), and for this State as a whole;~~

~~— (3) The percentage of paraprofessionals employed by each school district, including, without limitation, each charter school in the district, who do not satisfy the requirements prescribed by the [Department] *Commission on Professional Standards in Education* to comply with 20 U.S.C. § 6311(g)(2)(M), and for this State as a whole; and~~

~~— (4) Any other information required by regulation of the State Board.~~

~~2. As used in this section, “paraprofessional” has the meaning ascribed to it in NRS 391.008.]~~ **(Deleted by amendment.)**

Sec. 4. ~~[NRS 388.1354 is hereby amended to read as follows:~~

~~— 388.1354 If an administrator or his or her designee knowingly and willfully fails to comply with the provisions of NRS 388.1351, the superintendent of the school district or governing body, as applicable, or the designee of either:~~

~~— 1. Shall take disciplinary action against the employee by written admonishment, demotion, suspension, dismissal or refusal to reemploy; and~~

~~— 2. If the employee is the holder of a license issued pursuant to chapter 391 of NRS, may recommend to the governing body that the governing body submit a recommendation to the [State Board] *Commission on Professional Standards in Education* for the suspension or revocation of the license.]~~ **(Deleted by amendment.)**

Sec. 4.5. NRS 391.011 is hereby amended to read as follows:

391.011 1. The Commission on Professional Standards in Education, consisting of eleven members appointed by the Governor, is hereby created.

2. Five members of the Commission must be teachers who teach in the classroom as follows:

(a) One who holds a license to teach secondary education and teaches in a secondary school.

(b) One who holds a license to teach middle school or junior high school education and teaches in a middle school or junior high school.

(c) One who holds a license to teach elementary education and teaches in an elementary school.

(d) One who holds a license to teach special education and teaches special education.

(e) One who holds a license to teach pupils in a program of early childhood education and teaches in a program of early childhood education.

3. The remaining members of the Commission must include:

(a) One school counselor, psychologist, speech-language pathologist, audiologist, or social worker who is licensed pursuant to this chapter and employed by a school district or charter school.

(b) ~~Two administrators of schools who are~~ One administrator of a school who is employed by a school district or charter school to provide administrative service at an individual school. Such ~~administrators~~ an administrator must not provide service at the district level.

(c) The dean of the College of Education at one of the universities in the Nevada System of Higher Education, or a representative of one of the Colleges of Education nominated by such a dean for appointment by the Governor.

(d) One member who is the parent or legal guardian of a pupil enrolled in a public school.

(e) One member who has expertise and experience in the operation of a business.

(f) One member who is the superintendent of schools of a school district.

4. Three of the five appointments made pursuant to subsection 2 must be made from a list of names of at least three persons for each position that is submitted to the Governor by an employee organization representing the majority of teachers in the State who teach in the educational level from which the appointment is being made.

5. The appointment made pursuant to:

(a) Paragraph (a) of subsection 3 must be made from a list of names of at least three persons that is submitted to the Governor by an employee organization representing the majority of school counselors, psychologists, speech-language pathologists, audiologists or social workers in this State who are not administrators.

(b) Paragraph (b) of subsection 3 must be made from a list of names of at least three persons ~~for each position~~ that is submitted to the Governor by the organization of administrators for schools in which the majority of administrators of schools in this State have membership.

(c) Paragraph (d) of subsection 3 must be made from a list of names of persons submitted to the Governor by the Nevada Parent Teacher Association or its successor organization.

(d) Paragraph (f) of subsection 3 must be made from a list of names of persons submitted to the Governor by the Nevada Association of School Superintendents.

Sec. 5. NRS 391.019 is hereby amended to read as follows:

391.019 1. Except as otherwise provided in NRS 391.027, the ~~The~~ Commission shall adopt regulations:

(a) Prescribing the qualifications for licensing teachers and other educational personnel ~~including, without limitation, the qualifications for a license to teach~~

1 ~~middle school or junior high school education,]~~ and the procedures for the issuance
2 and renewal of those licenses. The regulations:

3 (1) Must include, without limitation, the qualifications for licensing
4 teachers and administrators pursuant to an alternative route to licensure which
5 provides that the required education and training may be provided by any qualified
6 provider which has been approved by the Commission, including, without
7 limitation, institutions of higher education and other providers that operate
8 independently of an institution of higher education. The regulations adopted
9 pursuant to this subparagraph must:

10 (I) Establish the requirements for approval as a qualified provider;

11 (II) Require a qualified provider to be selective in its acceptance of
12 students;

13 (III) Require a qualified provider to provide *in-person or virtual*
14 supervised, school-based experiences and ongoing support for its students, such as
15 mentoring and coaching;

16 (IV) Significantly limit the amount of course work required or provide
17 for the waiver of required course work for students who achieve certain scores on
18 tests;

19 (V) Allow for the completion in 2 years or less of the education and
20 training required under the alternative route to licensure;

21 (VI) Provide that a person who has completed the education and
22 training required under the alternative route to licensure and who has satisfied all
23 other requirements for licensure may apply for a regular license pursuant to sub-
24 subparagraph (VII) regardless of whether the person has received an offer of
25 employment from a school district, charter school or private school; and

26 (VII) Upon the completion by a person of the education and training
27 required under the alternative route to licensure and the satisfaction of all other
28 requirements for licensure, provide for the issuance of a regular license to the
29 person pursuant to the provisions of this chapter and the regulations adopted
30 pursuant to this chapter.

31 (2) Must require an applicant for a license to teach middle school or junior
32 high school education or secondary education to demonstrate proficiency in a field
33 of specialization or area of concentration by successfully completing course work
34 prescribed by the Department or completing a subject matter competency
35 examination prescribed by the Department with a score deemed satisfactory.

36 (3) Must not prescribe qualifications which are more stringent than the
37 qualifications set forth in NRS 391.0315 for a licensed teacher who applies for an
38 additional license in accordance with that section.

39 (b) Identifying fields of specialization in teaching which require the specialized
40 training of teachers.

41 (c) Except as otherwise provided in NRS 391.125, requiring teachers to obtain
42 from the Department an endorsement in a field of specialization to be eligible to
43 teach in that field of specialization. ~~[, including, without limitation, an endorsement~~
44 ~~to teach English as a second language.]~~

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

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

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

(1) Provide instruction or other educational services; and

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

(g) ~~Providing for the issuance and renewal of a special qualifications license to an applicant who holds a bachelor's degree, 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:~~

~~— (1) 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~~

~~— (2) At least 5 years of experience working in a field for which the applicant will provide instruction in a classroom.~~

~~— An applicant for licensure pursuant to this paragraph who holds a bachelor's degree must submit proof of participation in a program of student teaching or mentoring or agree to participate in a program of mentoring or courses of pedagogy for the first 2 years of the applicant's employment as a teacher with a school district or charter school.~~

~~— (h) Requiring an applicant for a special qualifications license to:~~

~~— (1) Pass each examination required by subsection 1 of NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; or~~

~~— (2) Hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the bachelor's degree, master's degree or doctoral degree held by the applicant.~~

~~— (i) 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 bachelor's degree, master's degree or doctoral degree held by that person.~~

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

~~— (1) Holds a bachelor's degree or a graduate degree from an accredited college or university in the field for which the applicant will be providing instruction;~~

~~— (2) Is not licensed to teach public school in another state;~~

~~— (3) 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~~

~~— (4) 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 the applicant's employment as a teacher with a school district or charter school if the applicant holds a graduate degree or, if the applicant holds a bachelor's degree, submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring or courses of pedagogy for the first 2 years of his or her employment as a teacher with a school district or charter school.~~

~~— An applicant for licensure pursuant to this paragraph is exempt from each examination required by subsection 1 of NRS 391.021 if the applicant successfully passed the examination in another state.~~

~~— (k)~~ Prescribing course work on parental involvement and family engagement. The Commission shall work in cooperation with the Office of Parental Involvement and Family Engagement created by NRS 385.630 in developing the regulations required by this paragraph.

1 ~~[(H)]~~ (h) Establishing the requirements for obtaining an endorsement on the
2 license of a teacher, administrator or other educational personnel in cultural
3 competency.

4 2. Except as otherwise provided in NRS 391.027, the ~~[(The)]~~ Commission may
5 adopt such other regulations as it deems necessary for its own government or to
6 carry out its duties.

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

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

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

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

16 ~~[(4. A person who is licensed pursuant to paragraph (e) or (j) of subsection 1:~~

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

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

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

25 **Sec. 6.** NRS 391.021 is hereby amended to read as follows:

26 391.021 Except as otherwise provided in ~~[(paragraph (j) of subsection 1 of~~
27 ~~NRS 391.019 and] NRS 391.027, the~~ ~~[(The)]~~ Commission shall adopt regulations
28 governing examinations for the initial licensing of teachers and other educational
29 personnel. The regulations adopted by the Commission must ensure that the
30 examinations test the ability of the applicant to teach and the applicant's knowledge
31 of each specific subject he or she proposes to teach. Teachers and educational
32 personnel from another state who obtain a reciprocal license pursuant to NRS
33 391.032 are not required to take the examinations for the initial licensing of
34 teachers and other educational personnel described in this section or any other
35 examination for initial licensing required by the regulations adopted by the
36 Commission.

37 **Sec. 7.** NRS 391.028 is hereby amended to read as follows:

38 391.028 On or before December ~~[(H)]~~ 31 of each year, the Commission shall
39 submit a written report to the State Board and the Legislative Committee on
40 Education. The report must include, without limitation:

41 1. A summary of the regulations adopted by the Commission and the status of
42 those regulations;

43 2. A work plan which designates the proposed activities of the Commission
44 during the next year; and

45 3. A description of the progress and status of each regulation relating to the
46 licensure of educational personnel which the Commission is required to adopt
47 pursuant to a legislative measure enacted within the two previous regular sessions
48 of the Legislature or any special session of the Legislature occurring within that
49 time. If the Commission has not adopted a required regulation, the Commission
50 shall include in the report a detailed explanation describing the reasons each
51 regulation was not adopted.

Sec. 8. NRS 391.031 is hereby amended to read as follows:

391.031 There are the following kinds of licenses for teachers and other educational personnel in this State:

1. A license to teach pupils in a program of early childhood education, which authorizes the holder to teach in any program of early childhood education in the State.

2. A license to teach elementary education, which authorizes the holder to teach in any elementary school in the State.

3. A license to teach middle school or junior high school education, which authorizes the holder to teach in his or her major or minor field of preparation or in both fields in any middle school or junior high school. He or she may teach only in these fields unless an exception is approved pursuant to regulations adopted by the Commission.

4. A license to teach secondary education, which authorizes the holder to teach in his or her major or minor field of preparation or in both fields in any secondary school. He or she may teach only in these fields unless an exception is approved pursuant to regulations adopted by the Commission.

5. A license to teach special education, which authorizes the holder to teach pupils with disabilities or gifted and talented pupils, or both.

6. A special license, which authorizes the holder to teach or perform other educational functions in a school or program as designated in the license.

~~[7. A special license, designated as a special qualifications license, which authorizes the holder to teach only in the grades and subject areas designated in the license. A special qualifications license is valid for 3 years and may be renewed in accordance with the applicable regulations of the Commission adopted pursuant to paragraph (g) or (j) of subsection 1 of NRS 391.019. perform all the duties of a paraprofessional as may be prescribed by the Commission.]~~

Sec. 9. NRS 391.0315 is hereby amended to read as follows:

391.0315 1. A person licensed to teach *early childhood education*, 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 *early childhood education*, elementary education, middle school or junior high school education or secondary education, other than for teaching pupils with disabilities, which is outside the person's grade level of experience if the applicant meets the course work requirements, *competency testing 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 the applicant has 3 years of verified teaching experience.

Sec. 10. ~~[NRS 391.032 is hereby amended to read as follows:~~

~~391.032 1. [Except as otherwise provided in NRS 391.027, the] The Commission shall:~~

~~— (a) Adopt regulations which provide 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.~~

~~— (b) Adopt regulations which provide for the reciprocal licensure of educational personnel from other states including, without limitation, for the reciprocal licensure of persons who hold a license to teach special education. Such regulations must include, without limitation, provisions for the reciprocal licensure of persons who obtained a license pursuant to an alternative route to licensure which the Department determines is as rigorous or more rigorous than the alternative route to~~

~~licensure prescribed pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 391.019;~~

~~2. A person who is issued a provisional license must complete all courses of study and other requirements for a license in this State which is not provisional within 3 years after the date on which a provisional license is issued.~~ **(Deleted by amendment.)**

Sec. 10.5. NRS 391.033 is hereby amended to read as follows:

391.033 1. All licenses for teachers and other educational personnel are granted by the Superintendent of Public Instruction pursuant to regulations adopted by the Commission and as otherwise provided by law.

2. An application for the issuance of a license must include the social security number of the applicant.

3. Every applicant for a license must submit with his or her application:

(a) A complete set of his or her fingerprints and written permission authorizing the Superintendent to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its initial report on the criminal history of the applicant and for reports thereafter upon renewal of the license pursuant to subsection 8 of NRS 179A.075, and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant; and

(b) Written authorization for the Superintendent to obtain any information concerning the applicant that may be available from the Statewide Central Registry and any equivalent registry maintained by a governmental entity in a jurisdiction in which the applicant has resided within the immediately preceding 5 years.

4. In conducting an investigation into the background of an applicant for a license, the Superintendent may cooperate with any appropriate law enforcement agency to obtain information relating to the criminal history of the applicant, including, without limitation, any record of warrants for the arrest of or applications for protective orders against the applicant.

5. The Superintendent may issue a provisional license pending receipt of the reports of the Federal Bureau of Investigation and the Central Repository for Nevada Records of Criminal History if the Superintendent determines that the applicant is otherwise qualified.

6. Except as otherwise provided in subsection 7, a license must be issued to, or renewed for, as applicable, an applicant if:

(a) The Superintendent determines that the applicant is qualified;

(b) The information obtained by the Superintendent pursuant to subsections 3 and 4:

(1) Does not indicate that the applicant has been convicted of a felony or any offense involving moral turpitude ~~for~~

~~(2) Indicates~~ **or indicates** that the applicant has been convicted of a felony or an offense involving moral turpitude but the Superintendent determines that the conviction is unrelated to the position within the county school district or charter school for which the applicant applied or for which he or she is currently employed, as applicable; ~~and~~

(2) Does not indicate that there has been a substantiated report of abuse or neglect of a child, as defined in NRS 432B.020, or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 made against the applicant in any state; and

(3) Does not indicate that the applicant has a warrant for his or her arrest; and

(c) For initial licensure, the applicant submits the statement required pursuant to NRS 391.034.

1 7. If, pursuant to subparagraph (2) of paragraph (b) of subsection 6, the
2 information indicates that a substantiated report has been made against the
3 applicant in any state, the Superintendent shall:

4 (a) Suspend the application process;

5 (b) Notify the applicant of the substantiated report; and

6 (c) Provide the applicant an opportunity to rebut the substantiated report.

7 8. The Superintendent may deny an application for a license pursuant to this
8 section if ~~he~~:

9 (a) A report on the criminal history of the applicant from the Federal Bureau of
10 Investigation or the Central Repository for Nevada Records of Criminal History
11 indicates that the applicant has been arrested for or charged with a sexual offense
12 involving a minor or pupil, including, without limitation, any attempt, solicitation
13 or conspiracy to commit such an offense ~~or~~

14 ~~— 8.1 ; and~~

15 (b) The Superintendent ~~for his or her designee may deny the application for a~~
16 ~~license after providing written~~ provides to the applicant:

17 (1) Written notice of his or her intent to deny the application ; ~~to the~~
18 ~~applicant~~ and ~~providing an~~

19 (2) An opportunity for the applicant to have a hearing.

20 9. To request a hearing pursuant to subsection 8, an applicant must submit a
21 written request to the Superintendent within 15 days after receipt of the notice by
22 the applicant. Such a hearing must be conducted in accordance with regulations
23 adopted by the State Board. If no request for a hearing is filed within that time, the
24 Superintendent may deny the license.

25 10. If the Superintendent denies an application for a license pursuant to this
26 section, the Superintendent must, within 15 days after the date on which the
27 application is denied, provide notice of the denial to the school district or charter
28 school that employs the applicant if the applicant is employed by a school district or
29 charter school. Such a notice must not state the reasons for denial.

30 11. The Department shall:

31 (a) Maintain a list of the names of persons whose applications for a license are
32 denied due to conviction of a sexual offense involving a minor;

33 (b) Update the list maintained pursuant to paragraph (a) monthly; and

34 (c) Provide this list to the board of trustees of a school district or the governing
35 body of a charter school upon request.

36 12. The Superintendent shall forward all information obtained from an
37 investigation of an applicant pursuant to subsections 3 and 4 to the board of trustees
38 of a school district, the governing body of a charter school or university school for
39 profoundly gifted pupils or the administrator of a private school where the applicant
40 is employed or seeking employment. Except as otherwise provided in this section,
41 any information shared with the board of trustees of a school district, the
42 governing body of a charter school or university school for profoundly gifted
43 pupils or the administrator of a private school is confidential and must not be
44 disclosed to any person other than the applicant. The board of trustees, governing
45 body or administrator, as applicable, may use a substantiated report of the abuse or
46 neglect of a child, as defined in NRS 392.281, or a violation of NRS 201.540,
47 201.560, 392.4633 or 394.366 obtained from the Statewide Central Registry or an
48 equivalent registry maintained by a governmental agency in another jurisdiction:

49 (a) In making determinations concerning assignments, requiring retraining,
50 imposing discipline, hiring or termination; and

51 (b) In any proceedings to which the report is relevant, including, without
52 limitation, an action for trespass or a restraining order.

13. The Superintendent, the board of trustees of a school district, the governing body of a charter school or university school for profoundly gifted pupils or the administrator of a private school may not be held liable for damages resulting from any action of the Superintendent, board of trustees, governing body or administrator, as applicable, authorized by subsection 4 or 12.

14. As used in this section, "sexual offense" has the meaning ascribed to it in NRS 179D.097.

Sec. 11. NRS 391.0347 is hereby amended to read as follows:

391.0347 1. Any licensed teacher who is initially licensed on or after July 1, ~~2015,~~ 2019, except for a teacher who is licensed only as a substitute teacher, must submit with his or her first application for renewal of his or her license to teach proof of the completion of a course in multicultural education. If the licensed teacher is initially issued a nonrenewable license, he or she must submit such proof with his or her first application for a renewable license to teach.

2. The Commission shall adopt regulations:

(a) That prescribe the required contents of a course in multicultural education which must be completed pursuant to this section;

(b) That prescribe the number of credits which must be earned by a licensed teacher in a course in multicultural education; and

(c) As otherwise necessary to carry out the requirements of this section.

Sec. 11.5. NRS 391.035 is hereby amended to read as follows:

391.035 1. Except as otherwise provided in NRS 239.0115 and 391.033, an application to the Superintendent of Public Instruction for a license as a teacher or to perform other educational functions and all documents in the Department's file relating to the application, including:

(a) The applicant's health records;

(b) The applicant's fingerprints and any report from the Federal Bureau of Investigation or the Central Repository for Nevada Records of Criminal History or information from the Statewide Central Registry or any equivalent registry maintained by a governmental agency in another jurisdiction;

(c) Transcripts of the applicant's records at colleges or other educational institutions;

(d) The applicant's scores on the examinations administered pursuant to the regulations adopted by the Commission;

(e) Any correspondence concerning the application; and

(f) Any other personal information,

are confidential.

2. It is unlawful to disclose or release the information in an application or any related document except pursuant to paragraph (d) of subsection 8 of NRS 179A.075 or the applicant's written authorization.

3. The Department shall, upon request, make available the applicant's file for inspection by the applicant during regular business hours.

4. The Department may annually require any employee of the Department who has access to information contained within an application or any related document to submit to the Department:

(a) A complete set of his or her fingerprints and written permission authorizing the Department to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its report on the criminal history of the employee and for submission to the Federal Bureau of Investigation for its report on the criminal history of the employee; and

(b) Written authorization for the Department to obtain any information concerning the applicant that may be available from the Statewide Central Registry and any equivalent registry maintained by a governmental entity in a

jurisdiction in which the applicant has resided within the immediately preceding 5 years.

5. If the information obtained by the Department pursuant to subsection 4 indicates that the employee has been convicted of a felony or any offense involving moral turpitude, the Department may take such action, as determined by the Department, to deny that employee access to information contained within an application or any related document.

Sec. 12. NRS 391.037 is hereby amended to read as follows:

391.037 1. The Commission shall:

(a) Prescribe by regulation the standards for approval of a course of study or training offered by an educational institution to qualify a person to be a teacher or administrator or to perform other educational functions. The regulations prescribed pursuant to this paragraph must include, without limitation, training on how to identify a pupil who is at risk for dyslexia or related disorders.

(b) Maintain descriptions of the approved courses of study required to qualify for endorsements in fields of specialization and provide to an applicant, upon request, the approved course of study for a particular endorsement.

2. Except for an applicant who submits an application for the issuance of a license pursuant to subparagraph (1) of paragraph (a) ~~for paragraph (g) or (j)]~~ of subsection 1 of NRS 391.019, an applicant for a license as a teacher or administrator or to perform some other educational function must submit with his or her application, in the form prescribed by the Superintendent of Public Instruction, proof that the applicant has satisfactorily completed a course of study and training approved by the Commission pursuant to subsection 1.

Sec. 13. NRS 391.042 is hereby amended to read as follows:

391.042 1. The Department shall:

(a) Maintain a directory of the name of each person who holds a license issued pursuant to this chapter and the date on which his or her license expires; ~~and]~~

(b) Make the directory readily available to licensed educational personnel and to the general public on the Internet website maintained by the Department ~~]; and~~

(c) Provide to the board of trustees of each a school district, at the end of each calendar month, upon the request of the board of trustees or upon the request of the human resources office of a school or school district acting on behalf of the board of trustees, an electronic file with a list of each licensed employee who is employed by the board of trustees and whose license will expire within the 9 months immediately following that calendar month.

2. The ~~board of trustees of a school district shall notify each licensed employee identified in the list received pursuant to paragraph (c) of subsection 1 of the date on which his or her license will expire. The notice must be provided not later than 6 months before the date of expiration of the license.]~~ Department ~~may~~ shall notify in writing each person who holds a license pursuant to this chapter whose license is within 9 months of expiring of the date on which his or her license will expire.

Sec. 14. ~~[NRS 391.055 is hereby amended to read as follows:~~

~~391.055 1. The Department shall adopt regulations that establish a procedure for the notification, tracking and monitoring of the status of criminal cases involving persons who are licensed pursuant to this chapter. The procedure must include, without limitation:~~

~~(a) A method by which the superintendent of schools of a school district and the administrative head of a charter school must notify the Department in a timely manner of the arrest of a person who is licensed pursuant to this chapter if:~~

~~(1) The act for which the licensee is arrested;~~

~~(I) May be a ground for the suspension or revocation of the person's license pursuant to NRS 391.330; and~~

~~(II) Is not excluded by the Department from the notification requirements of this section; and~~

~~(2) The school district or charter school has knowledge of that arrest.~~

~~(b) A method by which the superintendent of schools of a school district and the administrative head of a charter school must notify the Department in a timely manner of:~~

~~(1) Each action, if any, taken against the licensee by the school district or charter school after the arrest; and~~

~~(2) The conviction of the licensee, if the licensee is convicted of the act for which he or she was arrested.~~

~~(c) The steps that the Department must follow in response to the receipt of notice pursuant to this section, including, without limitation, the preparation of a separate file on the licensee for the documentation and monitoring of the status of the case.~~

~~2. Each file that is maintained on a licensee pursuant to subsection 1 must include, without limitation:~~

~~(a) The date on which the person was arrested and the date on which the Department received notice of the arrest from the school district or charter school;~~

~~(b) The reason why the licensee was arrested;~~

~~(c) The steps taken by the Department in response to all notices received by the Department from a school district or charter school pursuant to subsection 1;~~

~~(d) An indication whether the case was referred to the Attorney General's office for review and the date of the referral, if any;~~

~~(e) An indication whether the Superintendent of Public Instruction has presented the case to the [State Board] Commission for action and the type of action recommended by the Superintendent, if any;~~

~~(f) A description of any action taken by the [State Board] Commission against the licensee and the reason for that action or, if no action is taken by the [State Board] Commission, the reason for the inaction; and~~

~~(g) The final resolution of the case and the date of resolution.~~

~~3. [If] Except as otherwise provided in subsection 4, if the Department receives notice of a conviction of a licensee and the conviction is for an act which is a ground for the suspension or revocation of a license, the Superintendent of Public Instruction shall immediately recommend that the [State Board] Commission proceed in accordance with the provisions of NRS 391.320 to 391.361, inclusive.~~

~~4. If the Department receives notice of a conviction of a licensee and the conviction is for an act which is a ground for the suspension or revocation of a license pursuant to subsection 4 or 5 of NRS 391.330, the Department shall proceed in accordance with the provisions of subsection 6 of NRS 391.322.~~

~~5. If the Department maintains a file on a licensee pursuant to this section and the [State Board] Commission determines that there is not sufficient evidence to suspend or revoke the license, the file and any related documents must not be made a part of that licensee's permanent employment record. (Deleted by amendment.)~~

Sec. 15. ~~[NRS 391.094 is hereby amended to read as follows:~~

~~391.094 1. The [State Board] Commission shall prescribe by regulation [at least one examination for those] professional standards for paraprofessionals [who desire to satisfy the requirements prescribed by the Department] to comply with 20 U.S.C. § 6311(g)(2)(M).~~

~~2. The Commission shall prescribe by regulation at least one examination for those paraprofessionals who desire to satisfy the professional standards prescribed by the Commission pursuant to subsection 1. The regulations must~~

~~include the passing score required to demonstrate satisfaction of those requirements.] (Deleted by amendment.)~~

Sec. 16. NRS 391.097 is hereby amended to read as follows:

391.097 1. Upon the request of a parent or legal guardian of a pupil who is enrolled in a public school, the board of trustees of the school district in which the school is located or the governing body of the charter school, as applicable, shall provide to the parent or guardian information regarding the professional qualifications of ~~the pupil's teachers.]~~ **any licensed employee of the public school in which the pupil is enrolled.** The State Board shall prescribe the time by which such information must be provided after receipt of the request by the school district or charter school. The information provided must include, without limitation:

(a) For each teacher who provides instruction to the pupil:

(1) Whether the teacher holds a license for the grade level and subject area in which the teacher provides instruction;

(2) Whether the teacher is:

(I) Providing instruction pursuant to NRS 391.125;

(II) Providing instruction pursuant to a waiver of the requirements for licensure for the grade level or subject area in which the teacher is employed; or

(III) Otherwise providing instruction without an endorsement for the subject area in which the teacher is employed; ~~and]~~

(3) The degree held by the teacher and any other graduate certification or degree held by the teacher, including, without limitation, the field in which each degree or certification was obtained; and

(4) The ~~results of any~~ competency examinations ~~completed~~ passed by the teacher; and

(b) If a paraprofessional, as defined in NRS 391.008, provides services to the pupil, the qualifications of the paraprofessional.

2. ~~[The Department may make any of the information required to be provided to a parent or guardian pursuant to subsection 1 available to the general public and may publish such information on its Internet website.]~~

~~3.]~~ At the beginning of each school year, the board of trustees of each school district and the governing body of each charter school shall provide written notice to the parents and guardians of each pupil enrolled in a school within the school district or enrolled in the charter school, as applicable, that a parent or guardian may request information pursuant to subsection 1. The State Board shall prescribe the date by which the notice required by this subsection must be provided.

~~3.]~~ ~~[4.]~~ The information required pursuant to subsection 1 and the notice required pursuant to subsection 2 ~~[3]~~ must be provided in a uniform and understandable format and, to the extent practicable, in a language that parents and guardians can understand.

Sec. 17. ~~[NRS 391.100 is hereby amended to read as follows:]~~

~~391.100 1. The board of trustees of a school district may employ a superintendent of schools, teachers and all other necessary employees.~~

~~2. The board of trustees of a school district:~~

~~(a) May employ teacher aides and other auxiliary, nonprofessional personnel to assist licensed personnel in the instruction or supervision of children, either in the classroom or at any other place in the school or on the grounds thereof. A person who is employed as a paraprofessional by a school district to work in a program supported with Title I money must [possess] satisfy the [requirements] professional standards prescribed by the [State Board] Commission pursuant to NRS 391.094.~~

~~(b) Shall establish policies governing the duties and performance of teacher aides.] (Deleted by amendment.)~~

Sec. 18. ~~[NRS 391.125 is hereby amended to read as follows:~~

~~391.125 1. If the board of trustees of a school district determines that a shortage of teachers exists within the school district in a particular subject area, the board of trustees may, on or before September 1 of the school year in which such a determination is made, submit a written request to the Superintendent of Public Instruction to employ persons who are licensed teachers but who do not hold an endorsement to teach in the subject area for which there is a shortage of teachers at a public school within the school district. The Superintendent of Public Instruction may grant such a request if the Superintendent determines that a shortage of teachers exists in the subject area. If the Superintendent of Public Instruction grants a request pursuant to this subsection, a person who holds a license to teach but not an endorsement in the subject area for which the request was granted may be employed by the school district for not more than 2 school years to teach in that subject area at a public school within the school district.~~

~~2. If the Superintendent of Public Instruction grants a request pursuant to subsection 1, the Superintendent shall submit a written report to the Commission [and the State Board] that includes the name of the school district for which the request was granted and the subject area for which the request was granted. Upon receipt of such a report, the Commission [and the State Board] shall consider whether to adopt revisions to the requirements for an endorsement in that subject area to address the shortage of teachers.]~~ **(Deleted by amendment.)**

Sec. 19. ~~[NRS 391.273 is hereby amended to read as follows:~~

~~391.273 1. Except as otherwise provided in this section and except for persons who are supervised pursuant to NRS 391.096, the unlicensed personnel of a school district must be directly supervised by licensed personnel in all duties which are instructional in nature. To the extent practicable, the direct supervision must be such that the unlicensed personnel are in the immediate location of the licensed personnel and are readily available during such times when supervision is required.~~

~~2. Unlicensed personnel who are exempted pursuant to subsection 4, 5 or 6 must be under administrative supervision when performing any duties which are instructional in nature.~~

~~3. Unlicensed personnel may temporarily perform duties under administrative supervision which are not primarily instructional in nature.~~

~~4. Except as otherwise provided in subsection 7, upon application by a superintendent of schools, the Superintendent of Public Instruction may grant an exemption from the provisions of subsection 1 pursuant to subsection 5 or 6.~~

~~5. Except as otherwise provided in subsection 6, the Superintendent shall not grant an exemption from the provisions of subsection 1 unless:~~

~~(a) The duties are within the employee's special expertise or training;~~

~~(b) The duties relate to the humanities or an elective course of study, or are supplemental to the basic curriculum of a school;~~

~~(c) The performance of the duties does not result in the replacement of a licensed employee or prevent the employment of a licensed person willing to perform those duties;~~

~~(d) The secondary or combined school in which the duties will be performed has less than 100 pupils enrolled and is at least 30 miles from a school in which the duties are performed by licensed personnel; and~~

~~(e) The unlicensed employee submits his or her fingerprints for an investigation pursuant to NRS 391.033.~~

~~6. Upon application by a superintendent of schools, the Superintendent of Public Instruction may grant an exemption from the provisions of subsection 1 if:~~

~~(a) The duties of the unlicensed employee relate to the supervision of pupils attending a course of distance education provided pursuant to NRS 388.820 to~~

~~388.874, inclusive, while the pupils are receiving instruction from a licensed employee remotely through any electronic means of communication; and~~

~~— (b) The unlicensed employee submits his or her fingerprints for an investigation pursuant to NRS 391.033.~~

~~— 7. The exemption authorized by subsection 4, 5 or 6 does not apply to a paraprofessional if the [requirements] **professional standards** prescribed by the [State Board] **Commission** pursuant to NRS 391.094 require the paraprofessional to be directly supervised by a licensed teacher.~~

~~— 8. The Superintendent of Public Instruction shall file a record of all exempt personnel with the clerk of the board of trustees of each local school district, and advise the clerk of any changes therein. The record must contain:~~

~~— (a) The name of the exempt employee;~~

~~— (b) The specific instructional duties the exempt employee may perform;~~

~~— (c) Any terms or conditions of the exemption deemed appropriate by the Superintendent of Public Instruction; and~~

~~— (d) The date the exemption expires or a statement that the exemption is valid as long as the employee remains in the same position at the same school.~~

~~— 9. The Superintendent of Public Instruction may adopt regulations prescribing the procedure to apply for an exemption pursuant to this section and the criteria for the granting of such exemptions.~~

~~— 10. Except in an emergency, it is unlawful for the board of trustees of a school district to allow a person employed as a teacher's aide to serve as a teacher unless the person is a legally qualified teacher licensed by the Superintendent of Public Instruction. As used in this subsection, "emergency" means an unforeseen circumstance which requires immediate action and includes the fact that a licensed teacher or substitute teacher is not immediately available.~~

~~— 11. If the Superintendent of Public Instruction determines that the board of trustees of a school district has violated the provisions of subsection 10, the Superintendent shall take such actions as are necessary to reduce the amount of money received by the district pursuant to NRS 387.124 by an amount equal to the product when the following numbers are multiplied together:~~

~~— (a) The number of days on which the violation occurred;~~

~~— (b) The number of pupils in the classroom taught by the teacher's aide; and~~

~~— (c) The number of dollars of basic support apportioned to the district per pupil per day pursuant to NRS 387.1223.~~

~~— 12. Except as otherwise provided in this subsection, a person employed as a teacher's aide or paraprofessional may monitor pupils in a computer laboratory without being directly supervised by licensed personnel. The provisions of this subsection do not apply to a paraprofessional if the [requirements] **professional standards** prescribed by the [State Board] **Commission** pursuant to NRS 391.094 require the paraprofessional to be directly supervised by a licensed teacher.~~

~~— 13. The provisions of this section do not apply to unlicensed personnel who are employed by the governing body of a charter school, unless a paraprofessional employed by the governing body is required to be directly supervised by a licensed teacher pursuant to the [requirements] **professional standards** prescribed by the [State Board] **Commission** pursuant to NRS 391.094.) **(Deleted by amendment.)**~~

Sec. 20. [NRS 391.3015 is hereby amended to read as follows:]

~~— 391.3015 1. Except as otherwise provided by subsection 3, if the license of an employee lapses during a time that school is in session:~~

~~— (a) The school district that employs him or her shall provide written notice to the employee of the lapse of the employee's license and of the provisions of this section;~~

~~— (b) The employee must not be suspended from employment for the lapsed license for a period of 90 days after the date of the notice pursuant to paragraph (a) or the end of the school year, whichever is longer; and~~

~~— (c) The employee's license shall be deemed valid for the period described in paragraph (b) for purposes of the employee's continued employment with the school district during that period.~~

~~2. If a school district complies with subsection 1 and an employee fails to reinstate his or her license within the time prescribed in paragraph (b) of subsection 1, his or her employment shall be deemed terminated at the end of the period described in paragraph (b) of subsection 1 and the school district is not otherwise required to comply with NRS 391.301 to 391.309, inclusive.~~

~~3. The provisions of this section do not apply to an employee whose:~~

~~(a) License has been suspended or revoked by the [State Board] **Department or the Commission** pursuant to NRS 391.320 to 391.361, inclusive; or~~

~~(b) Application for renewal was denied by the Superintendent of Public Instruction pursuant to NRS 391.033.] (Deleted by amendment.)~~

Sec. 21. ~~[NRS 391.320 is hereby amended to read as follows:~~

~~391.320 1. The [State Board of Education] **Commission** may suspend or revoke the license of any teacher for any cause specified by law.~~

~~2. **The Department may suspend or revoke the license of any teacher for a conviction of an act which is a ground for suspension or revocation pursuant to subsection 4 or 5 of NRS 391.330.] (Deleted by amendment.)**~~

Sec. 22. ~~[NRS 391.321 is hereby amended to read as follows:~~

~~391.321 1. If the [State Board] **Department** receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license issued pursuant to this chapter, the [State Board] **Department** shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the [State Board] **Department** receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.~~

~~2. The [State Board] **Department** shall reinstate a license issued pursuant to this chapter that has been suspended by a district court pursuant to NRS 425.540 if the [State Board] **Department** receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.] (Deleted by amendment.)~~

Sec. 23. NRS 391.322 is hereby amended to read as follows:

391.322 1. If the board of trustees of a school district, **the governing body of a charter school** or the Superintendent of Public Instruction or the Superintendent's designee submits a recommendation to the State Board ~~[Commission]~~ for the suspension or revocation of a license issued pursuant to this chapter, the State Board ~~[Commission]~~ shall ~~[give]~~ **send** written notice of the recommendation to the person to whom the license has been issued ~~[] at the address on file with the Department.~~

2. A notice given pursuant to subsection 1 must contain:

(a) A statement of the charge upon which the recommendation is based;

(b) A copy of the recommendation received by the State Board; ~~[Commission];~~

(c) A statement that the licensee is entitled to a hearing before a hearing officer if the licensee makes a written request for the hearing as provided by subsection 3; and

(d) A statement that the grounds and procedure for the suspension or revocation of a license are set forth in NRS 391.320 to 391.361, inclusive.

3. A licensee to whom notice has been given pursuant to this section may request a hearing before a hearing officer selected pursuant to subsection 4. Such a request must be in writing and must be filed with the Superintendent of Public Instruction ~~[or with the Department if the Department provided notice pursuant to subsection 6.]~~ within 15 days after receipt of the notice by the licensee.

4. Upon receipt of a request filed pursuant to subsection 3, the Superintendent of Public Instruction ~~[for the Department]~~ shall request from the Hearings Division of the Department of Administration a list of potential hearing officers. The licensee requesting a hearing and the Superintendent of Public Instruction ~~[for the Department, as applicable,]~~ shall select a person to serve as hearing officer from the list provided by the Hearings Division of the Department of Administration by alternately striking one name until the name of only one hearing officer remains. The Superintendent of Public Instruction ~~[for the Department, as applicable,]~~ shall strike the first name.

5. Except as otherwise provided in subsection 6, if no request for a hearing is filed within the time specified in subsection 3, the State Board ~~[Commission]~~ may suspend or revoke the license or take no action on the recommendation.

6. If the Department receives notice of a conviction of a licensee and the conviction is for an act which is a ground for the suspension or revocation of a license, ~~[pursuant to subsection 4 or 5 of NRS 391.330,]~~ the State Board shall immediately process the recommendation in accordance with the provisions of NRS 391.320 to 391.361, inclusive. ~~[Department may suspend or revoke the license. Before suspending or revoking the license, the Department shall send written notice to the licensee at the address on file with the Department. Such notice must contain a statement of the charge on which the contemplated action is based and the statements described in paragraphs (c) and (d) of subsection 2.]~~ If no request for a hearing is filed within the time specified in subsection 3, the State Board ~~[Department]~~ may accept, reject or modify the recommendation. ~~[immediately suspend or revoke the license or recommend that the Commission proceed in accordance with the provisions of NRS 391.320 to 391.361, inclusive.]~~

Sec. 24. ~~[NRS 391.323 is hereby amended to read as follows:~~

~~391.323. 1. Unless the parties agree to a later date, within 30 days after the selection of a hearing officer pursuant to NRS 391.322, the hearing officer shall conduct a hearing. Within 15 days after the conclusion of the hearing, the hearing officer shall prepare and file with the Superintendent of Public Instruction or the Department, as applicable, a report containing:~~

~~(a) A recommendation as to whether the license of the licensee should be suspended or revoked; and~~

~~(b) Findings of fact and conclusions of law which support the recommendation.~~

~~2. The [State Board] Commission may accept or reject the recommendation or refer the report back to the hearing officer for further evidence and recommendation, and shall notify the teacher, administrator or other licensed employee in writing of its decision. The decision of the [State Board] Commission is a final decision in a contested case.] (Deleted by amendment.)~~

Sec. 25. NRS 391.330 is hereby amended to read as follows:

391.330 1. The State Board ~~[Commission]~~ may suspend or revoke the license of any teacher, administrator or other licensed employee, or may issue a letter of reprimand to any teacher, administrator or other licensed employee, after

notice and an opportunity for hearing have been provided pursuant to NRS 391.322 and 391.323, for:

~~(1) Immoral or unprofessional;~~

(a) Unprofessional conduct.

~~(2) (b) Immorality, as defined in NRS 391.650.~~

(c) Evident unfitness for service.

~~(3) (d) Physical or mental incapacity which renders the teacher, administrator or other licensed employee unfit for service.~~

~~(4) (e) Conviction of a felony or crime involving moral turpitude.~~

~~(5) (f) Conviction of a sex offense under NRS 200.366, 200.368, 201.190, 201.220, 201.230, 201.540 or 201.560 in which a pupil enrolled in a school of a county school district was the victim.~~

~~(6) (g) Knowingly advocating the overthrow of the Federal Government or of the State of Nevada by force, violence or unlawful means.~~

~~(7) (h) Persistent defiance of or refusal to obey the regulations of the State Board, the Commission or the Superintendent of Public Instruction, defining and governing the duties of teachers, administrators and other licensed employees.~~

~~(8) (i) Breaches in the security or confidentiality of the questions and answers of the examinations that are administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610.~~

~~(9) (j) Intentional failure to observe and carry out the requirements of a plan to ensure the security of examinations and assessments adopted pursuant to NRS 390.270 or 390.275.~~

~~(10) (k) An intentional violation of NRS 388.497 or 388.499.~~

~~(11) (l) Knowingly and willfully failing to comply with the provisions of NRS 388.1351.~~

(m) A substantiated report of abuse or neglect of a child, as defined in NRS 432B.020, or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 made against the applicant in any state.

2. The State Board shall adopt regulations governing the process by which a letter of reprimand may be issued to a teacher, administrator or other licensed employee pursuant to this section, including, without limitation, regulations concerning the time period during which a letter of reprimand will remain on the record of the teacher, administrator or other licensed employee.

3. A teacher, administrator or other licensed employee whose license is suspended pursuant to this section:

(a) May apply to reinstate his or her license after the period of suspension, as determined by the State Board, is completed; and

(b) If he or she applies to reinstate his or her license pursuant to paragraph (a), shall:

(1) Submit a new application for licensure to the Department; and

(2) Pay the appropriate fee for licensure.

4. A teacher, administrator or other licensed employee whose license is revoked may not apply to reinstate his or her license and the Department shall not grant a new license to such a person.

Sec. 26. [NRS 391.350 is hereby amended to read as follows:

~~391.350 1. Any teacher or other licensed employee employed by any board for a specified time who willfully refuses or fails to fulfill his or her employment obligations after the employee has notified the board of his or her acceptance of employment under subsection 4 of NRS 391.810 or subsection 4 of NRS 391.820 or to comply with the provisions of his or her contract after it has been signed without first obtaining the written consent of the board may be found guilty of unprofessional conduct. The board shall not unreasonably withhold its consent.~~

~~2. Any administrator who willfully secures the signature on a statement of intent to accept employment of any teacher or other licensed employee who has notified the board of another school district in this State of his or her acceptance of employment is guilty of unprofessional conduct, unless the employee has first obtained the written consent of the board to which he or she has given notice of acceptance. If the failure or refusal to comply with the provisions of the contract is the result of having subsequently executed an employment contract with another board in this State without the written consent of the board first employing him or her, the second contract is void.~~

~~3. Upon receiving a formal complaint from the board, substantiated by conclusive evidence of a teacher's failure or refusal under subsection 1 or that an administrator has willfully secured such a signature, the [State Board] Commission may suspend or revoke the license of the teacher or administrator after notice and opportunity for a hearing have been provided pursuant to NRS 391.322 and 391.323.~~

~~4. The Superintendent of Public Instruction shall notify state agencies for education in other states of any revocation pursuant to this section.~~ (Deleted by amendment.)

Sec. 27. NRS 391.355 is hereby amended to read as follows:

391.355 1. The State Board ~~[Commission]~~ shall adopt rules of procedure for the conduct of hearings conducted pursuant to NRS 391.323.

2. The rules of procedure must provide for boards of trustees of school districts, governing bodies of charter schools ~~[the Department]~~ or the Superintendent of Public Instruction or the Superintendent's designee to bring charges, when cause exists.

3. *The rules of procedure must provide that:*

(a) *The licensed employee, board of trustees of a school district, governing body of a charter school* ~~[Department]~~ *and Superintendent are entitled to be heard, to be represented by an attorney and to call witnesses in their behalf.*

(b) *The hearing officer selected pursuant to NRS 319.322 is entitled to be reimbursed for his or her reasonable actual expenses.*

(c) *If requested by the hearing officer selected pursuant to NRS 391.322, an official transcript must be made.*

(d) *Except as otherwise provided in paragraph (e), the* ~~[Commission]~~ State Board, *licensed employee and the Department, board of trustees of a school district or governing body of a charter school which initiated the complaint resulting in the hearing are equally responsible for the expense of and compensation for the hearing officer selected pursuant to NRS 319.322 and the expense of the official transcript. The* ~~[Commission]~~ State Board *may bill the licensed employee or the Department, board of trustees of a school district or governing body of a charter school which initiated the complaint resulting in the hearing for their percentage of any expenses incurred pursuant to this paragraph.*

(e) *If the hearing results from a recommendation to revoke or suspend a license based upon a conviction which is a ground for the suspension or revocation of a license pursuant to* paragraph (e) or (f) of subsection ~~[4 or 5]~~ 1 *of NRS 391.330, the licensed employee is fully responsible for the expense of and compensation for the hearing officer selected pursuant to NRS 391.322 and the expense of the official transcript. The* ~~[Commission]~~ State Board *may bill the licensed employee for such expenses.*

4. A hearing officer selected pursuant to NRS 391.322 shall, upon the request of a party, issue subpoenas to compel the attendance of witnesses and the

production of books, records, documents or other pertinent information to be used as evidence in hearings conducted pursuant to NRS 391.323.

Sec. 28. ~~[NRS 391.361 is hereby amended to read as follows:
391.361 If charges are brought against a teacher, administrator or other educational personnel for the suspension or revocation of his or her license and the [State Board of Education] Commission determines that there is not sufficient evidence to suspend or revoke the license, the complaint and any related documents must not be made a part of that person's permanent employment record.] (Deleted by amendment.)]~~

Sec. 28.5. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.1673, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137,

624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 28.7. When the term of either member of the Commission on Professional Standards in Education appointed to the Commission pursuant to paragraph (b) of subsection 3 of NRS 391.011 expires, the Governor shall, appoint to the Commission the member of the Commission described in paragraph (f) of subsection 3 of NRS 391.011, as amended by section 4.5 of this bill.

1 **Sec. 29.** Notwithstanding the provisions of NRS 391.0347, as amended by
2 section 11 of this act, a person who holds a license to teach which was initially
3 issued on or after July 1, 2015, but before July 1, 2019, is not required to submit
4 with his or her first application for renewal of his or her license to teach proof of
5 the completion of a course in multicultural education pursuant to NRS 391.0347, as
6 amended by section 11 of this act. Such a person must submit such proof with his
7 or her first application for renewal of his or her license submitted on or after July 1,
8 2019.

9 **Sec. 30.** ~~Notwithstanding the amendatory provisions of section 15 of this act~~
10 ~~transferring authority to adopt regulations from the Department of Education and~~
11 ~~the State Board of Education to the Commission on Professional Standards in~~
12 ~~Education, any regulations adopted by the State Board and the Department pursuant~~
13 ~~to NRS 391.094 remain in effect and may be enforced by the Commission until the~~
14 ~~Commission adopts regulations to repeal or replace those regulations.] (Deleted by~~
15 ~~amendment.)~~

16 **Sec. 31.** Notwithstanding the amendatory provisions of this act, a person who
17 holds a special qualifications license to teach issued pursuant to chapter 319 of
18 NRS before July 1, 2019, may continue to teach until the expiration of the license.

19 **Sec. 32.** ~~NRS 391.027 is hereby repealed.] (Deleted by amendment.)~~

20 **Sec. 33.** This act becomes effective on July 1, 2019.

†

~~TEXT OF REPEALED SECTION~~

~~— 391.027 Approval or disapproval of Commission's regulations by State Board of Education.~~

~~— 1. The State Board may disapprove any regulation adopted by the Commission.~~

~~— 2. A regulation shall be deemed approved if the State Board does not disapprove the regulation within 90 days after it is adopted by the Commission. }~~