

SENATE BILL NO. 296—SENATOR HAMMOND

MARCH 18, 2019

Referred to Committee on Education

SUMMARY—Provides for the issuance of a license by endorsement to certain teachers who have a license or equivalent issued in another country. (BDR 34-607)

FISCAL NOTE: Effect on Local Government: No.
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; providing for the issuance of a license by endorsement to teach to certain applicants who have an equivalent license or authorization issued in another country; authorizing the Superintendent of Public Instruction to enter into reciprocal agreements with appropriate officials of other countries concerning the licensing of teachers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Commission on Professional Standards in Education
2 to adopt regulations prescribing the qualifications for licensing teachers and other
3 educational personnel. (NRS 391.019) **Section 1** of this bill requires the
4 Commission to adopt regulations that authorize the Superintendent of Public
5 Instruction to issue a license by endorsement to an applicant who holds an
6 equivalent license or authorization issued by a governmental entity in another
7 country if the Superintendent determines that the qualifications for the equivalent
8 license or authorization are substantially similar to those prescribed for an applicant
9 for a state license. **Section 2** of this bill authorizes the Superintendent to enter into
10 reciprocal agreements with appropriate officials of other countries concerning the
11 licensing of teachers.



* S B 2 9 6 R 1 *

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

1 **Section 1.** NRS 391.019 is hereby amended to read as follows:
2 391.019 1. Except as otherwise provided in NRS 391.027,
3 the Commission shall adopt regulations:

4 (a) Prescribing the qualifications for licensing teachers and other
5 educational personnel, including, without limitation, the
6 qualifications for a license to teach middle school or junior high
7 school education, and the procedures for the issuance and renewal of
8 those licenses. The regulations:

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

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

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

21 (III) Require a qualified provider to provide supervised,
22 school-based experiences and ongoing support for its students, such
23 as mentoring and coaching;

24 (IV) Significantly limit the amount of course work
25 required or provide for the waiver of required course work for
26 students who achieve certain scores on tests;

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

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

37 (VII) Upon the completion by a person of the education
38 and training required under the alternative route to licensure and the
39 satisfaction of all other requirements for licensure, provide for the
40 issuance of a regular license to the person pursuant to the provisions
41 of this chapter and the regulations adopted pursuant to this chapter.



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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

29 (4) Submits proof of participation in a program of student
30 teaching or mentoring or agrees to participate in a program of
31 mentoring for the first year of the applicant's employment as a
32 teacher with a school district or charter school if the applicant holds
33 a graduate degree or, if the applicant holds a bachelor's degree,
34 submits proof of participation in a program of student teaching or
35 mentoring or agrees to participate in a program of mentoring or
36 courses of pedagogy for the first 2 years of his or her employment as
37 a teacher with a school district or charter school.

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

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



(l) Establishing the requirements for obtaining an endorsement on the license of a teacher, administrator or other educational personnel in cultural competency.

(m) Authorizing the Superintendent of Public Instruction to issue a license by endorsement to an applicant who holds an equivalent license or authorization issued by a governmental entity in another country if the Superintendent determines that the qualifications for the equivalent license or authorization are substantially similar to those prescribed pursuant to paragraph (a).

2. Except as otherwise provided in NRS 391.027, the Commission may adopt such other regulations as it deems necessary for its own government or to carry out its duties.

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

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

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

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

4. A person who is licensed pursuant to paragraph (g) , ~~(h)~~ (j) *or (m)* of subsection 1:

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

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

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

Sec. 2. 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; or

(2) 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

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

7. The Superintendent may deny an application for a license pursuant to this section if a report on the criminal history of the applicant from the Federal Bureau of Investigation or the Central Repository for Nevada Records of Criminal History indicates that the applicant has been arrested for or charged with a sexual offense



1 involving a minor or pupil, including, without limitation, any
2 attempt, solicitation or conspiracy to commit such an offense.

3 8. The Superintendent or his or her designee may deny the
4 application for a license after providing written notice of his or her
5 intent to deny the application to the applicant and providing an
6 opportunity for the applicant to have a hearing.

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

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

19 11. The Department shall:

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

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

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

27 12. The Superintendent shall forward all information obtained
28 from an investigation of an applicant pursuant to subsections 3 and 4
29 to the board of trustees of a school district, the governing body of a
30 charter school or university school for profoundly gifted pupils or
31 the administrator of a private school where the applicant is
32 employed or seeking employment. The board of trustees, governing
33 body or administrator, as applicable, may use a substantiated report
34 of the abuse or neglect of a child, as defined in NRS 392.281, or a
35 violation of NRS 201.540, 201.560, 392.4633 or 394.366 obtained
36 from the Statewide Central Registry or an equivalent registry
37 maintained by a governmental agency in another jurisdiction:

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

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

42 13. The Superintendent, the board of trustees of a school
43 district, the governing body of a charter school or university
44 school for profoundly gifted pupils or the administrator of a private
45 school may not be held liable for damages resulting from any action



1 of the Superintendent, board of trustees, governing body or
2 administrator, as applicable, authorized by subsection 4 or 12.

3 14. *The Superintendent may enter into reciprocal agreements*
4 *with appropriate officials of other countries concerning the*
5 *licensing of teachers.*

6 15. As used in this section, “sexual offense” has the meaning
7 ascribed to it in NRS 179D.097.

8 **Sec. 3.** (Deleted by amendment.)

9 **Sec. 4.** This act becomes effective on July 1, 2019.

