

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; 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 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; establishing provisions relating to hearings conducted by the Commission; repealing provisions authorizing the State Board to disapprove regulations adopted by the Commission; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

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



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Existing law requires the Commission on Professional Standards in Education to prescribe regulations for licensing teachers and other educational personnel. (NRS 391.019) **Section 5** makes nonsubstantive changes to these provisions for clarification purposes by removing the specific examples of middle school or junior high school education and the endorsement to teach English as a second language.

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

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

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

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

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

**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 the Department to notify licensed personnel whose license is within 9 months of expiring of the date on which the license will expire.

**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. 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 27** of this bill adds requirements for the rules of procedure of such hearings, 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.

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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 ~~(k)~~ (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;

(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.

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

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

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

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

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

(2) The number of paraprofessionals employed at the school 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);

(3) The percentage of paraprofessionals employed by the school 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) who are employed at the school; 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.

**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



1 licensed educational personnel employed by the school districts and  
2 charter schools, including, without limitation:

3 (1) The total number of:

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

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

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

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

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

28 (2) The percentage of:

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

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

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

44 (IV) Teachers and other licensed educational personnel  
45 employed by each school district, including, without limitation, each





1 charter school in the district, who are inexperienced, as defined by  
2 the Commission on Professional Standards in Education, and for  
3 this State as a whole; and

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

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

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

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

22 (4) For each elementary school:

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

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

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

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

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

42 (2) The number of paraprofessional employed by each school  
43 district, including, without limitation, each charter school in the  
44 district, who do not satisfy the requirements prescribed by the

45 ~~[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.

**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.

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

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

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

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



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

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

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

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

(VII) Upon the completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, provide for the issuance of a regular license to the person pursuant to the provisions 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



1 and Human Services pursuant to NRS 656A.100 to engage in the  
2 practice of interpreting in an educational setting.

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

7 (1) Provide instruction or other educational services; and

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

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

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

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

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

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

28 ~~— (1) Pass each examination required by subsection 1 of NRS~~  
29 ~~391.021 for the specific subject or subjects in which the applicant~~  
30 ~~will provide instruction; or~~

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

35 ~~— (i) Setting forth the subject areas that may be taught by a person~~  
36 ~~who holds a special qualifications license, based upon the subject~~  
37 ~~area of the bachelor's degree, master's degree or doctoral degree~~  
38 ~~held by that person.~~

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

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

44 ~~— (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.

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

2. ~~{Except as otherwise provided in NRS 391.027, the}~~ **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) or (j) 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. 6.** NRS 391.021 is hereby amended to read as follows:

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

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

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

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

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

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



1 or minor field of preparation or in both fields in any middle school  
2 or junior high school. He or she may teach only in these fields  
3 unless an exception is approved pursuant to regulations adopted by  
4 the Commission.

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

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

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

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

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

25 391.0315 1. A person licensed to teach *early childhood*  
26 *education*, elementary education, middle school or junior high  
27 school education or secondary education in this State may apply for  
28 and the Superintendent of Public Instruction may issue to that  
29 person an additional license to teach *early childhood education*,  
30 elementary education, middle school or junior high school education  
31 or secondary education, other than for teaching pupils with  
32 disabilities, which is outside the person's grade level of experience  
33 if the applicant meets the course work requirements , *competency*  
34 *testing requirements* and qualifications for the license.

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

40 **Sec. 10.** NRS 391.032 is hereby amended to read as follows:

41 391.032 1. ~~[Except as otherwise provided in NRS 391.027,~~  
42 ~~the]~~ *The* Commission shall:

43 (a) Adopt regulations which provide for the issuance of  
44 provisional licenses to teachers and other educational personnel





1 before completion of all courses of study or other requirements for a  
2 license in this State.

3 (b) Adopt regulations which provide for the reciprocal licensure  
4 of educational personnel from other states including, without  
5 limitation, for the reciprocal licensure of persons who hold a license  
6 to teach special education. Such regulations must include, without  
7 limitation, provisions for the reciprocal licensure of persons who  
8 obtained a license pursuant to an alternative route to licensure which  
9 the Department determines is as rigorous or more rigorous than the  
10 alternative route to licensure prescribed pursuant to subparagraph  
11 (1) of paragraph (a) of subsection 1 of NRS 391.019.

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

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

17 391.0347 1. Any licensed teacher who is initially licensed on  
18 or after July 1, ~~2015,~~ 2019, except for a teacher who is licensed  
19 only as a substitute teacher, must submit with his or her first  
20 application for renewal of his or her license to teach proof of the  
21 completion of a course in multicultural education. If the licensed  
22 teacher is initially issued a nonrenewable license, he or she must  
23 submit such proof with his or her first application for a renewable  
24 license to teach.

25 2. The Commission shall adopt regulations:

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

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

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

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

34 391.037 1. The Commission shall:

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

41 (b) Maintain descriptions of the approved courses of study  
42 required to qualify for endorsements in fields of specialization and  
43 provide to an applicant, upon request, the approved course of study  
44 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 school district, at the end of each calendar month, 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 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. ~~HF~~ *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.

**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.

**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 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.

**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 3 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.

**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



1 miles from a school in which the duties are performed by licensed  
2 personnel; and

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

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

8 (a) The duties of the unlicensed employee relate to the  
9 supervision of pupils attending a course of distance education  
10 provided pursuant to NRS 388.820 to 388.874, inclusive, while the  
11 pupils are receiving instruction from a licensed employee remotely  
12 through any electronic means of communication; and

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

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

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

24 (a) The name of the exempt employee;

25 (b) The specific instructional duties the exempt employee may  
26 perform;

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

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

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

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

44 11. If the Superintendent of Public Instruction determines that  
45 the board of trustees of a school district has violated the provisions



1 of subsection 10, the Superintendent shall take such actions as are  
2 necessary to reduce the amount of money received by the district  
3 pursuant to NRS 387.124 by an amount equal to the product when  
4 the following numbers are multiplied together:

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

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

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

10 12. Except as otherwise provided in this subsection, a person  
11 employed as a teacher's aide or paraprofessional may monitor pupils  
12 in a computer laboratory without being directly supervised by  
13 licensed personnel. The provisions of this subsection do not apply to  
14 a paraprofessional if the ~~{requirements}~~ *professional standards*  
15 prescribed by the ~~{State-Board}~~ *Commission* pursuant to NRS  
16 391.094 require the paraprofessional to be directly supervised by a  
17 licensed teacher.

18 13. The provisions of this section do not apply to unlicensed  
19 personnel who are employed by the governing body of a charter  
20 school, unless a paraprofessional employed by the governing body  
21 is required to be directly supervised by a licensed teacher pursuant  
22 to the ~~{requirements}~~ *professional standards* prescribed by the  
23 ~~{State-Board}~~ *Commission* pursuant to NRS 391.094.

24 **Sec. 20.** NRS 391.3015 is hereby amended to read as follows:

25 391.3015 1. Except as otherwise provided by subsection 3, if  
26 the license of an employee lapses during a time that school is in  
27 session:

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

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

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

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

44 3. The provisions of this section do not apply to an employee  
45 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.

**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.*

**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.

**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 *or 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 *or 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 *or 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.

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

391.330 The ~~{State Board}~~ *Commission* may suspend or revoke the license of 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 conduct.

2. Evident unfitness for service.

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

4. Conviction of a felony or crime involving moral turpitude.

5. 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. Knowingly advocating the overthrow of the Federal Government or of the State of Nevada by force, violence or unlawful means.

7. 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. 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. 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. An intentional violation of NRS 388.497 or 388.499.

11. Knowingly and willfully failing to comply with the provisions of NRS 388.1351.

**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.

**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, 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 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 subsection 4 or 5 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 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.

**Sec. 29.** Notwithstanding the provisions of NRS 391.0347, as amended by section 11 of this act, a person who holds a license to teach which was initially issued on or after July 1, 2015, but before July 1, 2019, is not required to submit with his or her first



1 application for renewal of his or her license to teach proof of the  
2 completion of a course in multicultural education pursuant to NRS  
3 391.0347, as amended by section 11 of this act. Such a person must  
4 submit such proof with his or her first application for renewal of his  
5 or her license submitted on or after July 1, 2019.

6 **Sec. 30.** Notwithstanding the amendatory provisions of section  
7 15 of this act transferring authority to adopt regulations from the  
8 Department of Education and the State Board of Education to the  
9 Commission on Professional Standards in Education, any  
10 regulations adopted by the State Board and the Department pursuant  
11 to NRS 391.094 remain in effect and may be enforced by the  
12 Commission until the Commission adopts regulations to repeal or  
13 replace those regulations.

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

18 **Sec. 32.** NRS 391.027 is hereby repealed.

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

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#### TEXT OF REPEALED SECTION

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#### **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.

