## Amendment No. 376

Assembly Amendment to Assembly Bill No. 323	(BDR 34-114)							
Proposed by: Assembly Committee on Education								
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No	Digest: Yes							

Adoption of this amendment will ADD an unfunded mandate not requested by the affected local government to A.B. 323 (§ 6).

ASSEMBLY	AC.	ΓΙΟΝ	Initial and Date	SENATE ACTIO	ON :	Initial and Date
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EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) **red strikethrough** is deleted language in the original bill; (4) **purple double strikethrough** is language proposed to be deleted in this amendment; (5) **orange double underlining** is deleted language in the original bill proposed to be retained in this amendment.

DP/AAK Date: 4/23/2023

A.B. No. 323—Revises provisions relating to education. (BDR 34-114)

ASSEMBLY BILL NO. 323—ASSEMBLYMEN TORRES, MOSCA, D'SILVA, GONZÁLEZ, BILBRAY-AXELROD; ANDERSON, GORELOW, HANSEN, KOENIG, LA RUE HATCH, MARZOLA, NEWBY, ORENTLICHER, TAYLOR, THOMAS AND WATTS

MARCH 16, 2023

JOINT SPONSORS: SENATORS DONATE, BUCK; FLORES AND NGUYEN

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-114)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 6) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring the Superintendent of Public Instruction to develop a strategic plan for the recruitment of teachers and other licensed educational personnel; requiring the Commission on Professional Standards in Education to adopt certain regulations concerning the licensing of teachers and other educational personnel; authorizing a school district or governing body of a charter school or university school for profoundly gifted pupils to compensate a student who is assigned for training purposes as a student teacher, counselor \_student social worker or trainee in a library; authorizing a school district [or] and the governing body of a charter school to provide certain professional development training; [ereating the Incentivizing Pathways to Teaching Account in the State General Fund; establishing the Incentivizing Pathways to Teaching Program;] and providing other matters properly relating thereto.

## **Legislative Counsel's Digest:**

Existing law prescribes the duties of the Superintendent of Public Instruction. (NRS 385.175) **Section 1** of this bill requires the Superintendent to develop a strategic plan for the recruitment of teachers and other licensed educational personnel and establishes requirements for the contents of the strategic plan.

Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel, including regulations governing examinations for the initial licensing of teachers and other educational personnel and the procedures for the issuance and renewal of those

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licenses. (NRS 391.019, 391.021) **Section 3** of this bill requires the Commission to adopt regulations that authorize an applicant to be exempt from any requirement to pass a competency test in basic reading, writing and mathematics prescribed by the Commission if the applicant completes a course of study approved by the Department of Education with a grade of B or better in each subject area of the competency test that the applicant previously did not pass.

Existing law requires the Commission to adopt regulations which provide for the issuance of provisional licenses to teachers and other educational personnel before completion of all courses of study or other requirements for a license in this State. (NRS 391.032) **Section 4** of this bill requires the Commission to adopt regulations that require the Superintendent of Public Instruction to issue a provisional license to teach pending receipt of academic transcripts of certain applicants who are otherwise qualified for a license.

Existing law requires the Board of Regents of the University of Nevada to establish a program of student teaching and practicum which allows students to be assigned to a school district as student teachers, counselors or trainees in a library. (NRS 396.519) Existing law authorizes school districts to enter into agreements with certain institutions of higher education for the assignment of students to schools as student teachers, counselors or trainees in a library. (NRS 391.095) Section 5 of this bill authorizes: (1) a governing body of a charter school or university school for profoundly gifted pupils to similarly enter into agreements; and (2) a school district or governing body of a charter school or university school for profoundly gifted pupils to compensate a student who is assigned within the school district for training purposes as a student teacher, counselor, student social worker or trainee in a library.

[During the \$1st Session of the Nevada Legislature, the Legislature appropriated money for the Department of Education to implement the Incentivizing Pathways to Teaching Program to provide stipends and tuition assistance to students in teacher preparation programs. (Section 1 of chapter 434, Statutes of Nevada 2021, at page 2765) Section 10 of this bill creates a permanent Incentivizing Pathways to Teaching Program which is administered by the Board of Regents of the University of Nevada. Section 10 authorizes a university or state college which offers a teacher preparation program to apply to the Board of Regents for a grant to award scholarships and stipends to eligible students of the university or state college. Section 10 establishes the eligibility requirements for students to whom a university or state college is authorized to award a scholarship or stipend under the Program. Section 9 of this bill creates the Incentivizing Pathways to Teaching Account in the State General Fund to be used to distribute money to the Board of Regents for awarding of such grants.]

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

**Section 1.** NRS 385.175 is hereby amended to read as follows:

385.175 The Superintendent of Public Instruction is the educational leader for the system of K-12 public education in this State. The Superintendent of Public Instruction shall:

students:

- 1. Execute, direct or supervise all administrative, technical and procedural activities of the Department in accordance with policies prescribed by the State Board.
- 2. Employ personnel for the positions approved by the State Board and necessary for the efficient operation of the Department.
- 3. Organize the Department in a manner which will assure efficient operation and service.
- 4. Maintain liaison and coordinate activities with other state agencies performing educational functions.
- 5. Enforce the observance of this title and all other statutes and regulations governing K-12 public education.
- 6. Request a plan of corrective action from the board of trustees of a school district or the governing body of a charter school if the Superintendent of Public Instruction determines that the school district or charter school, or any other entity which provides education to a pupil with a disability for a school district or charter school, has not complied with a requirement of this title or any other statute or regulation governing K-12 public education. The plan of corrective action must provide a timeline approved by the Superintendent of Public Instruction for compliance with the statute or regulation.
- 7. Report to the State Board on a regular basis the data on the discipline of pupils and trends in the data on the discipline of pupils collected pursuant to NRS 385A.840.
- 8. Develop a strategic plan for the recruitment of teachers and other licensed educational personnel which includes, without limitation:
- (a) A strategy to decrease the processing times of applications for licensure pursuant to chapter 391 of NRS.
- (b) A plan to provide for the translation of academic transcripts which are in a language other than English of applicants for licensure pursuant to chapter 391 of NRS. The Department shall post the process for the translation of academic transcripts on its Internet website.
  - **9.** Perform such other duties as are prescribed by law.
  - **Sec. 2.** NRS 391.019 is hereby amended to read as follows:
- 391.019 1. Except as otherwise provided in NRS 391.027, the Commission shall adopt regulations:
- (a) Prescribing the qualifications for licensing teachers and other educational personnel 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
- (III) Require a qualified provider to provide in-person or virtual 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;

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(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 subsubparagraph (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.

(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 sign language interpreting in a primary or secondary 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 sign language interpreting in a primary or secondary educational setting if thev:
  - (1) Provide instruction or other educational services; and
- (2) Concurrently engage in the practice of sign language interpreting, as defined in NRS 656A.060.
- (g) Prescribing course work on parental involvement and family engagement. The Commission shall [work]:
- (1) 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.
- (2) Establish standards for professional development training which may be used to satisfy any course work requirement prescribed pursuant to this
- (h) Establishing the requirements for obtaining an endorsement on the license of a teacher, administrator or other educational personnel in cultural competency.
- (i) 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

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52 53 the qualifications for the equivalent license or authorization are substantially similar to those prescribed pursuant to paragraph (a).

- (j) Establishing the requirements for obtaining an endorsement on the license of a teacher, administrator or other educational personnel in teaching courses relating to financial literacy.
- (k) Authorizing a person who is employed as a paraprofessional and enrolled in a program to become a teacher to complete an accelerated program of student teaching in the same or a substantially similar area in which the person is employed as a paraprofessional while remaining employed as a paraprofessional.
- (1) Requiring the Department to accept a program of student teaching or other teaching experience completed in another state or foreign country by an applicant for a license if the Department determines that the program or experience substantially fulfills the standards of a program of student teaching in this State.
- (m) Authorizing a person who is employed by a public school to provide support or other services relating to school psychology, if the person does not hold a license or endorsement as a school psychologist but is enrolled in a program that would allow the person to obtain such a license or endorsement, to complete a program of internship in school psychology while remaining employed in such a position.
- 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.
  - **Sec. 3.** NRS 391.021 is hereby amended to read as follows:
- 391.021 1. Except as otherwise provided in NRS 391.027, 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.
- 2. When adopting regulations pursuant to subsection 1, the Commission shall consider including any alternative means of demonstrating competency for persons with a disability or health-related need that the Commission determines are necessary and appropriate.
- The regulations adopted by the Commission pursuant to subsection 1 must authorize an applicant to be exempt from any requirement to pass a competency test in basic reading, writing and mathematics if the applicant submits to the Department evidence that, after not passing a competency test in basic reading, writing and mathematics at the level of competence specified by the Commission, the applicant began and completed, with a grade of B or better, a course of study approved by the Department in each subject area of the competency test that the applicant did not pass at the level of competence specified by the Commission.
- 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. 4.** NRS 391.032 is hereby amended to read as follows:

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

(a) Adopt regulations which provide for the issuance of provisional licenses to teachers and other educational personnel before completion of all courses of study

or other requirements for a license in this State.

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- (b) Adopt regulations which provide for the reciprocal licensure of educational personnel from other states including, without limitation, for the reciprocal licensure of persons who hold a license to teach special education. Such regulations must include, without limitation, provisions for the reciprocal licensure of persons who obtained a license pursuant to an alternative route to licensure which the Department determines is as rigorous or more rigorous than the alternative route to licensure prescribed pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 391.019.
- 2. A person who is a member of the Armed Forces of the United States, a veteran of the Armed Forces of the United States or the spouse of such a member or veteran of the Armed Forces of the United States and who has completed the equivalent of an alternative route to licensure program in another state may obtain a license as if such person has completed the alternative route to licensure program of this State.
- 3. The Commission shall adopt regulations requiring the Superintendent of Public Instruction to issue a provisional license to teach pending receipt of any academic transcripts of an applicant if:
- (a) The Superintendent determines that the applicant is otherwise qualified for the license; and

(b) The applicant [holds]:

- (1) Holds a valid license or certificate to teach issued by another state for which completion of a bachelor's or higher degree and professional education course work through a college or university accredited by a regional accrediting association is necessary [4]; or
- (2) Satisfies the requirements for conditional licensure through an alternative route to licensure.
- **4.** A person who is issued a provisional license must complete all courses of study and other requirements for a license in this State which is not provisional within 3 years after the date on which a provisional license is issued.

Sec. 4.5. NRS 391.0347 is hereby amended to read as follows:

- 391.0347 1. Any licensed teacher who is initially licensed on or after July 1, 2019, except for a teacher who is licensed only as a substitute teacher, must submit with his or her first application for renewal of his or her license to teach proof of the completion of a course in multicultural education. If the licensed teacher is initially issued a nonrenewable license, he or she must submit such proof with his or her first application for a renewable license to teach.
  - 2. The Commission shall adopt regulations:
- (a) That prescribe the required contents of a course in multicultural education which must be completed pursuant to this section;
- (b) That prescribe the number of credits which must be earned by a licensed teacher in a course in multicultural education; [and]
- (c) That establish standards for professional development training which may be used to satisfy any course work requirement prescribed pursuant to this section; and
  - (d) As otherwise necessary to carry out the requirements of this section.

**Sec. 5.** NRS 391.095 is hereby amended to read as follows:

391.095 1. A school district or a governing body of a charter school or university school for profoundly gifted pupils may enter into an agreement with a branch of the Nevada System of Higher Education or an accredited postsecondary educational institution which is licensed by the Commission on Postsecondary Education and which offers courses of study and training for the education of teachers which are approved or recognized by the Commission pursuant to NRS 391.038, for the assignment of students for training purposes as student teachers, counselors or trainees in a library, or for experience in a teaching laboratory. Students so assigned within the school district , charter school or university school for profoundly gifted pupils, as applicable, for training purposes may, under the direction and supervision of a licensed teacher, instruct and supervise pupils in the school, on the school grounds or on authorized field trips. The students so assigned are employees of the school district or governing body of a charter school or university school for profoundly gifted pupils, as applicable, for purposes of NRS 41.038 and 41.039, while performing such authorized duties, whether or not the duties are performed entirely in the presence of the licensed teacher.

- 2. Except as otherwise provided in the agreement entered into pursuant to subsection 1 and to the extent not inconsistent with NRS 391.096, a school district or governing body of a charter school or university school for profoundly gifted pupils, as applicable, may compensate a student assigned within the school district charter school or university school for profoundly gifted pupils for training purposes as a student teacher, counselor, student social worker or trainee in a library.
  - **3.** As used in this section:

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- (a) "Accredited" has the meaning ascribed to it in NRS 394.006.
- (b) "Postsecondary educational institution" has the meaning ascribed to it in NRS 394.099.
- **Sec. 6.** Chapter 391A of NRS is hereby amended by adding thereto a new section to read as follows:
- <u>I.</u> A school district and the governing body of a charter school [may] shall provide professional development training on [parental]:
- (a) Parental involvement and family engagement that meets the standards established by the Commission on Professional Standards in Education pursuant to NRS 391.019 to teachers who have not yet completed the course work on parental involvement and family engagement prescribed by NRS 391.019. [Such]
- (b) Multicultural education that meets the standards established by the Commission on Professional Standards in Education pursuant to NRS 391.0347 to teachers who have not yet completed the course work on multicultural education prescribed by NRS 391.0347.
  - 2. Any professional development training [may] provided pursuant to subsection 1:
- (a) May be provided by the school district or governing body or through an agreement with an institution of higher education or a regional training program for the professional development of teachers and administrators.
  - (b) Must be provided at no cost to the employee.
  - **Sec. 7.** NRS 391A.345 is hereby amended to read as follows:
- 391A.345 As used in NRS 391A.345 to 391A.385, inclusive, *and section 6 of this act*, unless the context otherwise requires, "professional development training" has the meaning ascribed to "professional development" in 20 U.S.C. § 7801(42).

- Sec. 8. [Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 9 and 10 of this act.] (Deleted by amendment.)

  Sec. 9. [I. The Incentivizing Pathways to Teaching Account is hereby
  - Sec. 9. [1. The Incentivizing Pathways to Teaching Account is hereby ereated in the State General Fund. The Account must be administered by the State Treasurer.
  - 2. The interest and income earned on:
  - (a) The money in the Account, after deducting any applicable charges; and (b) Unexpended appropriations made to the Account from the State General Fund.
  - ⇒ must be credited to the Account.

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- 3. Any money remaining in the Account at the end of a fiscal year, including, without limitation, any unexpended appropriations made to the Account from the State General Fund, does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.
- 4. The State Treasurer may accept gifts and grants of money from any source for deposit in the Account.
- 5. The money in the Account may only be used to distribute money to the Board of Regents for the purpose of awarding grants to universities and state colleges to provide scholarships and stipends to eligible students pursuant to the Incentivizing Pathways to Teaching Program created by section 10 of this act.] (Deleted by amendment.)
- Sec. 10. [I. The Incentivizing Pathways to Teaching Program is hereby created for the purpose of awarding scholarships and stipends to eligible students.
- 2. The Board of Regents shall administer the Program. The Board of Regents may adopt any regulations necessary to earry out the Program.
- 3. A university or state college which offers a teacher preparation program is eligible to apply to the Board of Regents for a grant from the Incentivizing Pathways to Teaching Account created by section 9 of this act to award scholarships and stipends to eligible students pursuant to subsections 5 and 6.
- 4. The Board of Regents shall:
- (a) Establish the number of grants that will be available each year based upon the amount of money available in the Account.
- (b) Review all applications submitted pursuant to subsection 3 and award a grant of money from the Account to an approved university or state college to the extent that money is available in an amount determined by the Board of Regents.
- (c) Prescribe the maximum amount of a scholarship or stipend that may be awarded to a student pursuant to this section.
- 5. A university or state college may award a scholarship to a student of the university or state college only if the student:
- (a) Is enrolled in his or her final three semesters in a teacher preparation program.
- 43 (b) Completes the application for a scholarship through the Program in accordance with regulations prescribed by the Board of Regents.
- 45 (c) Submits all information deemed necessary by the Board of Regents to determine the student's eligibility for a scholarship.
- 47 (d) Enters into an agreement with the university or state college containing
  48 such terms as are prescribed by the Board of Regents, including, without
  49 limitation, a requirement for the student to repay the amount of the scholarship if
  50 the student:
  - (1) Does not complete the teacher preparation program; or

- (2) Does not, within 5 years after graduation, obtain a license to teach 2 issued pursuant to chapter 391 of NRS and maintain employment at a public 3 school in this State for not less than 2 years. 4 6. A university or state college may award a stipend to a student of the university or state college only if the student: 5 (a) Is enrolled in a program of student teaching through the university or 6 7 state college. (b) Completes the application for a stipend through the Program in accordance with regulations prescribed by the Board of Regents. 8 9 10 (c) Submits all information deemed necessary by the Board of Regents to 11 determine the student's eligibility for a stipend-(d) Enters into an agreement with the university or state college containing 12 such terms as are prescribed by the Board of Regents, including, without 13 limitation, a requirement for the student to repay the amount of the stipend if the 14 15 student: 16 (1) Does not complete the teacher preparation program; or 17 (2) Does not, within 5 years after graduation, obtain a license to teach issued pursuant to chapter 391 of NRS and maintain employment at a public 18 19 school in this State for not less than 2 years. 20 7. As used in this section, "teacher preparation program" means a course of study or training designed to provide the education required for the licensure 21 of teachers, including, without limitation, an alternative route to licensure 22 program prescribed pursuant to NRS 391.019.] (Deleted by amendment.) 23 The Commission on Professional Standards in Education 24 Sec. 10.3. 2.5 shall: 26 Conduct a study during the 2023-2024 interim concerning the Praxis II and pedagogy examinations; 27 28 2. Present its recommendations to the Standing Committee on Education 29 during the 83rd Session of the Nevada Legislature; and 3. Adopt regulations pursuant to NRS 391.019, 391.021 and 391.023 as it 30 31 deems necessary and appropriate based on its findings and recommendations as they relate to the Praxis II and pedagogy examinations. 32
  - 1. Develop a plan to expand awareness of and eliminate barriers for access to any scholarship programs that are intended to increase the number of persons licensed pursuant to chapter 391 of NRS; and

Sec. 10.6. The Department of Education and the Nevada System of

- 2. Present the plan to the Joint Interim Standing Committee on Education on or before June 30, 2024.
  - **Sec. 11.** 1. This section becomes effective upon passage and approval.
  - 2. Sections 1 to [10,] 10.6, inclusive, of this act become effective:
  - (a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
    - (b) On July 1, 2024, for all other purposes.

**Higher Education shall jointly:** 

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