

**PROPOSED REGULATION OF THE
COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION**

LCB FILE NO. R067-24I

**The following document is the initial draft regulation proposed
by the agency submitted on 03/30/2024**

The intent of this revision is to comply with Assembly Bill 428 Section 3.4(3) (2023) allowing an applicant to pass course work in lieu of a basic reading, writing, or math test after first attempting and not passing the test. Note: R166-22 adopted by Legislative Commission on 6/2/2023 is not yet codified in NAC 391.036.

AB428 Section 3.4(3): 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 competency 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.

NAC 391.036 Tests of competency required for initial license; exemptions; failure to comply. (NRS 391.019, 391.021, 391.031, 391.032)

1. Except as otherwise provided in this section, paragraph (h) of subsection 1 of NRS 391.019, NAC 391.0545, paragraph (a) of subsection 8 of NAC 391.0896, subsection 7 of NAC 391.0897, paragraph (b) of subsection 3 of NAC 391.233, subsection 3 of NAC 391.276, paragraph (b) of subsection 3 of NAC 391.425 and subsection 6 of NAC 391.436, an applicant who applies for:

(a) A license must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in:

- (1) Basic reading, writing and mathematics;
- (2) The principles and methods of teaching; and
- (3) The subject matter of the area of endorsement on the license or the area of endorsement necessary for the applicant's area of assignment.

(b) An additional endorsement on a license held by the applicant must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in the subject matter of the area of endorsement for which the applicant is applying.

2. The Superintendent of Public Instruction may exempt an applicant from any of the tests required by subsection 1 if the applicant:

(a) Submits to the Department evidence that he or she:

- (1) Has retired from teaching in this State;
- (2) Held a special license, a license to teach elementary or secondary education, a license to teach special education, a license to teach pupils in a program of early childhood education or a license to teach middle school or junior high school education, which:

(I) Has expired within the year immediately preceding the date on which his or her application was submitted;

(II) Was free from any conditions that the applicant pass a competency test; and

(III) Authorized the applicant to teach in the same grade level and subject area for which he or she is applying to receive a license;

(3) Was required, for the issuance of the applicant's expired license, to complete courses of study and experience which are substantially equivalent to the courses of study and experience required for the issuance of the license for which he or she is applying; and

(4) Otherwise satisfies the requirements for the issuance of a license;

(b) Submits to the Department evidence that the applicant has passed, as part of a teacher education program approved by a state and offered through a regionally accredited college or university, competency examinations equivalent to those required of the applicant by subsection 1, as determined by the Department; or

(c) Submits to the Department evidence that the applicant holds a license to teach issued by another state which is acceptable to the Department for purposes of reciprocity.

3. An applicant is exempt from the requirement to pass a competency test in basic reading, writing and mathematics if the applicant submits to the Department:

(a) Official documentation which indicates that he or she passed, within the 5 years immediately preceding the date on which his or her application was submitted and at the level of competency specified by the Commission:

(1) The “Praxis Core Academic Skills for Educators” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; or

(2) A test of basic skills that is determined by the Department to be equivalent to the test prescribed by subparagraph 1; ~~or~~

(b) Evidence that the applicant has:

(1) Received a master’s or more advanced degree from a regionally accredited college or university; and

(2) Completed, within the 5 years immediately preceding the date on which his or her application was submitted, the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, or its equivalent, and received a score which was at or above the midpoint of the score range in effect at the time the examination was administered; *or*

(c) Evidence that the applicant:

(1) Did not pass, at the level of competency set by the Commission; the “Praxis Core Academic Skills for Educators” test in basic reading, writing or mathematics;

(2) After not passing a test described in subparagraph (1), the applicant completed approved coursework with a 3.0 “grade B” or better, in the subject area for the competency test in basic reading, writing, or mathematics that the applicant did not pass; and

(3) Submits to the Department official transcripts with approved course work in lieu of the test described in subparagraph (1) that the applicant did not pass.

4. An applicant is exempt from the requirement to pass a competency test in the principles and methods of teaching if he or she:

(a) Submits to the Department official documentation which indicates that the applicant passed, at the level of competency specified by the Commission, the “Principles of Learning and Teaching Test” prepared and administered by the Educational Testing Service; or

(b) Is applying for a license with an endorsement in an area for which training in the principles and methods of teaching is not required.

5. An applicant is exempt from the requirement to pass a competency test in the subject matter of the area of endorsement if he or she:

(a) Submits to the Department official documentation which indicates that the applicant passed, within the 5 years immediately preceding the date on which his or her application was submitted and at the level of competency specified by the Commission, the competency test in that subject matter;

(b) Is applying for a license or endorsement in an area for which no competency tests have been approved by the Commission;

(c) Is applying for an endorsement to teach pupils who have speech and language impairments and submits to the Department official documentation which indicates that he or she has received a certificate of clinical competence from the American Speech-Language-Hearing Association; or

(d) Is applying for an endorsement in family and consumer sciences and submits to the Department official documentation which indicates that the applicant satisfactorily completed the “Family and Consumer Sciences Composite Examination,” prepared and administered by the American Association of Family and Consumer Sciences.

6. An applicant who fails to comply with the provisions of this section may not apply for a renewable license.

(Added to NAC by Comm’n on Prof. Standards in Education, eff. 9-11-89; A 11-22-91; 10-23-92; 12-15-94; 1-11-96; 12-13-96; R092-97, 1-14-98; R089-99, 10-25-99; R120-99, 3-13-2000; R210-01, 3-27-2002; R058-03, 8-29-2003; R005-05 & R038-05, 10-31-2005; R183-05, 12-29-2005; R223-05, 2-23-2006; R069-06, 6-1-2006; R026-07, 10-31-2007; R037-08, 6-17-2008; R046-10, 10-15-2010; R028-11, 10-26-2011; R020-11, 5-30-2012; R047-17, R048-17, R053-17, R102-17, R009-18 & R010-18, 6-26-2018; R004-18, R107-18, R114-18 & R118-18, 6-26-2019)

(d) Evidence that: --6-- Approved Regulation R053-17 (1) The applicant did not pass, at the level of competency specified by the Commission, the “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; and (2) After not passing the test described in subparagraph (1), the applicant began and completed, with a grade of B or better, a course of study in a subject area approved by the Commission or the Director of Licensure for the Department.