

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

**LCB File No. R059-03**

Effective October 1, 2003

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

AUTHORITY: §§1 & 2, NRS 391.019 and 391.040.

**Section 1.** NAC 391.045 is hereby amended to read as follows:

391.045 1. An applicant for the initial issuance of a license as a teacher or other educational employee must submit with his application:

(a) His official transcripts;

(b) A negative report of an X-ray film of his chest or a tuberculin test completed within the preceding 12 months;

(c) Evidence that he has successfully completed:

(1) At least 3 semester hours of credit in a course of study regarding education or curricular adaptation for pupils with disabilities; or

(2) An in-service or continuing education course regarding education or curricular adaptation for pupils with disabilities that is approved by the Department; and

(d) Except as otherwise provided in NAC 391.0565, a fee of ~~[\$61,]~~ \$65, plus the amount charged by the Federal Bureau of Investigation and the Nevada Highway Patrol Division of the Department of Public Safety for their reports on the applicant's fingerprints. The fee does not include the cost of any examination required by NAC 391.036.

2. If the applicant is not eligible for licensure, the fee will not be returned. The applicant must pay another fee if he applies again.

3. An applicant for an endorsement to an existing license or for an additional license must submit with his application:

(a) Current official transcripts; and

(b) A fee of \$45.

4. The academic credits required to obtain initial licensing or an endorsement to an existing license are not satisfiable by the completion of courses offered by a provider of continuing education, but those courses may be used for the renewal of a license.

**Sec. 2.** This regulation becomes effective on October 1, 2003.

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R059-03**

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. R059-03 which pertain to chapter 391 of the Nevada Administrative Code on July 18, 2003.

**Notice date:** 6/12/2003  
**Hearing date:** 7/18/2003

**Date of adoption by agency:** 7/18/2003  
**Filing date:** 8/29/2003

**INFORMATIONAL STATEMENT**

The following statement is submitted for adopted amendments to Nevada Administrative Code 391:

1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 100 individuals and educational organizations. One workshop was held on May 28, 2003. There were no comments from the public.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the proposed revisions to NAC 391.045, were sent to approximately 100 individuals and educational organizations. The public hearing was conducted on July 18, 2003, to provide the opportunity for comments by affected parties and the public. There were no comments from the public. The Commission adopted the proposed regulation - NAC 391.045.

2. The Number of Persons Who:

- a) Attended Each Hearing: Workshop: 8 First Hearing: 8 Second Hearing: N/A
- b) Testified at Each Hearing: Workshop: 0 First Hearing: 0 Second Hearing: N/A
- c) Submitted Written Statements: Workshop: 0 First Hearing: 0 Second Hearing: N/A

A copy of any written comments may be obtained by calling Keith Rheault, Deputy Superintendent at the Nevada Department of Education, (775) 687-9224, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comments were solicited through the workshop notice of April 30, 2003, and the public hearing notice of June 12, 2003. At the May 28, 2003, Workshop to Solicit Comments, there was no public comments to the proposed language revisions. At the July 18, 2003, public hearing there was no public comments to the proposed language.

Summary of Comments:

Workshop Comments:

- a) None

Public Hearing Comments:

a) None

A copy of the summary and/or minutes of the public hearing may be obtained by calling Keith Rheault, Deputy Superintendent at the Nevada Department of Education, (775) 687-9224, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The Commission on Professional Standards in Public Education adopted the regulation language at the public hearing held July 18, 2003, with an effective date of October 1, 2003, and without revision to the proposed language. The reason for adopting the regulation is to raise the licensure fee from \$61.00 to \$65.00.

5. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately and each case must include:

There is no economic effect on the business, which is regulated, as this is an increase of \$4.00 per license. There is no estimated economic effect on the public, either adversely or beneficially, nor immediate or long term.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

7. A description of any regulations of other state or governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or governmental agency regulations will be overlapped or duplicated by the above noted regulation. There is no duplication or overlap of federal regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

There are none.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation increases the licensure fee by \$4.00. The total amount the agency expects to collect for the increased fee is \$17,240 based on an estimated 4,310 initial licenses. The additional revenue will fund activities for the licensure office and Commission on Professional Standards in Education.