

Chapter 391 of NAC

LCB File No. T014-05

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

Filed with the Secretary of State on February 3, 2005

**Explanation:** Matter in Italics is new; matter in brackets [ ] to be omitted.

**Statutory Authority:** NRS 391.019

**NAC 391.0535 Denial of license to certain person licensed or certified in another state.**  
(NRS 391.019, 391.032)

1. The Superintendent of Public Instruction shall not issue a license pursuant to this chapter to a person who holds a license or certificate to teach issued by another state that is suspended, revoked or otherwise restricted pursuant to a disciplinary action in the other state.
2. *The Superintendent of Public Instruction may suspend, pending a hearing before the State Board of Education, in accordance with NRS 391, any standard license that has been suspended, revoked or otherwise restricted pursuant to a disciplinary action in the another state in accordance with the regulations outlined in NRS 391.330.*
3. *The Superintendent of Public Instruction may invalidate any non-renewable license that has been suspended, revoked or otherwise restricted pursuant to a disciplinary action in another state.*

**NOTICE OF ADOPTION OF TEMPORARY REGULATION**  
**LCB File No. T014-05**

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. T014-05 which pertain to chapter 391 of the Nevada Administrative Code on January 13, 2005

**Notice date:** 12/8/2004  
**Hearing date:** 1/13/2005

**Date of adoption by agency:** 1/13/2005  
**Filing date:** 2/3/2005

**INFORMATIONAL STATEMENT**

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 January 13, 2005. There were no comments from the public.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the proposed endorsement and revisions to NAC 391.0535 were sent to approximately 100 individuals and educational organizations. The public hearing was conducted on January 13, 2005, 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 and amendments to NAC 391.0535.

2. The Number of Persons Who:
  - a) Attended Each Hearing: Workshop: 10 First Hearing: 10 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 contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, (775) 687-9226, 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 December 8, 2004, and the public hearing notice of December 8, 2004. At the January 13, 2005, Workshop to Solicit Comments, there was no public comments to the proposed language revisions. At the January 13, 2005, public hearing there were 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 contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, (775) 687-9226, 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 with amendments at the public hearing held January 13, 2005. The reason for adopting the proposed regulation is to add language that allows the Superintendent of Public Instruction to suspend, pending a hearing before the State Board of Education, any standard license that has been suspended, revoked or otherwise restricted pursuant to a disciplinary action in another state and allow the Superintendent of Public Instruction to invalidate any non-renewable license that has been suspended, revoked or otherwise restricted pursuant to a disciplinary action in another state.

- 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. 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 does not provide for a new fee or increase an existing fee.