

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

**LCB File No. R086-09**

Effective May 5, 2011

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

AUTHORITY: §§1-3, NRS 391.019.

A REGULATION relating to educational personnel; revising the requirements for a license designated as a physical education elementary license; revising the qualifications for an elementary license; and providing other matters properly relating thereto.

**Section 1.** Chapter 391 of NAC is hereby amended by adding thereto a new section to read as follows:

*1. To receive a license designated as a physical education elementary license, a person must hold a bachelor's degree from an accredited college or university and must have completed 58 semester hours of credit in courses in professional studies in physical education for kindergarten through eighth grade consisting of:*

*(a) Eighteen semester hours of credit which includes course work in each of the following areas of study:*

- (1) Anatomical kinesiology or mechanical kinesiology, or both;*
- (2) The physiology of exercise;*
- (3) The psychological aspects or social aspects of physical education, or both;*
- (4) Motor development;*
- (5) Testing and measuring skills and abilities in physical education; and*
- (6) Advanced first aid or an equivalent course of study;*

*(b) Eighteen semester hours of credit in teaching elementary physical education, including, without limitation, teaching:*

*(1) Adapted physical education;*

*(2) Rhythmic activities for pupils in elementary grades;*

*(3) Movement experiences for pupils in preschool and primary grades; and*

*(4) Movement experiences for pupils in intermediate grades; and*

*(c) Twenty-two semester hours of credit in professional education including:*

*(1) Foundations of education;*

*(2) Methods of teaching in elementary physical education; and*

*(3) Eight semester hours of credit in supervised student teaching of physical education for kindergarten through eighth grade.*

*2. A physical education elementary license issued in accordance with this section authorizes the holder of the license to teach only physical education in kindergarten through eighth grade.*

*3. A person is not required to hold a physical education elementary license to teach physical education in kindergarten through eighth grade. The provisions of this subsection do not prohibit a school district from requiring a physical education elementary license as a requirement for employment to teach physical education with that school district.*

**Sec. 2.** NAC 391.056 is hereby amended to read as follows:

391.056 1. Except as otherwise provided in subsection 4, the Superintendent of Public Instruction may issue a provisional nonrenewable license to an applicant applying for a license pursuant to NAC 391.045 if he otherwise meets the requirements for a license pursuant to NAC 391.045, but:

(a) Has a deficiency in credits of 6 semester hours or less for all areas of licensure or endorsement, unless the provision is for an endorsement as a substitute teacher;

(b) Has not completed the courses or passed the examination required by NAC 391.030 and is not exempt from the requirements of that section;

(c) Lacks confirmation from a college that he has student teaching experience if he is applying for a teaching license, or that he has completed a school counseling practicum or internship if he is applying for a school counseling endorsement, but:

(1) Has completed all necessary course-work requirements for the school counseling endorsement;

(2) Has completed 200 hours of the practicum or internship through a regionally accredited college or university, including, without limitation, a minimum of 100 hours in a school setting at the time of his application for licensure; and

(3) Is currently and continuously enrolled in a regionally accredited college or university school counseling practicum or internship program;

(d) Has not passed the tests required by NAC 391.036 and is not exempt from taking such tests; or

(e) Has not completed the course required by paragraph (b) of subsection 1 of NAC 391.045.

2. A license issued pursuant to this section becomes invalid 3 years after the date on which the license is issued.

3. The holder of a license issued pursuant to this section may add endorsements with provisions to the license during the first year in which the license is valid. Endorsements without provisions may be added to the license at any time during the period in which the license is valid.

If an endorsement is added to the license, the endorsement does not affect the date on which the license becomes invalid.

4. The Superintendent of Public Instruction may not issue a provisional nonrenewable license pursuant to paragraph (a), (c) or (d) of subsection 1 on or after July 1, 2010, to a person who is applying for:

(a) An elementary license pursuant to ~~paragraph (b) of subsection 1 of~~ NAC 391.095;

(b) A special teaching license in music, art or special education; or

(c) A secondary license with an endorsement in one or more of the following major or minor fields:

(1) Art.

(2) Biological science.

(3) Chemistry.

(4) English.

(5) French.

(6) General science.

(7) History.

(8) Mathematics.

(9) Music.

(10) Physical science.

(11) Reading.

(12) Social studies.

(13) Spanish.

(14) Speech and drama.

**Sec. 3.** NAC 391.095 is hereby amended to read as follows:

391.095 ~~{1}~~ To receive an elementary license, a person must hold a bachelor's degree from an accredited college or university and must have completed ~~{~~  
~~(a) A~~ a program of preparation for teaching in the elementary grades which is approved by the Board . ~~{; or~~

~~(b)~~ *The program must include, without limitation:*

*1.* Thirty-two semester hours of *credit in* courses in elementary professional education consisting of:

~~{(1)}~~ (a) Eight semester hours *of credit* in supervised student teaching in kindergarten through eighth grade;

~~{(2)}~~ (b) Nine semester hours *of credit* in methods of teaching elementary subjects, including, but not limited to, mathematics, science and social studies;

~~{(3)}~~ (c) Nine semester hours *of credit* in the teaching of literacy or language arts; and

~~{(4)}~~ (d) Six semester hours of *credit in* professional education course work *which must include course work* in ~~{any}~~ *at least two* of the following subjects:

~~{(I)}~~ (1) Classroom management;

~~{(II)}~~ (2) English as a second language;

~~{(III)}~~ (3) Technology;

~~{(IV)}~~ (4) Evaluation of pupils;

~~{(V)}~~ (5) Child development;

~~{(VI)}~~ (6) Special education; or

~~{(VII)}~~ (7) Social and cultural issues ~~{.~~

~~—2.— To receive a license designated as a physical education elementary license, a person must hold a bachelor’s degree from an accredited college or university and must have completed 44 semester hours of courses in professional studies in physical education for kindergarten through eighth grade consisting of:~~

~~—(a) Eight semester hours in supervised student teaching of physical education for kindergarten through eighth grade;~~

~~—(b) Fifteen semester hours which includes course work in each of the following areas of study:~~

~~——(1) Anatomical kinesiology or mechanical kinesiology, or both;~~

~~——(2) The physiology of exercise;~~

~~——(3) The psychological or social aspects of physical education, or both;~~

~~——(4) Motor development; and~~

~~——(5) Testing and measuring skills and abilities in physical education; and~~

~~—(c) Twenty one semester hours in teaching elementary physical education, including, but not limited to, teaching:~~

~~——(1) Adapted physical education;~~

~~——(2) Methods and techniques of teaching elementary physical education;~~

~~——(3) Rhythmic activities for pupils in elementary grades;~~

~~——(4) Movement experiences for pupils in preschool and primary grades;~~

~~——(5) Movement experiences for pupils in intermediate grades; and~~

~~——(6) Advanced first aid or an equivalent course.~~

~~→ A physical education elementary license issued in accordance with the requirements of this subsection authorizes the holder of the license to teach only physical education in kindergarten through eighth grade.] ; and~~

*2. Eighteen semester hours of credit which must include at least 6 semester hours of credit in each of the following subject areas:*

*(a) Mathematics;*

*(b) Science; and*

*(c) Social studies.*

**NEVADA DEPARTMENT OF EDUCATION**  
**COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION**  
**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED**  
**BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066**

**LCB File No. R086-09**

**NAC 391.095–Qualifications for License: Elementary and New Section for Physical  
Education Elementary License**

**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. A workshop was held on September 11, 2009. There was public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of proposed amendments to NAC 391.095 – Qualifications for License: Elementary and New Section for Physical Education Elementary License was sent to approximately 100 individuals and educational organizations. Public hearings were conducted on December 4, 2009, February 5, 2010, and December 9, 2010 to provide the opportunity for comments by affected parties and the public. There was public comment. The Commission adopted the proposed amendments to the regulation on December 9, 2010.

2. The Number of Persons Who:
  - a) Attended Each Hearing: First Workshop: 11; First Hearing: 8; Second Hearing: 5; Third Hearing: 12
  - b) Testified at Each Hearing: First Workshop: 2; First Hearing: 0; Second Hearing: 2; Third Hearing: 2
  - c) Submitted Written Statements: First Workshop: 0; First Hearing: 0; Second Hearing: 0; Third Hearing: 0

A copy of any written comments may be obtained by contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of 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 September 11, 2009; and public hearing notices of December 4, 2009 and February 5 and December 9, 2010. At the September 11, 2009 Workshop to Solicit Comments, there was public comment to the proposed regulation language. At the December 4, 2009 and February 5, and December 9, 2010 public hearings there was public comment to the proposed regulation language.

Workshop comments:

- a) Dr. Marilyn Ford, University of Nevada, Las Vegas and member of the Elementary Licensure Task Force, supported the proposal and stated that the proposal requiring eighteen credits coincide with what nationally accredited universities currently require, but regionally accredited institutions may not require the eighteen credits; the proposal also separates the K-8 physical education into a separate endorsement.
- b) DeShawn Reed, Washoe County School District, stated that the proposal will be a benefit in conjunction with AB 425, as an individual could satisfy the minor requirements with K-8 endorsement if they have the three years of experience, as they could add a secondary endorsement in a minor area and that would be a tremendous benefit for the teacher and school district.

Public Hearing comments:

- a) Andre Yates, Clark County School District and member of the Elementary Licensure Task Force expressed concern regarding the requirement of the six semester hours of credit in two subjects; it was clarified that the intent of the task force was a minimum of two subjects.
- b) Dr. Marilyn Ford, University of Nevada, Las Vegas and member of the Elementary Licensure Task Force, expressed concern with the language received from Legislative Counsel Bureau and stated that the intent of the language was changed by Legislative Counsel Bureau. Dr. Ford also pointed out an error in the Legislative Counsel Bureau language in Section 3(1)(d), as the wording should be “at least two” and delete the word “any”.
- c) Dr. Vernon Luft, Task Force Chair, stated that the proposed amendments include the increase in elementary education requirements in mathematics, science and social studies; the reason for the increase in the NAC that requires elementary teachers to have a minimal amount of subject matter content in those areas.

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, 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 proposed regulation language at the public hearing held December 4, 2010. The reason for adopting the amendments to the regulations are to separate the elementary physical education licensure from the elementary education licensure regulation in an effort to strengthen the physical education requirements and qualification for those schools who have separate physical education teachers for elementary by developing a K-8 physical education license; and to increase the number of credits in the areas of mathematics, science and social studies.

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 of the regulation on the business that it regulates.

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.