

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



DEPARTMENT OF EDUCATION
Northern Nevada Office
700 E. Fifth Street
Carson City, Nevada 89701-5096
(775) 687 - 9200
Fax: (775) 687 - 9101
www.doe.nv.gov

SOUTHERN NEVADA OFFICE
9890 S. Maryland Parkway, Suite 221
Las Vegas, Nevada 89183
(702) 486-6458
Fax: (702) 486-6450

Statement of Emergency Allowing Educators Issued a One-Year Provisional License up to Three Years to Satisfy the Requirements

Due to existing Nevada Administrative Code (NAC) 391.056, a significant number of recently-licensed educators have been issued licenses with one or more of the following provisions which needed to be met within one year of issuance of their licenses: a deficiency in credits of 6 semester hours or less for all areas of licensure or endorsement, lacks confirmation from a traditional higher educator preparation program that the applicant has student teaching experience or a school counseling practicum/internship if applying for a school counseling endorsement, has not passed the competency examinations required by NAC 391.036, has not completed a regarding education or curricular adaptation for pupils with disabilities or parental involvement and family engagement.

Passage of the federal Every Student Succeeds Act in December 2015 removed the requirement for states to designate teachers as “Highly Qualified” and allowed states new licensure flexibility to determine certification requirements for educators. As a result, the Governor took immediate action in February 2016 to address the historic teacher shortages facing the State at that time, and issued an emergency regulation (LCB File No. E001-16) granting the Superintendent of Public Instruction the authority to issue *provisional* educator licenses. This allowed for the issuance of licenses to hundreds of teachers who would not have met the previously required Highly-Qualified Teacher status, which disproportionately impacted those who did not complete their educator preparation programs at an in-state institution and were relocating to Nevada from another state. The issuance of these provisional licenses allowed for educators to be hired by school districts and begin teaching while they completed the necessary Nevada requirements. Following this action by the Governor, NAC 391.056 was amended by R026-16 through public workshops and hearings held by the Commission on Professional Standards (COPS) and became effective on June 28, 2016, with the Nevada Legislative Commission adopting the changes as permanent regulation.

Although these regulatory changes allowed for hundreds of educators to be provisionally licensed and hired in Nevada public schools, these teachers were still required to satisfy the provision criteria prior to the expiration dates issued on their licenses. Therefore, the 79th Session of the Nevada Legislature made many additional modifications to the laws governing educator licensure, which strengthened the State’s ability to issue reciprocal licenses to those holding valid licenses in another state. These changes in statute resulted in the majority of remaining provisional licenses being issued to those educators who had not met the Nevada

parent involvement and family engagement coursework pursuant to NAC 391.056, which required that provisions be satisfied within one year from date of license issuance. Section 22 of Assembly Bill 77 (2017) allows the Superintendent to issue licenses with up three year provisions. This emergency regulation will change the time frame that educators have to satisfy all provision requirements from one to three years from the date of issuing the license.

This narrow request would not change any underlying law or regulation protecting the safety of students, rather it simply aligns regulation timelines with existing law and provides up to an additional two years for otherwise qualified individuals to meet all Nevada requirements while being employed in public schools. The Superintendent will also commence the process of working with COPS to hold public workshops and hearings to adopt permanent regulations which would mirror those indicated in this emergency regulation. Therefore, for the above reasons, I respectfully request the Governor of the State of Nevada endorse this Statement of Emergency requiring the Superintendent of Public Instruction to issue provisional teaching licenses allowing educators up to three years to meet any outstanding required provisions, as well as requiring the Superintendent to modify the expiration date on any existing one year provisional licenses from one to three years.

Requested:



Steve Canavero
Superintendent of Public Instruction

Endorsed:



Brian Sandoval
Governor

***NAC 391.056 Provisional nonrenewable licensure: Qualifications; term of validity; addition of endorsements; inapplicability to certain persons. (NRS 391.019, 391.032)**

1. The Superintendent of Public Instruction may issue a provisional nonrenewable license to an applicant applying for a license pursuant to [NAC 391.045](#) if the applicant 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;]~~

(eb) Lacks confirmation from a college that the applicant has student teaching experience if he or she is applying for a teaching license, or that the applicant has completed a school counseling practicum or internship if he or she 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 or her application for licensure; and

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

(dc) Has not passed the tests required by [NAC 391.036](#) and is not exempt from taking such tests; or

(ed) Has not completed the course required by paragraph (b) or (c) of subsection 1 of [NAC 391.045](#).

2. Except as otherwise provided in this subsection, a license issued *prior to the passage of this regulation and* pursuant to this section becomes invalid [~~1-year~~] **3 years** after the date on which the license is issued. [~~A license issued to an applicant described in paragraph (b) of subsection 1 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.

(Added to NAC by Comm'n on Prof. Standards in Education by R087-97, eff. 1-14-98; A by R087-97, 1-14-98, eff. 10-17-98; R210-01, 3-27-2002; R099-03, 9-24-2003; R057-03, 10-21-2003; R015-04, 5-7-2004; R003-05 & R006-05, 10-31-2005; R187-07, 4-17-2008; R086-09, 5-5-2011; R028-11, 10-26-2011; R127-11, 9-14-2012)

**Existing regulatory language effective June 28, 2016, as adopted by the Commission on Professional Standards and passage of LCB File No. R026-16 by the Legislative Commission.*