

**PROPOSED REGULATION OF THE  
DEPARTMENT OF EDUCATION**

**LCB File No. R104-25**

January 23, 2026

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

**AUTHORITY:** §§ 1, 4, 6-11 and 13, sections 38.3 and 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435 and 3438; §§ 2 and 5, section 38.3 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3435; § 3, section 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3438; § 12, NRS 391.730, as amended by section 52.5 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3457, NRS 391.750 and 391.820 and sections 38.3, 38.4, 38.7 and 38.8 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435, 3436, 3438 and 3439.

A REGULATION relating to educational personnel; establishing a framework for the establishment of a performance improvement plan for a postprobationary administrator or postprobationary teacher who receives certain overall performance evaluation ratings; establishing requirements relating to the content of performance improvement plans; establishing requirements relating to programs of professional development training for a postprobationary administrator or postprobationary teacher for whom a performance improvement plan has been established; requiring a postprobationary administrator or postprobationary teacher for whom a performance improvement plan has been established to receive certain coaching or mentorship support; establishing provisions relating to the review and assessment of the progress of a postprobationary administrator or postprobationary teacher for whom a performance improvement plan is established; adopting provisions relating to the courses of action that may be taken against a postprobationary administrator or postprobationary teacher who fails to satisfactorily achieve the goals established in a performance improvement plan; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law and regulations establish a statewide performance evaluation system for evaluating the performance of certain educational personnel. (NRS 391.465, 391.675-391.730; NAC 391.565-391.589) Existing law requires an employee who is evaluated pursuant to the statewide performance evaluation system to receive, based on his or her performance, one of the following performance evaluation ratings: (1) highly effective; (2) effective; (3) developing; or (4) ineffective. (NRS 391.465) Senate Bill No. 460 (S.B. 460) of the 2025 Legislative Session requires that a performance improvement plan be established for any postprobationary

administrator or teacher who receives an evaluation designating his or her performance as “ineffective” or “minimally effective” for 2 consecutive years. S.B. 460 further requires the Department of Education, in consultation with the Teacher and Leaders Council of Nevada, to adopt regulations to establish a framework for the establishment of such performance improvement plans. (Sections 38.3 and 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435 and 3438) This regulation establishes such a framework.

**Section 2** of this regulation defines “administrator” for the purpose of the establishment of performance improvement plans as a person who provides primarily administrative services at the school level and who does not provide primarily direct instructional services to pupils, regardless of whether such a person is licensed as a teacher or administrator, including, without limitation, a principal and vice principal.

**Section 6** of this regulation clarifies that the term “minimally effective,” when used in S.B. 460 to describe the performance evaluation rating that is assigned to a school-level administrator or teacher, has the same meaning as the term “developing” under the statewide performance evaluation system. (NRS 391.465; NAC 391.568)

**Section 7** of this regulation requires the board of trustees of a school district or the governing body of a charter school to place a postprobationary administrator or postprobationary teacher who receives an overall performance evaluation rating as “ineffective” or “developing” for 2 consecutive school years on a performance improvement plan. **Section 7** further requires the performance improvement plan to: (1) be established, to the extent practicable, collaboratively between the postprobationary administrator or postprobationary teacher and the immediate supervising administrator of the postprobationary administrator or postprobationary teacher; (2) be established within a certain timeframe after the overall performance evaluation rating requiring the establishment of the plan; (3) contain certain content and components, including a targeted date for meeting the benchmarks and achieving the goals established by the plan; and (4) be administered in accordance with the requirements of this regulation and the applicable provisions of S.B. 460. **Section 13** of this regulation requires: (1) the board of trustees of each school district and governing body of each charter school to adopt policies and procedures to ensure the school district or charter school complies with the provisions of existing law and regulations governing performance improvement plans; and (2) the Department to monitor such compliance.

S.B. 460 requires that a performance improvement plan contain clear and measurable goals for the improvement of the postprobationary administrator or postprobationary teacher in certain areas. S.B. 460 further requires that such goals: (1) directly address the areas of underperformance identified by the performance evaluations of the postprobationary administrator or postprobationary teacher; and (2) be aligned with educational standards in this State. (Sections 38.3 and 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435 and 3438) **Section 7** requires that a performance improvement plan identify each area of underperformance, including each standard, indicator and goal for educational growth for which the postprobationary administrator or postprobationary teacher received a rating of developing or ineffective. **Section 8** of this regulation establishes additional requirements for the goals established in a performance improvement plan.

S.B. 460 requires each postprobationary administrator or postprobationary teacher for whom a performance improvement plan is established to participate in programs of professional development training to address the areas of underperformance. (Sections 38.3 and 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435 and 3438) **Section 7**

requires that such programs for professional development training be included as component of the performance improvement plan. **Section 9** of this regulation establishes the requirements for the provision of professional development training to postprobationary administrators or postprobationary teachers under a performance improvement plan.

S.B. 460 requires that the board of trustees of each school district and governing body of a charter school ensure that an experienced mentor or leadership coach is assigned to each postprobationary administrator or postprobationary teacher for whom a performance improvement plan is established. (Sections 38.3 and 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435 and 3438) **Section 7** requires each performance improvement plan to contain a component of coaching or mentorship support. **Section 10** of this regulation requires that such a component: (1) include the assignment of a leadership coach or mentor, or both, to the postprobationary administrator or postprobationary teacher for whom a performance improvement plan is established; and (2) require that a leadership coach or mentor provide certain support to the postprobationary administrator or postprobationary teacher.

S.B. 460 requires that, at least once each school quarter, certain supervisors of a postprobationary administrator or postprobationary teacher for whom a performance improvement plan has been established review and assess the progress of the postprobationary administrator or postprobationary teacher towards achieving the goals established in the performance improvement plan. (Sections 38.3 and 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435 and 3438) **Sections 3 and 5** of this regulation define the supervisors who are responsible for conducting this review and assessment. **Section 11** of this regulation requires that such a review and assessment occur at least once each school quarter or once every 45 school days, whichever is less. **Section 11** also requires the supervisors conducting such a review and assessment to determine whether the postprobationary administrator or postprobationary teacher requires additional support to achieve the goals established in the performance improvement plan and, if such support is needed, identify and document in the plan the support to be provided.

**Section 12** of this regulation provides that a postprobationary administrator or postprobationary teacher for whom a performance improvement plan is established is deemed to have successfully completed the plan if the post probationary administrator or postprobationary teacher receives a performance evaluation rating of effective or highly effective for each standard, indicator and goal for educational growth identified in the plan as an area of underperformance. **Section 12** additionally provides that if a postprobationary administrator or postprobationary teacher has not successfully completed a performance improvement plan before end of the period for which the plan is established, the applicable supervisor is required to conduct a final review of the progress of the postprobationary administrator or postprobationary teacher towards achieving the goals established in the plan. **Section 12** requires the applicable supervisor to determine or recommend a course of action with respect to the postprobationary administrator or postprobationary teacher, which may include, as applicable and with certain exceptions: (1) extending the performance improvement plan for a period of not more than 1 school year; (2) reassignment to another position; (3) placement on probation; (4) extending any current period of probation; (5) not reemploying an administrator or teacher who is on probation; or (6) commencement of dismissal proceedings.

**Section 1.** Chapter 391 of NAC is hereby amended by adding thereto the provisions set forth as sections 3 to 13, inclusive, of this regulation.

**Sec. 2.** *“Administrator” means a person who provides primarily administrative services at the school level and who does not provide primarily direct instructional services to pupils, regardless of whether such a person is licensed as a teacher or administrator, including, without limitation, a principal and vice principal.*

**Sec. 3.** *“Leadership team” has the meaning ascribed to it in section 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3438.*

**Sec. 4.** *“Performance improvement plan” means a performance improvement plan that is established in accordance with the provisions of sections 3 to 13, inclusive, of this regulation for a postprobationary administrator pursuant to section 38.3 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3435, or a postprobationary teacher pursuant to section 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3438.*

**Sec. 5.** *“Reviewing supervisor” means, with respect to a postprobationary administrator for whom a performance improvement plan is established:*

*(a) The principal of the school at which the postprobationary administrator is employed; or*  
*(b) If the postprobationary administrator for whom a performance plan is established is the principal of a school, the superintendent of schools of the school district of the school at which the principal is employed, or the designee of that superintendent of schools, or the executive director of the charter school at which the principal is employed, or the designee of the executive director of that charter school.*

**Sec. 6.** *For the purposes of sections 38.3 and 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435 and 3438, a postprobationary administrator or*

*postprobationary teacher receives an evaluation designating his or her overall performance as “minimally effective” if the postprobationary administrator or postprobationary teacher is assigned an overall performance evaluation rating of developing.*

*Sec. 7. 1. The board of trustees of a school district or the governing body of a charter school shall require a postprobationary administrator or postprobationary teacher who receives an overall performance evaluation rating of ineffective or developing for two consecutive school years to be placed on a performance improvement plan.*

*2. A performance improvement plan established pursuant to subsection 1 must:*

*(a) Be established collaboratively, to the extent practicable, between the postprobationary administrator or postprobationary teacher, as applicable, and his or her immediate supervising administrator.*

*(b) Be established not later than the earlier of:*

*(1) Thirty days after the date on which the postprobationary administrator or postprobationary teacher, as applicable, received the overall performance evaluation rating requiring the establishment of the performance improvement plan; or*

*(2) The last day of the contract year during which the postprobationary administrator or postprobationary teacher received the performance evaluation rating requiring the establishment of the performance improvement plan.*

*(c) Identify each specific area of underperformance of the postprobationary administrator or postprobationary teacher, as applicable, based on the two most recent performance evaluations of the postprobationary administrator or postprobationary teacher, as applicable, which must include, without limitation:*

*(1) Each standard and indicator and any goal for educational growth for which the postprobationary administrator or postprobationary teacher received a performance evaluation rating of developing or ineffective; and*

*(2) Evidence to support the identification of the areas of underperformance of the postprobationary administrator or postprobationary teacher, as applicable, including, without limitation, observations of the performance of the post-probationary administrator or postprobationary teacher, as applicable, data relating to the learning and achievement of pupils and any other evidence applicable to the performance of the postprobationary administrator or postprobationary teacher, as applicable, including any artifacts collected as part of the evaluation of the postprobationary administrator or postprobationary teacher, as applicable.*

*(d) Establish:*

*(1) Goals for the improvement of the performance of the postprobationary administrator or postprobationary teacher, as applicable, that directly address the areas of underperformance identified in the performance improvement plan pursuant to subsection 3 and that satisfy the requirements of section 8 of this regulation for those goals;*

*(2) Benchmarks to be used to evaluate the progress of the postprobationary administrator or postprobationary teacher, as applicable, towards achieving the goals described in paragraph (a); and*

*(3) A target date for the postprobationary administrator or postprobationary teacher, as applicable, to meet the benchmarks established pursuant to paragraph (b) and achieve the goals established pursuant to paragraph (a).*

*(e) Include, without limitation:*

- (1) *A component of participation in programs of professional development training that addresses the areas of underperformance identified in the performance improvement plan pursuant to subsection 3 and that satisfies the requirements of section 9 of this regulation;*
- (2) *A component of coaching or mentorship support that satisfies the requirements of section 10 of this regulation; and*
- (3) *Such other provisions as may be necessary to provide adequate support to the postprobationary administrator or postprobationary teacher, as applicable, based on the individualized needs and attributes of the postprobationary administrator or postprobationary teacher, as applicable.*

6. *Is administered in a manner consistent with the requirements of sections 3 to 13, inclusive, of this regulation, and sections 38.3 and 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3435 and 3438.*

Sec. 8. *The goals for the improvement of the performance of a postprobationary administrator or postprobationary teacher that are established in a performance improvement plan pursuant to paragraph (a) of subsection 4 of section 7 of this regulation must:*

1. *Align with the statewide performance evaluation system established pursuant to NRS 391.465 and the standards of academic content and performance prescribed by the State Board; and*
2. *Address the following areas:*
  - (a) *Instructional practices, including, without limitation:*
    - (1) *The design of effective lesson plans;*
    - (2) *The delivery of differentiated instruction; and*
    - (3) *The effective use of instructional time;*

*(b) Pupil engagement, including, without limitation:*

- (1) Effective strategies for active learning;*
- (2) Fostering productive collaboration and dialogue between and among pupils; and*
- (3) Encouraging pupils, in a culturally responsive manner, to actively participate in the classroom and more effectively engage with instruction; and*

*(c) Academic outcomes, including, without limitation:*

- (1) Progress towards achieving goals for educational growth, as evidenced by the performance of pupils on the examinations used to measure the achievement of goals for educational growth pursuant to NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455;*
- (2) Effectively integrating assessments into instruction; and*
- (3) Mastery of applicable course standards and content.*

*Sec. 9. The component of a performance improvement plan requiring a postprobationary administrator or postprobationary teacher to participate in programs of professional development training, which is required to be included in a performance improvement plan pursuant to paragraph (a) of subsection 5 of section 7 of this regulation must:*

- 1. Be developed jointly between the postprobationary administrator or postprobationary teacher, as applicable, and the immediate supervising administrator of the postprobationary administrator or postprobationary teacher.*
- 2. Be signed by both the postprobationary administrator or postprobationary teacher, as applicable, the immediate supervising administrator.*
- 3. Include, without limitation, training in the areas of:*

*(a) Instructional strategies for improving pupil engagement, which must include, without limitation, training in:*

- (1) Methods for improving the learning outcomes of pupils using techniques which involve pupil collaboration, cooperation and dialogue;*
- (2) Culturally-responsive methods of teaching and creating a welcoming and inclusive classroom environment; and*
- (3) Incorporating real-world or work-based learning applications into lesson plans and instruction.*

*(b) Data-driven instruction and the use of formative assessments to track pupil progress, which must include, without limitation, training in:*

- (1) The effective use of exit tickets, which are defined as brief activities completed by a pupil at the end of a class period or lesson to assess the learning of the pupil and obtain feedback about the experience of the pupil during the class period or lesson, and other common types of informal formative assessments;*
- (2) Critically understanding and analyzing data relating to the performance of pupils, including, without limitation, data relating to the examinations used to measure the achievement of goals for educational growth pursuant to NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455; and*
- (3) Developing lesson plans and instructional strategies based on trends and developments relating to the understanding and performance of pupils.*

*(c) Classroom management techniques and promoting a safe and respectful learning environment, which must include, without limitation, training in:*

- (1) Restorative practices;*

*(2) Positive behavioral interventions and supports; and*

*(3) Structured routines.*

*4. Require each program or course of professional development training required to be completed by the postprobationary administrator or postprobationary teacher, as applicable, during the course of the performance improvement plan to be approved by the immediate supervising administrator of the postprobationary administrator or postprobationary teacher, as applicable.*

*5. Specify whether the postprobationary administrator or postprobationary teacher, as applicable, is required to attend some or all of the required programs or courses for professional development training in person or, if the postprobationary administrator or postprobationary teacher, as applicable, is authorized to attend any programs or courses of professional development training by virtual or electronic means, whether the programs or courses delivered through such means are required to be delivered synchronously.*

*6. Provide for the postprobationary administrator or postprobationary teacher, as applicable, to receive compensation or release time or other leave to compensate for any time during which the postprobationary administrator or postprobationary teacher, as applicable, is required to attend a program or course of professional development training outside of the regular working hours specified in his or her contract.*

*7. Indicate whether the local educational agency for which the postprobationary administrator or postprobationary teacher, as applicable, is employed will pay or reimburse any costs associated with attending a program or course of professional development training.*

**Sec. 10. 1. The coaching and mentorship component of a performance improvement plan, which is required to be included in the performance improvement plan pursuant to**

*paragraph (b) of subsection 5 of section 7 of this regulation must include, without limitation, all of the following:*

*(a) The assignment of a mentor or leadership coach, or both, to the postprobationary administrator or postprobationary teacher, as deemed appropriate by the local educational agency for which the postprobationary administrator or postprobationary teacher, as applicable, is employed based on the goals established in the performance improvement plan pursuant to subsection 4 of section 7 of this regulation and the specific needs of the postprobationary administrator or postprobationary teacher.*

*(b) A requirement for any leadership coach assigned under the performance improvement plan to provide short-term support that is based on data and that addresses the goals established in the performance improvement plan for the improvement of instructional practice or leadership practice. The activities of a leadership coach assigned under a performance improvement plan may additionally include, without limitation:*

*(1) Assisting in the development of specific action to improve performance;*  
*(2) Modeling effective practices that improve performance;*  
*(3) Conducting observations and providing feedback based on those observations; and*  
*(4) Monitoring the progress of the postprobationary administrator or postprobationary teacher, as applicable, toward meeting the benchmarks and achieving the goals established in the performance improvement plan pursuant to subsection 4 of section 7 of this regulation.*

*(c) A requirement for any mentor assigned under the performance improvement plan to provide sustained, trust-based guidance that focuses on reflection on professional performance, professional growth, the building of confidence in professional abilities, the development of professional habits, the navigating of school culture and engagement in*

*collegial collaboration. The activities of a mentor assigned under a performance improvement plan may additionally include, without limitation:*

- (1) Conducting meetings with the postprobationary administrator or postprobationary teacher, as applicable, to reflect on performance and practices to improve that performance;*
- (2) Facilitating a process whereby the mentor and postprobationary administrator or postprobationary teacher, as applicable, exchange, as peers, observations, feedback, knowledge and best practices relating to instructional and professional skills; and*
- (3) Guiding the postprobationary administrator or postprobationary teacher, as applicable, in assessing performance and developing practices to improve that performance.*

*(d) In addition to the support activities described in paragraphs (b) or (c), as applicable, a requirement that:*

- (1) Not less than once each month, the postprobationary administrator or postprobationary teacher, as applicable, review progress under the performance improvement plan with the assigned leadership coach or mentor, or both; and*
- (2) Not less than once each month, the leadership coach or mentor, or both, conduct a session:*
  - (I) Of classroom observation;*
  - (II) To provide feedback to the postprobationary administrator or postprobationary teacher, as applicable; or*
  - (III) To assist the postprobationary administrator or postprobationary teacher, as applicable, in developing and implementing effective instructional strategies.*

*2. A leadership coach or mentor shall document each coaching or mentorship activity conducted pursuant to a performance improvement plan. Such documentation must include,*

*without limitation, all pertinent information observed or feedback given during the activity and such other information as may be helpful or necessary when evaluating the progress of the postprobationary administrator or postprobationary teacher, as applicable, under the performance improvement plan. Upon documenting a coaching or mentorship activity pursuant to this subsection, the leadership coach or mentor shall transmit a copy of such documentation to the immediate supervising administrator of the postprobationary administrator or postprobationary teacher, as applicable, to whom the documentation pertains. The immediate supervising administrator shall include in the personnel file of the postprobationary administrator or postprobationary teacher, as applicable, any documentation received pursuant to this subsection.*

*Sec. 11. 1. A review and assessment of the progress of a postprobationary administrator or postprobationary teacher towards achieving the goals established in a performance improvement plan, which is required to be conducted by the reviewing supervisor of the postprobationary administrator pursuant to subsection 6 of section 38.3 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3435, or the leadership team of the postprobationary teacher pursuant to subsection 6 of section 38.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3438, as applicable, must occur at least once each quarter of each school year or at least once every 45 school days, whichever is less.*

*2. A reviewing supervisor or leadership team conducting a review and assessment described in subsection 1 shall:*

*(a) Document the progress of the postprobationary administrator or postprobationary teacher for whom the review and assessment is being conducted toward meeting each*

*benchmark and achieving each goal established in his or her performance improvement plan pursuant to subsection 4 of section 7 of this regulation;*

*(b) Based on the progress of the postprobationary administrator or postprobationary teacher, as applicable, towards meeting each benchmark and achieving each goal described in paragraph (a), determine whether the postprobationary administrator or postprobationary teacher requires additional support and, if such support is needed:*

- (1) Identify the type or character of any such support that will be provided; and*
- (2) Document in the performance improvement plan the additional support that will be provided; and*

*(c) Prepare and include in the personnel file of the school-level administrator or teacher a written summary of the review and assessment, which must be made available to the Department, upon request of the Department.*

**Sec. 12. 1. A postprobationary administrator or postprobationary teacher for whom a performance improvement plan has been established shall be deemed to have successfully completed the performance improvement plan if the postprobationary administrator or postprobationary teacher, as applicable, has received a performance evaluating rating of effective or highly effective for each standard and indicator and goal for educational growth identified in the plan as an area of underperformance pursuant to subsection 3 of section 7 of this regulation.**

**2. If a postprobationary administrator or postprobationary teacher for whom a performance improvement plan has been established has not successfully completed the performance improvement plan pursuant to subsection 1 before the end of the period for**

*which the plan has been established, the reviewing supervisor of the postprobationary administrator or the leadership team of the postprobationary teacher, as applicable, shall:*

*(a) Conduct with the postprobationary administrator or postprobationary teacher, as applicable, a final review of the progress of the postprobationary administrator or postprobationary teacher towards achieving the goals established in the performance improvement plan pursuant to subsection 4 of section 7 of this regulation.*

*(b) After considering the factors described in subsection 3, determine or recommend to the appropriate authority the course of action that should be taken with respect to the postprobationary administrator or postprobationary teacher, as applicable. Such action may include, without limitation:*

*(1) Requiring the continuation of the performance improvement plan for a period not to exceed 1 school year, with any necessary revisions being made to the performance improvement plan.*

*(2) Except where prohibited by subsection 3 of section 38.4 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3436, or subsection 3 of section 38.8 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3439, reassigning the postprobationary administrator or postprobationary teacher, as applicable, to another position for which the postprobationary administrator or postprobationary teacher is qualified.*

*(3) To the extent authorized or required by NRS 391.730, as amended by section 52.5 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3457, section 38.4 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3436, or section 38.8 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3439:*

*(I) Placing the postprobationary administrator or postprobationary teacher, as applicable, on probation and requiring the postprobationary administrator or postprobationary teacher, as applicable, to serve an additional probationary period; or*

*(II) In the case of a postprobationary administrator or postprobationary teacher who is currently deemed a probationary employee, extending the additional probationary period imposed pursuant to NRS 391.730, as amended by section 52.5 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3457, section 38.4 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3436, or section 38.8 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3439, as applicable.*

*(4) In the case of a postprobationary administrator or postprobationary teacher who is deemed to be a probationary employee, providing notice pursuant to NRS 391.820 that the school-level administrator or teacher will not be reemployed.*

*(5) Initiating the applicable process for the dismissal of the postprobationary administrator or postprobationary teacher, as applicable, in accordance with the procedures established pursuant to chapter 391 of NRS, the contract of the postprobationary administrator or postprobationary teacher, as applicable, or any applicable collective bargaining agreement.*

*(6) Taking such actions that are in the best interests of the pupils and school at which the postprobationary administrator or postprobationary teacher, as applicable, is employed and not inconsistent with applicable law, the contract of the postprobationary administrator or postprobationary teacher, as applicable, or any applicable collective bargaining agreement.*

*3. When determining the course of action that should be taken pursuant to paragraph (b) of subsection 2, the reviewing supervisor or leadership team, as applicable, shall consider the*

*extent to which the postprobationary administrator or postprobationary teacher, as applicable, during the course of the performance improvement plan:*

- (a) Demonstrated improvement in the areas of underperformance identified in the performance improvement plan pursuant to subsection 3 of section 7 of this regulation;*
- (b) Demonstrated progress towards achieving the goals established in the performance improvement plan pursuant to subsection 4 of section 7 of this regulation; and*
- (c) Effectively engaged with the support provided under the performance improvement plan, including, without limitation, the coaching or mentorship support provided pursuant to section 10 of this regulation.*

**Sec. 13. 1. *The board of trustees of each school district and the governing body of each charter school shall establish such policies and procedures as are necessary to ensure the school district or charter school, as applicable, complies with the provisions of 3 to 13, inclusive, of this regulation.***

**2. *The Department will monitor each school district and charter school to ensure that the school district or charter school is in compliance with the provisions of sections 3 to 13, inclusive, of this regulation.***