

**PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R042-26

April 1, 2026

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

AUTHORITY: §§ 1-8, NRS 385.080, 391.465, as amended by section 49 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3453, and NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455.

A REGULATION relating to educational personnel; revising the terminology used to refer to certain goals; requiring teachers to establish a baseline level of proficiency of pupils for the purpose of developing goals for educational growth for such pupils; requiring schools and school districts to use or develop certain examinations for the purpose of establishing a baseline level of proficiency for certain pupils; revising the circumstances under which certain assessments and examinations may be used by a school or school district for certain purposes; 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 teachers, administrators and certain other educational personnel. (NRS 391.465, 391.675-391.730; NAC 391.565-391.589) Existing law requires pupil growth to account for 15 percent of an evaluation of the overall performance of a teacher or administrator. (NRS 391.465) To determine pupil growth for this purpose, existing law requires each teacher and administrator to: (1) develop learning goals for the pupils of the teacher or administrator; and (2) be evaluated at the end of the evaluation period to determine the extent to which those goals were achieved by such pupils. (NRS 391.480) Senate Bill No. 460 (S.B. 460) of the 2025 Legislative Session revised the term used to describe these goals after June 30, 2027, from “learning goals” to “goals for educational growth.” (NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455) **Sections 1-7** of this regulation accordingly revise references to such goals in the Nevada Administrative Code to conform with the terminology used in S.B. 460.

Additionally, S.B. 460 provides that, after June 30, 2027, a school or school district is: (1) required to use certain standardized examinations administered to measure the achievement and proficiency of pupils to determine the extent to which the goals for educational growth were achieved by pupils of a teacher who provides instruction in English language arts, science or mathematics; and (2) authorized to select an assessment that meets certain requirements to

determine the extent to which the goals for educational growth were achieved by the pupils of teachers who do not provide instruction in those subjects. (NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455) Existing regulations prescribe certain additional criteria for the assessments that a school or school district may use to determine the extent to which goals for educational growth were achieved. (NAC 391.582) **Section 6** makes conforming changes to require a school or school district to comply with the requirements of S.B. 460 when using such assessments or examinations. **Section 6** further requires a teacher: (1) who provides instruction in English language arts, science or mathematics to establish a baseline level of proficiency for the pupils of the teacher in the applicable subject area using data regarding the achievement of the pupils on certain standardized examinations; and (2) to develop goals for educational growth based on certain criteria, including any baseline level of proficiency established for such pupils. If a baseline level of proficiency cannot be established for the pupils of a teacher who provides instruction in English language arts, science or mathematics because data regarding the performance of such pupils on such standardized examinations is unavailable, **section 6** requires a school or school district to use a modified version of the standardized examination or develop a new examination that is capable measuring the proficiency of such pupils in the intended subject area for the purpose of establishing a baseline level of proficiency for such pupils.

Section 8 of this regulation provides that, to conform with the applicable effective date prescribed by S.B. 460, **sections 1-7** become effective on July 1, 2027, or upon approval by the Legislative Commission and filing with the Secretary of State, whichever is later.

Section 1. NAC 391.571 is hereby amended to read as follows:

391.571 1. The performance evaluation of each school-level administrator must include an evaluation of the school-level administrator in the following domains:

(a) Instructional leadership practices of the administrator at the school, as prescribed by NAC 391.572, which, except as otherwise provided in subsection 2, must account for 65 percent of the performance evaluation;

(b) Professional responsibilities of the administrator to support learning and promote the effectiveness of the school community, as prescribed by NAC 391.573, which, except as otherwise provided in subsection 2, must account for 20 percent of the performance evaluation; and

(c) Except as otherwise provided in subsection 2, the extent to which the ~~learning~~ goals *for educational growth* of pupils enrolled in the school were achieved based upon the assessments

or examinations selected pursuant to NAC 391.582, which must account for 15 percent of the performance evaluation.

2. The performance evaluation of a probationary administrator, other than a postprobationary employee who is deemed a probationary employee pursuant to NRS 391.730, in his or her initial year of probationary employment must be based upon the domains of instructional leadership practices of the administrator at the school as prescribed by NAC 391.572 and professional responsibilities of the administrator to support learning and promote the effectiveness of the school community as prescribed by NAC 391.573, with the percentages and weights assigned to those domains in accordance with the scoring matrix prescribed by the Department pursuant to NAC 391.580.

Sec. 2. NAC 391.574 is hereby amended to read as follows:

391.574 1. The performance evaluation of each teacher must include an evaluation of the teacher in the following domains:

(a) Instructional practices of the teacher in the classroom, as prescribed by NAC 391.575, which, except as otherwise provided in subsection 2, must account for 65 percent of the performance evaluation;

(b) Professional responsibilities of the teacher to support learning and promote the effectiveness of the school community, as prescribed by NAC 391.576, which, except as otherwise provided in subsection 2, must account for 20 percent of the performance evaluation; and

(c) Except as otherwise provided in subsection 2, the extent to which the ~~Learning~~ goals *for educational growth* of pupils enrolled in the school were achieved based upon the assessments

or examinations selected pursuant to NAC 391.582, which must account for 15 percent of the performance evaluation.

2. The performance evaluation of a probationary teacher, other than a postprobationary employee who is deemed a probationary employee pursuant to NRS 391.730, in his or her initial year of probationary employment must be based upon the domains of instructional practices of the teacher in the classroom as prescribed by NAC 391.575 and professional responsibilities of the teacher to support learning and promote the effectiveness of the school community as prescribed by NAC 391.576, with the percentages and weights assigned to those domains in accordance with the scoring matrix prescribed by the Department pursuant to NAC 391.580.

Sec. 3. NAC 391.575 is hereby amended to read as follows:

391.575 The performance evaluation of a teacher in the domain of instructional practices of the teacher in the classroom must include, without limitation, an evaluation of the teacher in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The teacher ensures that new learning is connected to the prior learning and experience of all pupils, as demonstrated by the following indicators:

(a) Activating the initial understanding of all pupils and applying that existing understanding to new concepts and skills;

(b) Making explicit connections for all pupils between new concepts and skills and previously learned concepts and skills;

(c) Making clear to all pupils the purpose and relevance of new concepts and skills; and

(d) Providing all pupils with opportunities to build on or challenge their initial understanding of concepts and skills.

2. The teacher ensures that tasks are based upon high cognitive demands for pupils with diverse abilities, as demonstrated by the following indicators:

- (a) Purposefully employing the cognitive abilities and skills of all pupils;
- (b) Placing appropriate demands on all pupils;
- (c) Progressively developing the cognitive abilities and skills of all pupils; and
- (d) Operating with a belief that all children can achieve regardless of their race, perceived abilities or socioeconomic status.

3. The teacher ensures that all pupils engage in the act of learning, constructing understandings for themselves, through discourse and other strategies, as demonstrated by the following indicators:

- (a) Providing opportunities for extended, productive discourse between the teacher and all pupils and among pupils;
- (b) Providing opportunities for all pupils to create and interpret multiple representations;
- (c) Assisting all pupils to use existing knowledge and prior experience to make connections and recognize relationships among new concepts and skills; and
- (d) Structuring the classroom environment to enable collaboration among pupils and participation by all pupils, and to create a positive affective experience for all pupils.

4. The teacher ensures that all pupils engage in metacognitive activity to increase understanding of and accept responsibility for their own learning, as demonstrated by the following indicators:

- (a) Imparting an understanding to pupils of the skills and concepts being taught, the reasons each skill or concept is being presented and the methods for a pupil to assess whether he or she has learned each skill or concept presented;

- (b) Structuring opportunities for self-monitored learning for all pupils; and
- (c) Supporting all pupils to take actions to improve their abilities based on the self-monitoring described in paragraph (b).

5. The teacher integrates assessment into instruction, as demonstrated by the following indicators:

- (a) Planning ongoing learning opportunities for all pupils based upon evidence of their current learning status;
- (b) Aligning assessment opportunities with ~~learning~~ goals *for educational growth* and performance criteria;
- (c) Structuring opportunities to generate evidence that all pupils are learning each skill and concept being presented during a lesson; and
- (d) Adapting his or her actions in the classroom based on the evidence described in paragraph (c).

Sec. 4. NAC 391.577 is hereby amended to read as follows:

391.577 1. The performance evaluations of school-level administrators in the standards for the domain of instructional leadership practices and standards for the domain of professional responsibilities and the performance evaluations of teachers in the standards for the domain of instructional practices and the domain of professional responsibilities must be measured using the following methods:

- (a) Observations of performance in accordance with the scheduled observation cycles prescribed by NRS 391.685, *as amended by section 52 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3457*, 391.690, 391.705 or 391.710, as applicable.

(b) Review of evidence applicable to the performance of the school-level administrator or teacher, which may include:

(1) Documents;

(2) Photographs;

(3) Policies and procedures;

(4) Certificates and transcripts;

(5) Audio and video media;

(6) Data, reports, plans, logs, evaluations, surveys, journals, portfolios and other examples of work, newsletters and written communications; or

(7) Other tangible demonstrations of the performance of the school-level administrator or teacher, as applicable,

↳ or any combination thereof.

(c) Self-assessment, which may include:

(1) Guided reflection, which involves the school-level administrator or teacher, as applicable, engaging in dialogue with a supervisor or peers through facilitated and structured self-inquiry and critical analysis of the practice and experience of the school-level administrator or teacher, as applicable;

(2) Self-assessment questionnaires;

(3) Feedback from peers and pupils;

(4) Journals; or

(5) Media recordings of the school-level administrator or teacher, as applicable,

↳ or any combination thereof.

(d) Evaluation of the effectiveness of the school-level administrator or teacher in improving the performance of pupils through the setting of goals in collaboration with the supervisor of the school-level administrator or teacher, which includes, without limitation:

(1) Developing specific and measurable annual goals for improvement for the school-level administrator or teacher;

(2) Monitoring the progress made toward each goal for improvement for the school-level administrator or teacher and assessing such progress for a specific period of time;

(3) Creating, implementing and making adjustments to strategies for improvement for the school-level administrator or teacher based upon the progress made; and

(4) Developing ~~Learning~~ goals *for educational growth* for pupils pursuant to NRS 391.480, *as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455*, which must include, without limitation, an identification of:

(I) Each group of pupils for whom a ~~Learning~~ goal *for educational growth* is established;

(II) The standards and content taught to each such group of pupils;

(III) Each assessment *or examination* used to determine the extent to which the ~~Learning~~ goals *for educational growth* of such pupils were achieved; and

(IV) Targets for the performance of each group of pupils and a rationale for each target.

2. Each assessment *or examination* identified pursuant to sub-subparagraph (III) of subparagraph (4) of paragraph (d) of subsection 1 must satisfy the requirements of NAC 391.582.

3. When developing the ~~Hearning~~ goals *for educational growth* for pupils pursuant to subparagraph (4) of paragraph (d) of subsection 1, the characteristics and attributes of the pupils of the school-level administrator or teacher must be considered.

Sec. 5. NAC 391.579 is hereby amended to read as follows:

391.579 1. Except as otherwise provided in subsection 2, each school district shall use the evaluation tools prescribed by the Department for conducting the performance evaluations of school-level administrators and the performance evaluations of teachers. The Department shall prescribe such evaluation tools, including, without limitation:

(a) Rubrics for specifying expectations of performance which are measured during the observations of performance required by NRS 391.685, *as amended by section 52 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3457*, 391.690, 391.705 and 391.710, as applicable, and in the review of artifacts pursuant to paragraph (b) of subsection 1 of NAC 391.577;

(b) Protocols to guide and score each observation in accordance with the scheduled observation cycles required by NRS 391.685, *as amended by section 52 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3457*, 391.690, 391.705 and 391.710, as applicable;

(c) Protocols to guide pre- and post-observation conferences;

(d) Protocols to guide pre- and post-evaluation conferences;

(e) Instruments and techniques to assist the person being evaluated with self-assessment as described in paragraph (c) of subsection 1 of NAC 391.577; and

(f) Protocols to guide the person being evaluated with setting goals as described in paragraph (d) of subsection 1 of NAC 391.577.

2. A school district may apply to the Department for flexibility to use evaluation tools in conducting the performance evaluations of school-level administrators and the performance evaluations of teachers that are different than the evaluation tools prescribed by the Department pursuant to subsection 1. The application must be on a form prescribed by the Department and include, without limitation:

(a) The evaluation tools proposed for use by the school district, which must align with the standards and indicators for each domain prescribed by NAC 391.571 and 391.574; and

(b) The process that will be used to incorporate into the scoring matrix prescribed by the Department pursuant to NAC 391.580 the scores derived from the school district's measures of standards and indicators for each domain prescribed by NAC 391.571 and 391.574.

3. A school district must obtain approval from the Department pursuant to subsection 2 before using any evaluation tools that are different from the evaluation tools prescribed by the Department pursuant to subsection 1.

4. A school district shall not conduct a performance evaluation of a school-level administrator or teacher until the school-level administrator or teacher has been provided with a written copy of or electronic access to all evaluation tools described in subsection 1 and any tools approved by the Department pursuant to subsection 2 and has verified in writing receipt of the written copy of or electronic access to all such evaluation tools.

5. Except as otherwise provided in subsections 2 and 3, when using the evaluation tool described in paragraph (f) of subsection 1, the person performing the performance evaluation of a school-level administrator or teacher shall discuss with the school-level administrator or teacher the ~~Learning~~ goals *for educational growth* for the pupils of the school-level

administrator or teacher and, if necessary, review and revise the ~~Learning~~ goals *for educational growth* for such pupils.

Sec. 6. NAC 391.582 is hereby amended to read as follows:

391.582 1. ~~{The criteria for determining which assessments a}~~ *A teacher shall, when developing goals for educational growth for the pupils of the teacher pursuant to subsection 1 of NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455:*

(a) If the teacher provides instruction in English language arts, science or mathematics, establish a baseline level of proficiency for the pupils in the applicable subject area using data regarding the performance of the pupils on:

(1) Examinations required to be administered pursuant to NRS 390.105 in the intended subject area; and

(2) Any examination administered to the pupils pursuant to subsection 2.

(b) Develop such goals based on:

(1) The baseline level of proficiency established for the pupils pursuant to paragraph (a), if applicable;

(2) The standards of academic content and performance prescribed by the State Board;

(3) Instruction and curriculum adopted by the State Board; and

(4) The knowledge and skills otherwise applicable to the particular grade level or subject areas in which the pupils are expected to demonstrate growth over the course of the school year.

(c) Comply with the requirements of subsection 3 of NAC 391.577.

2. A school or school district shall:

(a) If data regarding the performance of pupils on examinations administered in accordance with NRS 390.105 is unavailable for pupils in the applicable subject area, use a modified version of an examination described in paragraph (a) of subsection 1 to establish, in accordance with paragraph (a) of subsection 1, a baseline level of proficiency for such pupils.

(b) If it is not practicable to use an assessment described in paragraph (a) for the purposes described in that paragraph, develop and use a new examination for such purposes. An examination developed in accordance with this paragraph must be:

(1) Capable of measuring the educational growth of the pupil in the applicable subject area over time;

(2) Reviewed by experts to determine the validity of the examination; and

(3) Scored using a documented protocol that produces high reliability.

3. A school or school district shall use the examinations described in subsection 3 of NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455, to determine the extent to which the goals for educational growth of pupils were achieved pursuant to subsection 5 of NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455, for a teacher who provides instruction in English language arts, science or mathematics.

4. A school or school district may use an assessment not described in subsection 3 to determine the extent to which the ~~Learning~~ goals for educational growth of pupils were achieved pursuant to subsection 5 of NRS 391.480 ~~+~~, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455, to the extent authorized by subsection 3 of NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506,

Statutes of Nevada 2025, at page 3455. The criteria for determining whether an assessment may be used for this purpose are:

(a) The degree to which the assessment aligns with:

(1) The standards of *academic* content and performance ~~established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520;~~ *prescribed by the State Board;* and

(2) Curriculum and instruction ~~required for the standards~~ adopted by the State Board;

(b) Whether the assessment is appropriately rigorous to determine pupil achievement in the intended subject areas; and

(c) The validity and reliability of the assessment.

~~2.1~~ **5.** A school or school district that uses an assessment *pursuant to subsection 4* to determine the extent to which the ~~learning~~ goals *for educational growth* of pupils were achieved pursuant to subsection 5 of NRS 391.480 , *as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455*, shall continually monitor the use of the assessment to ensure:

(a) The reliability and validity of the assessment;

(b) That the assessment is scored accurately in a manner that produces results that allow the comparison of pupils, classes or schools; and

(c) The security of the assessment.

~~3.1~~ **6.** If practicable, a school or school district *that uses an assessment pursuant to subsection 4 to determine the extent to which the goals for educational growth of pupils were achieved pursuant to subsection 5 of NRS 391.480, as amended by section 50 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3455*, shall use an assessment that has

previously been approved by the Department ~~{pursuant to subsection 3 of NRS 391.480 to determine the extent to which the learning goals of pupils were achieved pursuant to subsection 5 of NRS 391.480.~~

~~—4.} for that purpose.~~

7. If no assessment described in subsection ~~{3} 6~~ effectively determines the extent to which the ~~{learning}~~ goals *for educational growth* of pupils were achieved:

(a) If practicable, a school or school district shall use a modified version of an assessment described in subsection ~~{3} 6~~ to determine the extent to which the ~~{learning}~~ goals *for educational growth* of pupils were achieved; and

(b) If it is not practicable to use an assessment described in paragraph (a) to determine the extent to which the ~~{learning}~~ goals *for educational growth* of pupils were achieved, a school or school district shall develop a new assessment to determine the extent to which the ~~{learning}~~ goals *for educational growth* of pupils were achieved. Such an assessment must be:

- (1) Reviewed by experts to determine the validity of the assessment; and
- (2) Scored using a documented protocol that produces high reliability.

~~{5.} 8.~~ As used in this section:

(a) “Reliability” means the degree to which the results of the assessment are reproducible in similar circumstances; and

(b) “Validity” means the degree to which an assessment measures pupil achievement in the intended subject area.

Sec. 7. NAC 391.589 is hereby amended to read as follows:

391.589 1. Each school year, the board of trustees of each school district shall submit to the Department data regarding school-level administrators and teachers employed by the district

in the form and manner prescribed by the Department. The data submitted pursuant to this section must include, without limitation:

(a) The number of school-level administrators who received a performance evaluation rating as ineffective, developing, effective or highly effective pursuant to NRS 391.705 or 391.710, as applicable, and the number of teachers who received a performance evaluation rating as ineffective, developing, effective or highly effective pursuant to NRS 391.685 or 391.690, as applicable;

(b) Scores received by school-level administrators and teachers for each standard pursuant to NAC 391.572, 391.573, 391.575 and 391.576, as applicable, in accordance with the scoring matrix prescribed by the Department pursuant to NAC 391.580;

(c) For each school-level administrator or teacher, the extent to which the ~~Learning~~ goals *for educational growth* of pupils enrolled in the school were achieved pursuant to NAC 391.571 and 391.574, as applicable; and

(d) For each school-level administrator or teacher in his or her first year of employment with the school district, the name of the provider approved by the Commission to offer a course of study or training, including, without limitation, a qualified provider approved by the Commission pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 391.019 to offer an alternative route to licensure, from which the administrator or teacher received training or completed a course of study to qualify him or her as an administrator or teacher, as applicable.

2. Each school district shall report the information required by paragraphs (a), (b) and (c) of subsection 1 without disclosing the identity of an individual licensee, any information from which the identity of an individual licensee could be determined or otherwise violating the confidentiality of the licensee.

Sec. 8. 1. This section becomes effective upon the date on which this regulation is approved by the Legislative Commission and filed with the Secretary of State pursuant to NRS 233B.070.

2. Sections 1 to 7, inclusive, of this regulation become effective upon the later of:

(a) July 1, 2027; or

(b) The date on which this regulation is approved by the Legislative Commission and filed with the Secretary of State pursuant to NRS 233B.070.