

**ADOPTED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R037-16

Effective September 9, 2016

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

AUTHORITY: §1, NRS 385.080 and sections 5 and 6 of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1861 (NRS 388.157 and 388.159); §2, NRS 385.080 and section 5 of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1861 (NRS 388.157); §§3-5, NRS 385.080 and section 6 of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1861 (NRS 388.159).

A REGULATION relating to education; approving certain assessments for use to assess a pupil's proficiency in the subject area of reading; providing that certain teachers employed by a school district or charter school are required to complete certain training or professional development; prescribing the duties and responsibilities of a learning strategist; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Education to approve assessments that may be used to assess a pupil's proficiency in the subject area of reading. (Section 5 of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1861 (NRS 388.157)) **Section 2** of this regulation approves certain assessments for that purpose.

Existing law requires the principal of a public elementary school to designate a licensed teacher employed by the school as a learning strategist to train and assist teachers at the school to provide intensive instruction to pupils who have been identified as deficient in the subject area of reading. Existing law also requires the State Board to prescribe: (1) any training or professional development that a learning strategist must complete; (2) any professional development that a teacher employed by a school district or charter school to teach kindergarten or grade 1, 2, 3 or 4 is required to receive from a learning strategist; and (3) the duties and responsibilities of a learning strategist. (Section 6 of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1861 (NRS 388.159)) **Section 3** of this regulation requires a learning strategist to complete certain training or professional development. **Section 4** of this regulation provides that a teacher employed by a school district or charter school to teach kindergarten or grade 1, 2, 3 or 4 is required to receive certain professional development from a learning strategist. **Section 5** of this regulation prescribes the duties and responsibilities of a learning strategist.

Section 1. Chapter 388 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *For the 2017-2018 school year and each school year thereafter, the State Board hereby approves the following as assessments for assessing a pupil's proficiency in the subject area of reading:*

1. The Brigance Early Childhood Screen III: K & 1 published by Curriculum Associates; and

2. The Measures of Academic Progress (MAP) assessment published by the Northwest Evaluation Association.

Sec. 3. *A learning strategist shall complete training or professional development concerning:*

1. The standards for English language arts for kindergarten and grades 1, 2 and 3 adopted by reference in NAC 389.232, 389.2418, 389.2431 and 389.247;

2. The Nevada State Literacy Plan, in the form most recently published by the Department, which may be obtained free of charge at the Internet address <http://www.doe.nv.gov/>;

3. Evidence-based best practices for instruction and intervention concerning literacy, including, without limitation, the instruction and intervention required by sections 8 to 12, inclusive, of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1862 (NRS 392.750 to 392.770, inclusive);

4. Methods for screening for and intervention concerning dyslexia and other reading disabilities, including, without limitation, the screening and intervention described in sections 8, 9 and 11 of Assembly Bill No. 341, chapter 411, Statutes of Nevada 2015, at pages 2382 and

2383 (NRS 388.439, 388.441 and 388.443), the minimum standards prescribed by the State Board for the special education of pupils with dyslexia pursuant to NRS 388.520 and the Dyslexia Resource Guide published by the Department pursuant to section 14 of Assembly Bill No. 341, chapter 411, Statutes of Nevada 2015, at page 2384 (NRS 388.447);

- 5. Using the assessments approved by the State Board in section 2 of this regulation;*
- 6. Methods for effectively delivering and receiving constructive feedback;*
- 7. Methods for assisting the board of trustees of a school district or the governing body of a charter school, as applicable, to prepare a plan to improve the literacy of pupils enrolled in kindergarten and grades 1, 2 and 3, as required by section 5 of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1861 (NRS 388.157), that aligns with the Nevada State Literacy Plan;*
- 8. The statewide performance evaluation system adopted by the State Board pursuant to NRS 391.465; and*
- 9. The national standards for coaching concerning literacy.*

Sec. 4. A teacher who is employed by a school district or charter school to teach kindergarten or grade 1, 2, 3 or 4 shall complete professional development provided by a learning strategist concerning:

- 1. The standards for English language arts for kindergarten and grades 1, 2 and 3 adopted by reference in NAC 389.232, 389.2418, 389.2431 and 389.247;*
- 2. The Nevada State Literacy Plan, in the form most recently published by the Department, which may be obtained free of charge at the Internet address <http://www.doe.nv.gov/>;*

3. Evidence-based best practices for instruction and intervention concerning literacy, including, without limitation, the instruction and intervention required by sections 8 to 12, inclusive, of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1862 (NRS 392.750 to 392.770, inclusive);

4. Methods for screening for and intervention concerning dyslexia and other reading disabilities, including, without limitation, the screening and intervention described in sections 8, 9 and 11 of Assembly Bill No. 341, chapter 411, Statutes of Nevada 2015, at pages 2382 and 2383 (NRS 388.439, 388.441 and 388.443), the minimum standards prescribed by the State Board for the special education of pupils with dyslexia pursuant to NRS 388.520 and the Dyslexia Resource Guide published by the Department pursuant to section 14 of Assembly Bill No. 341, chapter 411, Statutes of Nevada 2015, at page 2384 (NRS 388.447);

5. Using the assessments approved by the State Board in section 2 of this regulation;

6. Methods for effectively delivering and receiving constructive feedback;

7. Using data concerning pupils to improve instruction concerning literacy; and

8. Methods for maintaining collaborative and reflective communication.

Sec. 5. A learning strategist shall:

1. Assist and provide leadership to the board of trustees of a school district or the governing body of a charter school, as applicable, in preparing a plan to improve the literacy of pupils enrolled in kindergarten and grades 1, 2 and 3, as required by section 5 of Senate Bill No. 391, chapter 334, Statutes of Nevada 2015, at page 1861 (NRS 388.157);

2. Provide the professional development prescribed by section 4 of this regulation for teachers;

3. Provide any necessary additional instruction to teachers and administrators concerning the assessments approved in section 2 of this regulation; and

4. Provide instruction and support for the parents and guardians of pupils who have been identified as deficient in the subject area of reading.