

Joe Lombardo  
Governor

Jhone M. Ebert  
Superintendent of  
Public Instruction



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**STATE OF NEVADA**  
**DEPARTMENT OF EDUCATION**  
700 E Fifth Street | Carson City, Nevada 89701-5096  
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February 5, 2025

**Legislative Review of Adopted Regulations as Required by NRS 233B.066**  
LCB File #R138-23

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 391:

**1. A clear and concise explanation of the need for the adopted regulation.**

Under existing law, beginning with the 2022-2023 school year, pupil growth is required to account for 15 percent of the performance evaluations of teachers and certain administrators (NRS 391.465). Existing regulations require teachers and certain administrators to be evaluated in certain domains and require each domain to account for a certain percentage of such evaluations. (NAC 391.571, 391.574) This regulation requires the domain of pupil growth to account for 15 percent of the performance evaluations of teachers and school-level administrators rather than 40 percent of the performance evaluations. This regulation also revises the weight assigned to other domains used to evaluate teachers and school-level administrators.

**2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

Public comment was solicited through both the regulation workshop and public hearing. The attached workshop notice was posted 15 days prior to the workshop. The attached public hearing notice was posted 30 days prior to the public hearing. A description of how members of the public could provide comment is included in both items. Other interested persons may have obtained a copy of the summary by viewing the Commission on Professional Standards in Education webpage or by contacting the Commission secretary via email, telephone, or by writing to the address on the agenda or public notice.

**Include summary of public comment.**

There was no public comment at either the workshop or the public hearing for this regulation.

**3. The number of persons who attended each workshop/hearing, testified at each workshop/hearing, submitted to the agency written comments:**

Workshop held on 11/2/2023

- Number in attendance: 0
- Number testifying: 0
- Written statements submitted: 0

State Board of Education Meeting held on 06/12/2024 took place to approve the Commission adopted regulation per NRS 391.027.

- Number in attendance: 8
- Number testifying: 0
- Written statements submitted: 0

- 4. For each person identified in number 3 above, the following information if provided to the agency conducting the hearing: (a) name; (b) telephone number; (c) business address; (d) business telephone number; (e) electronic mail address; and (f) name of entity or organization represented.**

**Include summary of public comment.**

There was no public comment at either the workshop or the public hearing for this regulation thus there is no summary of public comment.

- 5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Public comment was solicited through both the regulation workshop and public hearing. The attached workshop notice was posted 15 days prior to the workshop. The attached public hearing notice was posted 30 days prior to the public hearing. A description of how members of the public could provide comment is included in both items.

**Include summary of public comment.**

There was no public comment at either the workshop or the public hearing for this regulation thus there is no summary of public comment.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

This regulation was adopted without any changes on 06/12/24 because the agency and Teachers and Leaders Council engaged stakeholders in workgroups to draft agreed upon language prior to the Workshop & Hearing.

**Include summary and description of changes, if any.**

No changes were requested, and the regulation was adopted without change.

- 7. The estimated economic effect of the adopted regulation on the business which is to regulate and on the public. These must be stated separately, and each case must include:**

There will be no economic effect of the regulation on the business that it regulates. There is no estimated economic effect on the public. There is no adverse or beneficial effect or immediate or long-term effect on the business that it regulates. There is no adverse or beneficial effect or immediate or long-term effect to the public.

- 8. 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.

- 9. A description of any regulations of other state or government 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.

- 10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

There are none.

- 11. 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.

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June 12, 2024

**Notice of Intent to Act Upon a Regulation**

Notice of Hearing for the Adoption of Regulations of the Nevada Department of Education as proposed in LCB File #R138-23.

The DEPARTMENT will hold a public hearing at **10:00 AM** on June 12, 2024 via [Livestream Link](#) and at the following locations: **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada.** The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to Chapter 391.571 and 391.574 of the Nevada Administrative Code (NAC), pursuant to NRS 391.465 regarding the weight of performance evaluation domains for licensed educational personnel.

The following information is provided pursuant to the requirements of Nevada Revised Statute (NRS) 233B.0603:

- 1. The need and the purpose of the proposed regulations and/or amendments:** In accordance with NRS391.465, the Department is instructed to adopt regulations requiring:
  - [The] State Board to establish statewide performance evaluation system and prescribe tools to be used by schools to measure performance...**
- 2. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation:** The revised text of the proposed regulation is attached to this notice.
- 3. Description of the proposed regulation, or the subjects and issues involved:** Under existing law, beginning with the 2022-2023 school year, pupil growth is required to account for 15 percent of the performance evaluations of teachers and certain administrators. (NRS 391.465)

Existing regulations require teachers and certain administrators to be evaluated in certain domains and require each domain to account for a certain percentage of such evaluations. (NAC 391.571, 391.574) This regulation requires the domain of pupil growth to account for 15 percent of the performance evaluations of teachers and school-level administrators rather than 40 percent of the performance evaluations. This regulation also revises the weight assigned to other domains used to evaluate teachers and school-level administrators.

4. **Estimated economic effect of the regulation on the business which it is to regulate and on the public:** There is no economic effect of the regulation on the business that it regulates and no impact on the public.
5. **Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.
6. **The estimated cost to the agency for enforcement of the proposed regulation:** no costs.
7. **Description and citation of duplicative or overlapping regulations of other state or local governmental agencies:** There is no duplication or overlap of regulations of state of local government agencies.
8. **Is the regulation required by federal law?** This regulation is not required pursuant to federal law.
9. **Does the regulation include provisions more stringent than a federal regulation regarding the same activity?** There is no federal law affecting or overlapping the proposed regulations.
10. **Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

A copy of all materials relating to the proposed regulation may be obtained at the hearing, on the [Event – June 12, 2024 Nevada Department of Education Regulation Hearing | Nevada Department of Education \(nv.gov\)](#), by contacting the Nevada Department of Education, via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov), by telephone at 775-443-5519, or in person at the Nevada Department of Education, **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Persons wishing to comment upon the proposed action of the Department may provide in-person testimony, submit written comment to the Department via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) or submit their comments, data, views, or arguments in written form to the Nevada Department of Education, **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Comments may be submitted via email leading up to and for the duration of the workshop, and those submitted via mail must be received by the Department on or before Wednesday, June 12, 2024. A record of all submitted comments will be retained, and the Department or Board will proceed to consider any public comment received.

This notice and the text of the proposed regulation has been sent to all persons on the agencies mailing list for administrative regulations and the Department of Education, and posted on the Nevada Department of Education's website at <https://doe.nv.gov>, Nevada's Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature's webpage at <https://leg.state.nv.us>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted at the Nevada Department of Education Offices

and with Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

**Notice required by NRS 233B.064:** Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

**Nevada Department of Education  
Nevada State Board of Education  
June 12, 2024  
9:00 AM**

Office	Address	City	Meeting Room
Department of Education	2080 E. Flamingo Rd.	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson	Board Room
Department of Education	Virtual	Virtual	<a href="#">YouTube Link</a>

**Public Notice**

*The public is hereby noticed that the Nevada State Board of Education reserves the right to take agenda items out of posted order (except that public hearings will not begin earlier than posted times); items may be pulled or removed from the agenda at any time; and items may be combined for consideration. A time for public comment is provided at the beginning and at the conclusion of the meeting. A time limit of three minutes will be imposed by the Board president for public comments to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Board. All individuals providing in-person testimony must fill out a visitor card. To provide public comment or testimony telephonically, dial (312) 584-2401 on the date of the meeting. When prompted, provide Meeting ID 324 939 7, and then press #. When prompted for a Participant ID, press #. If you are unable to attend but would like to provide a written statement for public comment, please submit your statement to [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) before the close of the Board Meeting. The Board president reserves the right to call on individuals from the audience or to allow for testimony at any time.*

*The support materials to this agenda are available at no charge on the NDE website at [Nevada State Board of Education Meeting Material Webpage](#) (under the meeting date referenced above) or by contacting Angie Castellanos at the Nevada Department of Education, 2080 E. Flamingo Road, #210, Las Vegas, NV 89119, via phone at 702-486-8725, or by email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov). This public notice has been posted at the offices of the Department of Education (NDE) in Carson City and Las Vegas, online at the Nevada Public Notice website, [notice.nv.gov](http://notice.nv.gov), the Nevada Department of Education website, [doe.nv.gov](http://doe.nv.gov), and sent to all interested persons who requested notice. Reasonable efforts will be made for members of the public who have disabilities and require special accommodations or assistance at the meeting; please contact Angie Castellanos at 702-486-8725 or [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) at least five business days in advance so that arrangements can be made.*

**Agenda**

**1. Call to Order, Roll Call, Pledge of Allegiance, and Land Acknowledgement**

**2. Public Comment #1**

*Public comment will be taken during this agenda item regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on the agenda as an item on which action may be taken. The President of the State Board of Education will impose a time limit of three minutes. Public Comment #2 will provide an opportunity for public comment on any matter within the State Board's jurisdiction, control, or advisory power.*

**3. Approval of Flexible Agenda (For Possible Action)**

#### **4. President's Report**

- Regional Convening to Support State Action to Advance the Education Professions
- Board Member Updates
- Nevada System of Higher Education (NSHE) Updates

#### **5. Superintendent's Report**

- Nevada Department of Education Updates

#### **6. Consent Agenda (*For Possible Action*)**

*Information concerning the following consent agenda items has been provided to Board members for study prior to the meeting. Unless a Board member has a question concerning a particular item and asks that it be withdrawn from the consent list, all items are approved in one action.*

- a. Possible Approval of Dual Credit Courses for Clark County School District
- b. Possible Approval of Dual Credit Courses for Washoe County School District
- c. Possible Approval of Private School Renewal Licenses
- d. Possible Approval of Class Size Report Reduction, FY 2024 Q2
- e. Possible Approval of Minutes from April 15, 2024, State Board of Education Meeting
- f. Possible Approval of Minutes from April 29, 2024, State Board of Education Meeting
- g. Possible Approval of Minutes from May 01, 2024, State Board of Education Meeting

#### **7. Information, Discussion, and For Possible Action Regarding Appointments to the State Public Charter School Authority Governing Board (*Information, Discussion, and for Possible Action*)**

The Board will review candidates who have applied for consideration to serve on the State Public Charter School Authority governing board in accordance with NRS 388A.153. The Board may take action to select a candidate to serve as the State Board appointee for a three-year term.

#### **8. Information, Discussion, and For Possible Action Regarding the Educator Scholarship Awards (*Information, Discussion, and for Possible Action*)**

The Board will receive a report and presentation regarding current available funds for scholarship awards and requests for fiscal year 2024 pursuant to NRS 391A.550-90, AB 400, and AB 515. Possible action may include awarding scholarships to various State-approved traditional and/or alternative routes to licensure educator preparation programs.

- Kathleen Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement
- Anabel Sanchez, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement

#### **9. Information, Discussion, and For Possible Action Regarding the Proposed Nevada Educator Performance Framework (NEPF) Teacher and School Administrator Rubrics Redesign (*Information, Discussion, and for Possible Action*)**

The Board will receive a recommendation from the Teachers and Leaders Council regarding the proposed changes to the NEPF Teacher and School Administrator Evaluation rubrics.

- Kathleen Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement
- Dr. Pam Teel, Vice Chair, Teachers and Leaders Council
- Kathryn Hoyt, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement



**10. 10:00 AM Public Hearing to Solicit Comments on Proposed Regulation R138-23P Revising the Weights Assigned to the Domains Used to Evaluate the Performance of Teachers and Certain Administrators** *(Information, Discussion, and for Possible Action)*

The Board will vote to adopt language as set forth in LCB File #R138-23, amending NAC 391.571 and NAC 391.574

- Kathleen Galland Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement
- Kathryn Hoyt, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement

**11. 10:02 AM Public Hearing to Solicit Comments on Proposed Regulation R131-22P Prescribing Requirements Relating to Planning and Monitoring the Education of Certain Children Who Are Admitted to a Facility Which Provides Residential Treatment for Mental Illness** *(Information, Discussion, and for Possible Action)*

The Board will consider the proposed regulation prescribing requirements around monitoring the education of children admitted to a residential treatment facility.

- Christy McGill, Deputy Superintendent, Educator Effectiveness and Family Engagement

**12. 10:04 AM Public Hearing to Solicit Comments on Proposed Regulation R064-24P Amending NAC 389.555 and NAC 389.516 Relating to Employability Skills for Career Readiness** *(Information, Discussion, and for Possible Action)*

The Board will consider the proposed regulation removal of all language from NAC 389.555 and NAC 389.516.

- Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Education Options

**13. 10:06 AM Public Hearing to Solicit Comments on Proposed Regulation R074-24 Relating to the Creation of Curriculum for the Teacher Academy College Pathway Program** *(Information, Discussion, and for Possible Action)*

The Board will consider approving the curriculum for the teacher academy pathway program (TACPP).

- Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Educational Options

**14. 10:08 AM Public Hearing to Solicit Comments on Proposed Regulation R099-23P Relating to the Adult and Regular High School Diploma** *(Information, Discussion, and for Possible Action)*

The Board will consider the proposed regulation revising certain eligibility and course requirements for graduation from public high school.

- Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Educational Options

**15. Information and Discussion Regarding Department of Education Guidance on Artificial Intelligence in Schools** *(Information and Discussion)*

The Board will hear a presentation from the Deputy Superintendent for Student Achievement regarding the ethics statement and guidance around the use of artificial intelligence for educational purposes.

- Ann Marie Dickson, Deputy Superintendent for Student Achievement, Nevada Department of Education
- Jayne Malorni, Education Programs Professional, Office of Teaching and Learning

**16. Information and Discussion of Read by Grade 3 topics** *(Information and Discussion)*

The Board will receive information regarding aspects of the Read by Grade 3 provisions outlined in AB 400.

- Joan Jackson, Education Programs Professional, Nevada Department of Education
- Kevin Laxalt, Education Programs Professional, Nevada Department of Education
- Mark Rincon, Education Programs Professional, Nevada Department of Education

**17. Future Agenda Items** *(Information and Discussion)*

- Mechanism for rural support
- Successful outcomes achieved by the State Board of Education
- Commission on School Funding Tracking
- Dual Credit Programs by NSHE
- Teacher Exit Survey
- Emergency Special Education license
- Federal and State Required Assessments

**18. Public Comment #2**

*Public comment will be taken during this agenda item on any matter within the State Board's jurisdiction, control, or advisory power. No action may be taken on a matter raised under this item until the matter is included on the agenda as an item on which action may be taken. The President of the State Board of Education will impose a time limit of three minutes.*

**19. Adjournment**

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### Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada Department of Education is proposing regulation language pertaining to the Nevada Administrative Code (NAC). The Workshop has been scheduled for **October 26, 2023** via [[livestream hyperlink](#)] and at the following locations: **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada.** The purpose of the Workshop is to solicit comments from interested persons on the following general topics to be addressed in a proposed regulation:

#### 1:00 PM. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter

A copy of all materials relating to the proposal may be obtained at the workshop, on the [State Board of Education website](#), by contacting the State Board of Education, via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov), by telephone at 775.687.9224, or in person at the Nevada Department of Education, 700 E. Fifth Street, Carson City Nevada. Persons wishing to comment upon the proposed action of the State Board of Education may provide in-person testimony, submit written comment to the State Board of Education via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) or submit their comments, data, views, or arguments in written form to the State Board of Education, Nevada Department of Education, 700 E. Fifth Street, Carson City, Nevada. Comments may be submitted via email leading up to and for the duration of the workshop, and those submitted via mail must be received by the Department on or before October 26, 2023

This notice has been sent to all persons on the agencies mailing list for administrative regulations and the State Board of Education, and posted on the Nevada Department of Education's website at <https://doe.nv.gov>, Nevada's Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature's webpage at <https://leg.state.nv.us>, and physically at the Nevada Department of Education Offices and with Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

# NEVADA STATE BOARD OF EDUCATION

November 2, 2023

2:10 PM

Office	Address	City	Meeting Room
Department of Education	2080 E. Flamingo Rd.	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson	Board Room
Department of Education	Virtual	Virtual	<a href="#">Livestream Link</a>

## PUBLIC NOTICE

*The public is hereby noticed that the Nevada Department Education reserves the right to take agenda items out of posted order (except that public hearings will not begin earlier than posted times); items may be pulled or removed from the agenda at any time; and items may be combined for consideration. A time for public comment is provided at the beginning and at the conclusion of the meeting, and public comment will be taken under each workshop specific to that item. A time limit of three minutes will be imposed for public comments in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available. If you are unable to attend but would like to provide a written statement for public comment, please submit your statement to [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) before the close of the Workshop. The Department reserves the right to call on individuals from the audience or to allow for testimony at any time. All individuals providing testimony must fill out a visitor card. Reasonable efforts will be made for members of the public who have disabilities and require special accommodations or assistance at the meeting. Please call Martha Warachowski, Board Secretary, at (702) 668-4318 or email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) at least five business days in advance so that arrangements can be made. The support materials to this agenda are available at no charge on the Nevada Department of Education Regulation Workshops and Public Hearings [Meeting Materials](#) page (under the meeting date referenced above) or by contacting Martha Warachowski at the Nevada Department of Education Office, 2080 E. Flamingo Rd, 89119, or via phone at (702) 668-4318, or by email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov). This public notice has been sent to all persons on the agencies mailing list for administrative regulations and posted on the Nevada Department of Education's website at <https://doe.nv.gov>, Nevada's Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature's webpage at <https://leg.state.nv.us>, and physically at the Nevada Department of Education Offices. Copies of this notice will also be emailed and/or mailed to members of the public upon request.*

## AGENDA

### 1. CALL TO ORDER

### 2. PUBLIC COMMENT #1

*Public comment will be taken during this agenda item regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on an agenda as an item on which action may be taken. The Department will impose a time limit of three minutes. Please hold comments specific to a given workshop until public comment is called upon for that workshop specifically.*

### 3. 2:15 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 391 – NEVADA EDUCATOR PERFORMANCE FRAMEWORK (For possible action)

The proposed changes seek to update Nevada Educator Performance Framework to align with changes in NRS.

- Kat Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement

**4. 2:20 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION R145-22RP1—CTE PROGRAMS OF STUDY** *(For possible action)*

The proposed changes seek to make conforming changes related to CTE programs of study.

- Craig Statucki, Director, Office of Career Readiness and Adult Learning Options
- Cindi Chang, Assistant Director, Office of Career Readiness and Adult Learning Options

**5. 2:25 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION R022-23P—UNIFORM GRADING SCALE.** *(For possible action)*

The proposed changes relate to revisions providing a uniform grading scale for all public high schools.

- Ann Marie Dickson, Deputy Superintendent, Student Achievement Division

**6. 2:30 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC 391A.300—PROFESSIONAL DEVELOPMENT STANDARDS.** *(For possible action)*

The proposed changes relate changing the professional development standards to align with the updated Learning Forward Standards.

- Anabel Sanchez, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement
- Kat Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement

**7. PUBLIC COMMENT #2**

*Public comment will be taken during this agenda item on any matter within the jurisdiction, control, or advisory power of the Department. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. The Department will impose a time limit of three minutes.*

**8. ADJOURNMENT**