

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 391.465 is hereby amended to read as follows:

2 391.465 1. The State Board shall, based upon the  
3 recommendations of the Teachers and Leaders Council of Nevada  
4 submitted pursuant to NRS 391.460, adopt regulations establishing a  
5 statewide performance evaluation system which incorporates  
6 multiple measures of an employee's performance.

7 2. The statewide performance evaluation system must:

8 (a) Require that an employee's overall performance is  
9 determined to be:

10 (1) Highly effective;

11 (2) Effective;

12 (3) Minimally effective; or

13 (4) Ineffective.

14 (b) Include the criteria for making each designation identified in  
15 paragraph (a).

16 (c) Except as otherwise provided in subsection 9 of NRS  
17 391.3125 and subsection 8 of NRS 391.3127, require that pupil  
18 achievement data account for ~~at least 50~~ 40 percent of the evaluation.

19 (d) Prescribe the pupil achievement data that must be used as  
20 part of the evaluation system pursuant to paragraph (c) **[.] which**  
21 **must require, without limitation, that:**

22 **(1) Beginning with the 2017-2018 school year, pupil achievement data derived from**  
**statewide**

23 **examinations and assessments must account for ~~25~~ 20 percent of the**  
24 **evaluation of a teacher, administrator or other licensed personnel when applicable; and**

25 **(2) Beginning with the 2015-2016 school year, pupil achievement data derived from**  
**assessments**

26 **approved by the board of trustees of the school district that**

27 **employs the teacher, administrator or other licensed personnel and the Superintendent of**  
**Public Instruction**

28 **must account for ~~25~~ 20 percent of the evaluation.**

29 (e) Include an evaluation of whether the teacher, or  
30 administrator who provides primarily administrative services at the  
31 school level and who does not provide primarily direct instructional  
32 services to pupils, regardless of whether the probationary  
33 administrator is licensed as a teacher or administrator, including,  
34 without limitation, a principal and vice principal, employs practices  
35 and strategies to involve and engage the parents and families of  
36 pupils.

1 (f) Include a process for peer evaluations of teachers by  
2 qualified educational personnel which is designed to provide  
3 assistance to teachers in meeting the standards of effective teaching,  
4 and includes, without limitation, conducting observations,  
5 participating in conferences before and after observations of the  
6 teacher and providing information and resources to the teacher about  
7 strategies for effective teaching. The regulations must include the  
8 criteria for school districts to determine which educational personnel  
9 are qualified to conduct peer reviews pursuant to the process.  
10 **Sec. 2.** Section 22 of chapter 496, Statutes of Nevada 2013, at  
11 page 3169, and NRS 391.3123 are hereby amended to read as follows:

12 Sec. 22. Commencing with the ~~[2015-2016]~~ **2016-2017**  
13 school year, the board of trustees of each school district shall  
14 implement and carry out the policy for evaluations of  
15 counselors, librarians and other licensed educational  
16 personnel as determined by the State Board, except for teachers and administrators, required  
by  
17 NRS 391.3125, as amended by section 4 of this act.

18 **Sec. 3.** ~~The evaluation of teachers, administrators and other~~  
19 ~~licensed personnel pursuant to NRS 391.3125 or 391.3127 must not~~  
20 ~~include an evaluation of the performance of pupils enrolled in the~~  
21 ~~school for the 2015-2016 school year.~~ Notwithstanding the provisions of NRS 391.465, the  
State Board may determine:

- a. Which other licensed personnel should be included in statewide system of evaluation;
- b. What, if any, pupil achievement measures should be required for other licensed personnel; and
- c. Which district-level administrators are to be included in the statewide system of evaluation.

22 **Sec. 4.** The Department shall adopt regulations to provide for the reporting of aggregated, anonymous data about evaluation ratings for teachers, administrators, and other licensed personnel.

**Section 5.** NRS 391.3125 is hereby amended to read as follows:

1. It is the intent of the Legislature that a uniform system be developed for objective evaluation of teachers and other licensed personnel in each school district.

2. Each board, following consultation with and involvement of elected representatives of the teachers or their designees, shall develop a policy for objective evaluations in narrative form. The policy must comply with the statewide performance evaluation system established by the State Board pursuant to NRS 391.465. The policy must set forth a means according to which an employee's overall performance is determined to be highly effective, effective, minimally effective or ineffective. Except as otherwise provided in subsection 9, the policy must require that pupil achievement data, as prescribed by the State Board pursuant to NRS 391.465, account for at least 50 percent of the evaluation. The policy may include an evaluation by the teacher, pupils, administrators or other teachers or any combination thereof. In a similar manner,

counselors, librarians and other licensed personnel must be evaluated. A copy of the policy adopted by the board must be filed with the Department. The primary purpose of an evaluation is to provide a format for constructive assistance. Evaluations, while not the sole criterion, must be used in the dismissal process.

3. The person charged with the evaluation of a teacher pursuant to this section shall hold a conference with the teacher before and after each scheduled observation of the teacher during the school year.

4. A probationary teacher must be evaluated three times during ~~each school year~~ the first year of his or her probationary employment. Each evaluation must include at least one scheduled observation of the teacher during the school year as follows:

(a) The first scheduled observation must occur within 40 days after the first day of instruction of the school year;

(b) The second scheduled observation must occur after 40 days but within 80 days after the first day of instruction of the school year; and

(c) The third scheduled observation must occur after 80 days but within 120 days after the first day of instruction of the school year.

*If, a probationary teacher is rated as “effective” or “highly effective” for all three evaluations during the first year, only two evaluations would be required for the probationary teacher during the second year. If, a probationary teacher is rated as “effective” or “highly effective” for all evaluations during the first and second year, then only one evaluation would be required for the probationary teacher during the third year.*

5. If a postprobationary teacher receives an evaluation designating his or her overall performance as minimally effective or ineffective, the postprobationary teacher must be evaluated three times in the immediately succeeding school year in accordance with the observation schedule set forth in subsection 4. If a postprobationary teacher is evaluated three times in a school year and he or she receives an evaluation designating his or her overall performance as minimally effective or ineffective on the first or second evaluation, or both evaluations, the postprobationary teacher may request that the third evaluation be conducted by another administrator. If a postprobationary teacher requests that his or her third evaluation be conducted by another administrator, that administrator must be:

(a) Employed by the school district or, if the school district has five or fewer administrators, employed by another school district in this State; and

(b) Selected by the postprobationary teacher from a list of three candidates submitted by the superintendent.

**Section 6.** NRS 391.3127 is hereby amended to read as follows:

1. Each board, following consultation with and involvement of elected representatives of administrative personnel or their designated representatives, shall develop an objective policy for the objective evaluation of administrators in narrative form. The policy must provide for the evaluation of those administrators who provide primarily administrative services at the school level and who do not provide primarily direct instructional services to pupils, regardless of whether such an administrator is licensed as a teacher or administrator, including, without limitation, a principal and a vice principal. The policy must comply with the statewide performance evaluation system established by the State Board pursuant to [NRS 391.465](#). The policy must set forth a means according to which an administrator’s overall performance is determined to be highly effective, effective, minimally effective or ineffective. Except as

otherwise provided in subsection 8, the policy must require that pupil achievement data, as prescribed by the State Board pursuant to [NRS 391.465](#), account for at least 50 percent of the evaluation. The policy may include an evaluation by the administrator, superintendent, pupils or other administrators or any combination thereof. A copy of the policy adopted by the board must be filed with the Department and made available to the Commission.

2. The person charged with the evaluation of an administrator pursuant to this section shall hold a conference with the administrator before and after each scheduled observation of the administrator during the school year.

3. A probationary administrator must be evaluated three times during each school year of his or her probationary employment. Each evaluation must include at least one scheduled observation of the probationary administrator during the school year as follows:

(a) The first scheduled observation must occur within 40 days after the first day of instruction of the school year;

(b) The second scheduled observation must occur after 40 days but within 80 days after the first day of instruction of the school year; and

(c) The third scheduled observation must occur after 80 days but within 120 days after the first day of instruction of the school year.

*If, a probationary administrator is rated as “effective” or “highly effective” for all three evaluations during the first year, only two evaluations would be required for the probationary administrator during the second year. If, a probationary administrator is rated as “effective” or “highly effective” for all evaluations during the first and second year, then only one evaluation would be required for the probationary administrator during the third year.*

**Section 7.** This act becomes effective on July 1, 2015.

#### NOTES TO BILL DRAFTING

- In addition to Section 1 of this bill, amend NRS 386.650: The information maintained pursuant to paragraphs (c), (d) and (e) must be used for the purpose of improving the achievement of pupils and improving classroom instruction. Except as otherwise provided in subsection 9 of [NRS 391.3125](#) and subsection 8 of [NRS 391.3127](#), information on pupil achievement data, as prescribed by the State Board pursuant to [NRS 391.465](#), ~~must account for at least 50 percent, but~~ must not be used as the sole criterion, *but must be used* in evaluating the performance of or taking disciplinary action against an individual teacher or other employee.
- NRS 391.31211 through NRS 391.3123 (Delay of Implementation of Statewide Performance Evaluation System) will need to be amended to remove all transitory language related to the two years of validation study of the statewide performance evaluation system.