

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

LCB File No. R032-14

Nevada Department of Education

Proposed Regulation: Confidentiality of Validation Study

Authority: NRS 385.200 - allows the Superintendent to prescribe regulations for making reports and conducting proceedings.

NAC Chapter 391 is hereby amended by adding new language as follows:

Sec. 1 *Confidential Records Submitted for Validation Study (NRS 385.200; NRS 391.31213; NRS 391.31214; NRS 391.31215; NRS 391.31217)*

1. Except as otherwise provided in this subsection, the following types of information and documents, which are submitted to or maintained by the Department or its representative, pursuant to the validation study required by NRS 391.31213, are confidential including without limitation:

(a) Baseline perceptual data for all school-level administrators and teachers participating in the validation study;

(b) Information about the number and percentage of new teachers in each of the schools selected for participation in the validation study;

(c) Information about the years of service in role and in school for each school-level administrator in each participating school;

(d) Feedback on surveys, focus groups, questionnaires, and other information and documents that will provide the Department input on the technical aspects of the statewide performance evaluation system adopted by the State Board of Education pursuant to NRS 391.465, beginning in the 2013–14 school year, as well as information related to the feasibility and implementation of the system;

(e) Pupil achievement data that is linked to teachers and school-level administrators beginning in the 2012–13 school year, and information about the processes in accessing, maintaining, and updating such data in order to determine the extent to which there is sufficient infrastructure supporting the current data system;

(f) Pupil and educator data including educator IDs, course IDs, section IDs, and teacher and school-level administrator demographic data.

2. Except as otherwise provided in this subsection, access to materials made confidential pursuant to subsection 1 is limited to the following:

(a) The Superintendent of Public Instruction or his or her designated representative;

(b) The school-level administrators and teachers participating in the study, for purposes of their own data only; and

(c) Persons who are authorized pursuant to specific federal or state law or an order of a court.

3. Except as otherwise provided by law, aggregate data and information required to create the report required by NRS 391.31217, which may be included in the records and files created and maintained by the Department pursuant to the validation studies required by NRS 391.31213, are not deemed confidential by this subsection.