

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

LCB File No. R088-18

June 4, 2018

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

AUTHORITY: §§1 and 2, NRS 385.080 and 391.465 and section 1.1 of Assembly Bill No. 320, chapter 343, Statutes of Nevada 2017, at page 2139 (NRS 391.480).

A REGULATION relating to educational personnel; revising provisions relating to the statewide performance evaluation system for school-level administrators and teachers; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Education to adopt regulations establishing a statewide performance evaluation system which incorporates multiple measures of an employee’s performance. (NRS 391.465) Additionally, existing law requires each teacher, principal, vice principal and other administrator who provides direct instructional services to pupils at a school in a school district to develop learning goals for pupils served by the teacher, principal, vice principal or other administrator. Existing law also requires each such teacher or administrator to be evaluated to determine the extent to which the learning goals of the pupils were achieved. (Section 1.1 of Assembly Bill No. 320, chapter 343, Statutes of Nevada 2017, at page 2139 (NRS 391.480)) **Section 1** of this regulation requires the evaluation of the effectiveness of a school-level administrator or teacher in setting goals to improve the performance of pupils to include information relating to establishing learning goals for pupils. **Section 2** of this regulation requires a school district to provide a teacher with the evaluation tools prescribed by the Department of Education before conducting a performance evaluation of the teacher. **Section 2** also requires the person performing a performance evaluation of a teacher to discuss the learning goals for the pupils of the teacher and review and revise the learning goals if necessary.

Section 1. 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 ~~based upon~~ *using* the following ~~data~~:

~~1.~~ *methods*:

(a) Observations of performance in accordance with the observation schedule prescribed by NRS 391.3125 or 391.3127, as applicable.

~~2.~~ (b) Review of artifacts applicable to the performance of the school-level administrator or teacher, which may include:

~~(a)~~ (1) Documents;

~~(b)~~ (2) Photographs;

~~(c)~~ (3) Policies and procedures;

~~(d)~~ (4) Certificates and transcripts;

~~(e)~~ (5) Audio and video media;

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

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

↳ or any combination thereof.

~~3.~~ (c) Self-assessment, which may include:

~~(a)~~ (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;

~~(b)~~ (2) Self-assessment questionnaires;

~~[(e)]~~ (3) Feedback from peers and pupils;

~~[(d)]~~ (4) Journals; or

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

↳ or any combination thereof.

~~[4.—Setting]~~

(d) Evaluation of the effectiveness of the school-level administrator or teacher in setting

goals to improve performance, which includes, without limitation:

~~[(a)]~~ (1) Developing specific and measurable annual goals for improvement ~~;~~

~~—(b)]~~ *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; ~~and~~

~~—(c)]~~ (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 pupils pursuant to section 1.1 of Assembly Bill No. 320, chapter 343, Statutes of Nevada 2017, at page 2139 (NRS 391.480), which must include, without limitation, an identification of:

(I) Each group of pupils for whom a learning goal is established;

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

(III) Each assessment used to determine the extent to which the learning goals 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 identified pursuant to sub-subparagraph (III) of subparagraph (4) of paragraph (d) of subsection 1 must satisfy the requirements of section 1 of LCB File No. R138-17.

3. When developing the learning goals for pupils pursuant to subparagraph (4) of paragraph (d) of subsection 1, the characteristics and attributes of the pupils of the teacher must be considered.

Sec. 2. 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 391.3125 and 391.3127, as applicable, and in the review of artifacts pursuant to *paragraph (b) of* subsection ~~1~~ *1* of NAC 391.577;

(b) Protocols to guide and score each observation in accordance with the observation schedule required by NRS 391.3125 and 391.3127, 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~~ *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~~ *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 teacher until the teacher has been provided with a written copy of or 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 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 teacher shall discuss with the teacher the learning goals for the pupils of the teacher and, if necessary, review and revise the learning goals for such pupils.