

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

LCB File No. R092-18

August 30, 2018

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

AUTHORITY: §§1-4 and 13, NRS 385.080, 391.465 and 391.675; §§5-12, NRS 385.080 and 391.675.

A REGULATION relating to education; prescribing standards for the evaluation of certain educational personnel; requiring the Department of Education to adopt a scoring matrix for the evaluation of such personnel; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Education to establish a statewide system for evaluating the performance of teachers and administrators. (NRS 391.465) Existing law also authorizes the Board to provide for evaluations of counselors, librarians and other licensed educational personnel, except for teachers and administrators, and determine the manner in which to measure the performance of such personnel. (NRS 391.675) **Sections 2-4** of this regulation prescribe the criteria for evaluating a teacher-librarian. **Section 5** of this regulation prescribes the criteria for evaluating a school counselor. **Section 6** of this regulation prescribes the criteria for evaluating a school nurse. **Sections 7 and 8** of this regulation prescribe the criteria for evaluating a school psychologist and school social worker, respectively. **Sections 9-11** of this regulation prescribe the criteria for evaluating a school speech-language pathologist. **Section 13** of this regulation requires the Department of Education to adopt a scoring matrix to obtain a single score to assign a performance evaluation rating for each teacher-librarian, school counselor, school nurse, school psychologist, school social worker and school speech-language pathologist.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 11, inclusive, of this regulation.

Sec. 2. "Teacher-librarian" means a person who holds an endorsement as a school library media specialist or a professional school library media specialist and who is employed by a school district as a librarian or school library media specialist.

Sec. 3. The performance evaluation of each teacher-librarian must consist of an evaluation of the teacher-librarian in the following domains:

1. Instructional practices of the teacher-librarian, which must be evaluated using the standards of performance by which a teacher is required to be evaluated under the provisions of NAC 391.575, must account for 30 percent of the performance evaluation;

2. Professional responsibilities of the teacher-librarian, as determined pursuant to section 4 of this regulation, must account for 30 percent of the performance evaluation; and

3. The performance of pupils, as derived from the measurement of the achievement of learning goals pursuant to NRS 391.480, and improvement to library programming, must account for 40 percent of the performance evaluation.

Sec. 4. The performance evaluation of each teacher-librarian in the domain of professional responsibilities must consist of an evaluation of the teacher-librarian in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The teacher-librarian manages access to the library collection and information obtained through the library, as demonstrated by the following indicators:

(a) Independently or collaboratively with other educational personnel, implementing a policy for selecting print and digital resources for inclusion in the collection of the library based on the ability of the resources to support the curriculum, interests and needs of the

school and the learning goals developed for pupils enrolled at the school pursuant to NRS 391.480;

(b) Using data, including, without limitation, data concerning the perception of pupils, to evaluate and develop the collection of the library to ensure that the collection supports the curriculum, interests and needs of the school and the learning goals developed for pupils enrolled at the school pursuant to NRS 391.480; and

(c) Maintaining at the library a collection of print and digital resources of multiple types, genres and languages that appeal to pupils with a variety of ages, genders, ethnicities, reading abilities and language proficiencies.

2. The teacher-librarian manages the library environment, as demonstrated by the following indicators:

(a) Organizing the physical space of the library so that the library is easy to use;

(b) Fostering an environment that promotes reading and learning and encouraging members of the school community to work independently and collaboratively, including, without limitation, through the use of Internet resources; and

(c) Creating and maintaining a welcoming, attractive and supportive environment in the library.

3. The teacher-librarian effectively plans and manages programs, as demonstrated by the following indicators:

(a) Scheduling and facilitating consistent and equitable use of the library for instruction and activities relating to literacy instruction;

(b) Advocating for and promoting the programs and services offered by the library to all members of the school community;

(c) Developing and implementing a plan to continuously improve the programs and services offered by the library, including, without limitation, by using available money in support of the learning goals developed for pupils enrolled at the school pursuant to NRS 391.480; and

(d) Implementing and facilitating the use of technology to support instruction provided in the school.

4. The teacher-librarian engages members of the school community, including, without limitation, the families of pupils, as demonstrated by the following indicators:

(a) Encouraging pupils and parents or guardians of pupils to become more active members of the school community, including, without limitation, by encouraging the parents or guardians of pupils to volunteer or provide expertise at the school and attend school events;

(b) Modeling respect, courtesy and integrity when interacting with members of the school community; and

(c) Collaborating and communicating effectively with members of the school community in ways that enhance learning and foster the success of pupils.

5. The teacher-librarian pursues professionalism and professional growth, as demonstrated by the following indicators:

(a) Pursuing opportunities for professional development that support improved instruction;

(b) Seeking out feedback from members of the school community and using such feedback and other available data to reflect on and improve his or her professional activities; and

(c) Following applicable policies, regulations and procedures.

Sec. 5. 1. The performance evaluation of each school counselor must consist of an evaluation of the school counselor in the domain of professional responsibilities of the school

counselor. The performance evaluation of a school counselor in that domain must consist of an evaluation of the school counselor in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

(a) The school counselor plans and implements a comprehensive program for school counseling that is preventative, developmental and responsive and aligns with the goals and mission of the school, as demonstrated by the following indicators:

(1) Generating a plan to implement such a program;

(2) Partnering with stakeholders to ensure that the program is based on the needs of the school community; and

(3) Establishing goals, priorities and strategies for implementation of the program that align with the goals and mission of the school.

(b) The school counselor offers planning for individual pupils and delivers responsive services to assist pupils in academic development, college and career development and social and emotional development, as demonstrated by the following indicators:

(1) Planning and providing effective direct services to support the academic progress of pupils;

(2) Planning and providing effective direct services to enhance the college and career readiness of pupils; and

(3) Planning and providing effective direct services to promote the social and emotional development and well-being of pupils.

(c) The school counselor collaborates and consults with stakeholders and provides referrals on behalf of pupils to support the academic development, college and career

development and social and emotional development of pupils, as demonstrated by the following indicators:

(1) Providing relevant information to and initiating collaboration with the parents or guardians of pupils and educational personnel at the school to promote the success and well-being of pupils;

(2) Coordinating with providers of services in the school and community to promote the success and well-being of pupils; and

(3) Using referrals to connect pupils in need to resources that address those needs.

(d) The school counselor continually works to improve the counseling program, as demonstrated by the following indicators:

(1) Using relevant data to monitor and implement the counseling program and improve the effectiveness of the counseling program, including, without limitation, by collaborating with pupils, educational personnel and other members of the school community;

(2) Using process data, perception data and outcome data to identify gaps in achievement between different classifications of pupils and developing appropriate plans of action to improve the success and well-being of pupils; and

(3) Having a measurably positive impact on the attendance, behavior and achievement of pupils.

(e) The school counselor leads in efforts to create an equitable, inclusive, positive, safe and respectful learning environment, as demonstrated by the following indicators:

(1) Identifying systemic factors impacting the success and well-being of pupils and advocating for change that will improve the success and well-being of pupils;

(2) Advocating for a safe and respectful learning environment for pupils; and

(3) Maintaining relationships with key stakeholders and utilizing those relationships in the advocacy described in subparagraphs (1) and (2).

(f) The school counselor pursues professionalism and professional growth, as demonstrated by the following indicators:

(1) Adhering to all relevant requirements of federal, state and local law and applicable ethical standards, including, without limitation, the “ASCA Ethical Standards for School Counselors,” which is available at no cost from American School Counselor Association at <https://www.schoolcounselor.org/asca/media/asca/Ethics/EthicalStandards2016.pdf>;

(2) Helping other educational personnel access and interpret relevant requirements of law and understand the implications of those requirements;

(3) Coordinating, facilitating, educating and providing leadership in professional meetings and organizations;

(4) Articulating his or her role in achieving the mission of the school when appropriate and contributing to the advancement of the profession of school counseling; and

(5) Engaging in reflection concerning his or her practice, setting goals for his or her professional improvement and monitoring his or her progress toward those goals and participating in professional development to meet goals, enhance skills and stay knowledgeable concerning current developments in the profession of school counseling.

2. As used in this section:

(a) “Outcome data” means data that measures the results of a comprehensive program for school counseling.

(b) “Perception data” means data that describes the knowledge, attitudes, beliefs, perceptions and competencies of members of the school community.

(c) “Process data” means data that describes the services provided through a comprehensive program for school counseling and the persons to whom the services are provided.

Sec. 6. The performance evaluation of each school nurse must consist of an evaluation of the school nurse in the domain of professional practices of the school nurse. The performance evaluation of a school nurse in that domain must consist of an evaluation of the school nurse in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The school nurse effectively and successfully collects relevant data and other information, as demonstrated by the following indicators:

(a) Collecting relevant data and other information, including, without limitation, data and information concerning demographics, social determinants of health, disparities in health outcomes, age, culture and physical, functional, psychological, social, emotional, cognitive, sexual, environmental, spiritual and economic condition, in an ongoing, systematic manner and with compassion and respect for the persons from whom such information is collected;

(b) Identifying barriers to effective written, verbal and nonverbal communication based on literacy and other biological, ethnic, cultural, psychological, social, environmental and financial factors;

(c) Prioritizing the collection of information based on the immediate condition of a pupil or the anticipated needs of the pupil or school community; and

(d) Engaging other educational personnel and pupils to collect information in a holistic, culturally sensitive manner.

2. The school nurse analyzes data from assessments to make determinations concerning diagnoses, health problems and other issues, as demonstrated by the following indicators:

(a) Discussing diagnoses, health problems and other issues with pupils to establish goals concerning the diagnoses, health problems and other issues and prioritizing assessments and determinations to meet the health-related needs of the pupil;

(b) Identifying actual or potential risks to the health and safety of pupils, families of pupils and the school community, including, without limitations, risks created by interpersonal, systemic and environmental circumstances;

(c) Interpreting diagnoses, health problems and other issues and effectively communicating those interpretations to pupils, families of pupils and appropriate educational personnel at the school; and

(d) Documenting diagnoses, health problems and other issues in a manner that facilitates the identification of expected outcomes and establishment of a plan for addressing each such diagnosis, health problem or other issue.

3. The school nurse identifies desired, measurable outcomes for a particular pupil or situation and develops a plan that prescribes strategies to achieve those outcomes, as demonstrated by the following indicators:

(a) Advocating for outcomes that reflect the appropriate values and cultural and ethical concerns;

(b) Developing an individualized, holistic, evidence-based plan in partnership with a pupil and any interprofessional team formed for the pupil;

(c) Including in the plan evidence-based strategies to address each identified diagnosis, problem or issue, including, without limitation, promotion and restoration of health,

prevention of illness, injury and disease, facilitation of healing, alleviation of suffering and supportive care; and

(d) Engaging with the pupil and the members of any interprofessional team formed for the pupil to collect data in a manner that is holistic and culturally sensitive.

4. The school nurse implements the plan developed pursuant to subsection 3, coordinates the delivery of care and employs strategies to promote health and a safe environment, as demonstrated by the following indicators:

(a) Engaging in appropriate interventions, including, without limitation, administering medication and treatment, and providing a high standard of care for pupils;

(b) Promoting and teaching to pupils practices to achieve and maintain good health while taking into account the values, beliefs, health practices, developmental levels, learning needs, readiness and ability to learn, language preference, spirituality, culture and socioeconomic status of the pupils;

(c) Appropriately delegating tasks while:

(1) Taking into account the health, safety and welfare of the pupil being served, the nature of the task and any need for communication, supervision or evaluation;

(2) Adhering to any applicable federal and state requirements concerning the practice of nursing and the duties of a school nurse; and

(3) Maintaining accountability for the care provided; and

(d) Responding to health issues by providing counseling and crisis intervention when required, including, without limitation, counseling and crisis intervention relating to teen pregnancy, substance abuse, death of family members, suicide and child abuse or neglect.

5. The school nurse evaluates progress toward attainment of goals and outcomes concerning care of pupils, as demonstrated by the following indicators:

(a) Determining, in partnership with the pupil, the family of the pupil and other stakeholders, the effectiveness, safety, timeliness, equitability and suitability for the pupil of the strategies prescribed in the plan developed pursuant to subsection 3 and whether the desired outcomes were achieved;

(b) Using data from ongoing assessments to revise diagnoses, desired outcomes, plans developed pursuant to subsection 3 and strategies for implementing such plans; and

(c) Sharing data and conclusions from evaluations with the pupil, the family of the pupil and other stakeholders in a manner that complies with applicable federal and state law and regulations.

Sec. 7. The performance evaluation of each school psychologist must consist of an evaluation of the school psychologist in the domain of professional practices of the school psychologist. The performance evaluation of a school psychologist in that domain must consist of an evaluation of the school psychologist in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The school psychologist participates in the systemic and comprehensive progress of effective, data-based decision making and problem solving to identify strengths and needs, develop effective strategies and outcomes, deliver services and measure progress and outcomes, as demonstrated by the following indicators:

(a) Systematically collecting data from multiple sources as a foundation for decision making and considering ecological factors, including, without limitation, factors relating to

the classroom, family and community of the pupil, when assessing and intervening in general and special education settings;

(b) Collecting and using data from assessments to understand difficulties experienced by pupils and select evidence-based instructional and mental health services;

(c) Using valid, reliable and nondiscriminatory techniques for assessing pupils to analyze progress toward academic and behavioral goals, measure response to interventions and revise interventions when necessary; and

(d) Promoting the use of systematic and valid procedures for collecting data to identify the effectiveness of school-based interventions and programs and determining when and how such interventions and programs should be modified.

2. The school psychologist is accountable for performing tasks necessary to identify strengths and needs, develop effective strategies and outcomes, deliver services and measure progress and outcomes, as demonstrated by the following indicators:

(a) Conducting, as part of an interdisciplinary team, a variety of assessments in accordance with applicable law and regulations, including, without limitation, NAC 388.325 to 388.450, inclusive;

(b) Developing multidisciplinary reports that are comprehensive and understandable; and

(c) Determining whether a pupil is eligible to receive services in a manner that is supported by a preponderance of the evidence.

3. The school psychologist promotes the effective implementation of services, as demonstrated by the following indicators:

(a) Participating in team-based planning to develop, review and design academic and behavioral interventions and collaborating to recommend specific, observable and measurable goals to evaluate the effectiveness of those interventions;

(b) Collecting and using data from assessments to understand the difficulties of pupils and select and implement appropriate instructional and mental health services; and

(c) Consulting and collaborating with pupils, the families of pupils, groups of pupils and colleagues and other persons involved in the educational system at various stages of intervention.

4. The school psychologist demonstrates the skills necessary to provide services consistent with applicable ethical, legal and professional standards, engages in responsible and ethical decision making, collaborates with other professionals and effectively serves as a school psychologist, as demonstrated by the following indicators:

(a) Respecting the rights of pupils to privacy and confidentiality and adhering to the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto;

(b) Actively seeking and participating in professional development, reflecting critically on his or her own strengths and weaknesses and identifying needs for professional development; and

(c) Exhibiting strong professional presentation and conduct, abilities for communication and interacting with others, responsibility, adaptability, initiative and dependability.

Sec. 8. The performance evaluation of each school social worker must consist of an evaluation of the school social worker in the domain of professional practices of the school social worker. The performance evaluation of a school social worker in that domain must

consist of an evaluation of the school social worker in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The school social worker identifies needs of pupils, the families of pupils and the school and organizes interventions consistent with standards in the field of social work, as demonstrated by the following indicators:

(a) Conducting, independently or in collaboration with other professionals, multi-tiered assessments of the school and systems in place at the school;

(b) Identifying current resources available in the school and the community to maximize the achievement of pupils and the empowerment of families of pupils; and

(c) Networking to form collaborative professional relationships to organize effective interventions.

2. The school social worker contributes to a positive school environment that is conducive to high pupil achievement while demonstrating respect for differences in culture, background and learning needs, as demonstrated by the following indicators:

(a) Contributing to a safe and healthy school environment;

(b) Identifying structural barriers, social inequities and educational disparities that impact learning outcomes and advocating for policies, programs and services to remedy those barriers, inequities and disparities; and

(c) Providing programs and services that respect diversity, address the needs of individual pupils and support the inherent dignity and worth of each pupil, the family of each pupil and each member of the staff of the school.

3. *The school social worker uses knowledge of social work theory, practice and research to implement programs and services, as demonstrated by the following indicators:*

(a) Implementing and monitoring multi-tiered practices that are evidence-based and positively impact pupil achievement;

(b) Providing programs and specialized services that foster social and emotional competency;

(c) Interacting directly with pupils, families of pupils and schools in a manner that maximizes pupil achievement; and

(d) Mobilizing resources found in the school and community to maximize pupil achievement.

4. *The school social worker demonstrates a commitment to professional conduct and ethics, as demonstrated by the following indicators:*

(a) Adhering to all federal, state and local laws and regulations and school district policies and procedures relating to the practice of social work in schools;

(b) Adhering to the ethical standards prescribed in:

(1) The “National Association of Social Workers Code of Ethics,” which is hereby adopted by reference and is available at no cost from the National Association of Social Workers at <https://www.socialworkers.org/About/Ethics/Code-of-Ethics/Code-of-Ethics-English>;

(2) “Supplemental Ethical Standards for School Social Work Practice,” which is hereby adopted by reference and is available at no cost from the School Social Work Association of America at <https://www.sswaa.org/ethical-guidelines>;

(3) “School Social Work and the Privacy of Minors,” which is hereby adopted by reference and is available at no cost from the School Social Work Association of America at <https://www.sswaa.org/ethical-guidelines>;

(4) “School Social Work in Host Settings,” which is hereby adopted by reference and is available at no cost from the School Social Work Association of America at <https://www.sswaa.org/ethical-guidelines>; and

(5) The applicable provisions of “Minor Students’ Rights to Confidentiality, Self-Determination, and Informed Consent in Wisconsin,” which is hereby adopted by reference and is available at no cost from the School Social Work Association of America at <https://www.sswaa.org/ethical-guidelines>;

(c) Maintaining timely and accurate records and documentation and complying with all applicable requirements of federal and state law and regulations, including, without limitation, the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g;

(d) Participating in professional development in a continuous and ongoing manner; and

(e) Exhibiting self-awareness, self-monitoring and professional accountability.

Sec. 9. *The performance evaluation of each school speech-language pathologist must consist of an evaluation of the school speech-language pathologist in the following domains:*

1. Professional practices of the school speech-language pathologist, as determined pursuant to section 10 of this regulation, must account for 50 percent of the performance evaluation; and

2. Professional responsibilities of the school speech-language pathologist, as determined pursuant to section 11 of this regulation, must account for 50 percent of the performance evaluation.

Sec. 10. 1. *The performance evaluation of each school speech-language pathologist in the domain of professional practices must consist of an evaluation of the school speech-language pathologist in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:*

(a) The school speech-language pathologist demonstrates knowledge and skills in speech-language pathology and related subject areas, including, without limitation, literacy, and provides services in an ethical manner, as demonstrated by the following indicators:

(1) Accessing support and information when necessary to provide therapy services to address the diverse needs of the pupils that the school speech-language pathologist serves;

(2) Completing or providing in-service training or professional development relating to the profession of speech-language pathology or the practice of speech-language pathology in an educational setting;

(3) Demonstrating effective oral and written communication skills; and

(4) Demonstrating consistent ability to manage behavior and foster positive interactions with and among pupils.

(b) The school speech-language pathologist provides culturally and educationally appropriate services or specifically designed instruction that is evidence-based, effective and engages pupils, as demonstrated by the following indicators:

(1) Developing and executing appropriate plans to provide therapy to pupils;

(2) Providing activities that use a variety of instructional materials and strategies and promote progress toward the goals prescribed in an individualized education plan developed for pupils; and

(3) Providing each pupil with the opportunity to address his or her needs concerning communication and providing specific feedback to pupils.

(c) The school speech-language pathologist, in partnership with the individualized education program team, determines the eligibility of pupils for services and selects services for pupils in compliance with applicable federal, state and local law and regulations, as demonstrated by the following indicators:

(1) Preparing adequately for meetings of the individualized education program team, soliciting input from parents or legal guardians, teachers and pupils and adhering to all applicable federal, state and local laws and regulations;

(2) Explaining the content of an individualized education program using clear language understood by parents and legal guardians and members of the individualized education program team and responding appropriately to questions from members of the individualized education program team; and

(3) Establishing measurable goals and benchmarks for each pupil that:

(I) The pupil can achieve during 1 year; and

(II) Relate to the present educational level of the pupil and the curriculum.

(d) The school speech-language pathologist is able to evaluate pupils who are experiencing a variety of communication disorders, as demonstrated by the following indicators:

(1) Using formal and informal assessment tools related to suspected disability, age level and cultural and linguistic background, conducting interviews in multiple settings and interviewing members of the individualized education program team who are familiar with the pupil;

(2) Developing reports that are professionally written and interpreting test results to make appropriate recommendations; and

(3) Creating, in collaboration with members of the individualized education program team, schedules for the completion of assessments in accordance with federal, state and district laws, regulations and requirements.

(e) The school speech-language pathologist uses appropriate and dynamic methods of delivering services that are consistent with the variety of skills and needs of pupils, as demonstrated by the following indicators:

(1) Developing activities that promote progress toward the goals prescribed in the individualized education program of a pupil;

(2) Ensuring that each pupil understands the purpose of speech-language therapy and the pupil can demonstrate understanding in various manners;

(3) Changing the activities used and feedback provided to a pupil during a therapy session when the pupil is not understanding or making progress toward the goal of the session and collecting formal and informal data to measure the progress of pupils toward goals; and

(4) Designing unique and varied models of delivering therapy based on the needs and skills of individual pupils.

2. As used in this section:

(a) “Individualized education program” has the meaning ascribed to it in 34 C.F.R. § 300.320.

(b) “Individualized education program team” has the meaning ascribed to it in 34 C.F.R. § 300.23.

Sec. 11. 1. *The performance evaluation of each school speech-language pathologist in the domain of professional responsibilities must consist of an evaluation of the school speech-language pathologist in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:*

(a) The school speech-language pathologist collaborates with teachers and other professionals to serve the needs of pupils in general education and specialized education, as demonstrated by the following indicators:

(1) Listening actively and exhibiting a respectful and professional demeanor while participating in meetings, including, without limitation, meetings of individualized education program teams;

(2) Responding professionally to communication from other professionals;

(3) Collaboratively planning and conducting interventions with members of an individualized education program team; and

(4) Developing and providing training for persons or groups relating to the development of speech and language and disorders involving speech and language.

(b) The school speech-language pathologist collaborates with families of pupils and allows those families to be involved in the speech-language pathology services provided to the pupils, as demonstrated by the following indicators:

(1) Listening actively and exhibiting a respectful and professional demeanor while collaborating with the families of pupils at meetings, including, without limitation, meetings of individualized education program teams;

(2) Engaging in professional communication with the families of pupils; and

(3) Providing training of the parents or legal guardians of pupils relating to the progress of a pupil concerning the development of speech and language.

(c) The school speech-language pathologist engages in self-assessment and uses feedback from supervisors to select continuing education sufficient to maintain licensure as a speech-language pathologist pursuant to chapter 637B of NRS or certification as being clinically competent in speech-language pathology by the American Speech-Language-Hearing Association or its successor organization, as demonstrated by the following indicators:

(1) Engaging in self-assessment to determine areas of interest or need for additional training; and

(2) Pursuing further development of diagnostic and therapeutic skills based on self-assessment, interest and direction from supervisors.

(d) The school speech-language pathologist complies with federal, state, school district and departmental requirements.

(e) The school speech-language pathologist effectively oversees and manages the speech-language pathology program for which he or she is responsible, as demonstrated by the following indicators:

(1) Systematically collecting and recording data from multiple sources to evaluate the effectiveness of professional practices and therapeutic activities in accordance with school district guidelines;

(2) Engaging in data-based decision making and provision of services; and

(3) Managing the workload of the program to promote the effective delivery of services and support from other employees of the school.

2. As used in this section, “individualized education program team” has the meaning ascribed to it in 34 C.F.R. § 300.23.

Sec. 12. NAC 391.565 is hereby amended to read as follows:

391.565 As used in NAC 391.565 to 391.580, inclusive, *and section 2 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 391.566 to 391.570, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 13. NAC 391.580 is hereby amended to read as follows:

391.580 1. Based upon the recommendations of the Teachers and Leaders Council of Nevada created by NRS 391.455, *if applicable*, the Department shall prescribe a scoring matrix to obtain a single score to assign a performance evaluation rating for each school-level administrator, ~~and~~ teacher ~~+~~, *teacher-librarian, school counselor, school nurse, school psychologist, school social worker and school speech-language pathologist*. In conducting performance evaluations, each school district shall use the scoring matrix prescribed by the Department.

2. The scoring matrix prescribed pursuant to subsection 1 must include the weights which must be assigned for the standards and indicators in each of the following domains:

- (a) Instructional leadership practices of the school-level administrator at the school prescribed by NAC 391.572;
- (b) Professional responsibilities of the school-level administrator to support learning and promote the effectiveness of the school community prescribed by NAC 391.573;
- (c) Instructional practices of the teacher in the classroom prescribed by NAC 391.575; ~~and~~
- (d) Professional responsibilities of the teacher to support learning and promote the effectiveness of the school community prescribed by NAC 391.576 ~~+~~;

(e) Instructional practices of the teacher-librarian prescribed pursuant to subsection 1 of section 3 of this regulation;

(f) Professional responsibilities of the teacher-librarian prescribed by section 4 of this regulation;

(g) Professional responsibilities of the school counselor prescribed by section 5 of this regulation;

(h) Professional practices of the school nurse prescribed by section 6 of this regulation;

(i) Professional practices of the school psychologist prescribed by section 7 of this regulation;

(j) Professional practices of the school social worker prescribed by section 8 of this regulation;

(k) Professional practices of the school speech-language pathologist prescribed by section 10 of this regulation; and

(l) Professional responsibilities of the school speech-language pathologist, prescribed by section 11 of this regulation.

3. The scoring matrix prescribed by the Department pursuant to subsection 1 must account for probationary school-level administrators and teachers in their initial year of probationary employment in which the domain of the performance of pupils is not used as part of the employee's performance evaluation or performance evaluation rating.