

**Amendment No. 903**

Assembly Amendment to Assembly Bill No. 323 First Reprint (BDR 34-114)

**Proposed by:** Assemblywoman Jauregui

**Amendment Box:** Consistent with Amendment No. 895.

**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 323 R1 (§ 6).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





ASSEMBLY BILL NO. 323—ASSEMBLYMEN TORRES, MOSCA, D’SILVA, GONZÁLEZ,  
BILBRAY-AXELROD; ANDERSON, GORELOW, HANSEN, KOENIG, LA RUE HATCH,  
MARZOLA, NEWBY, ORENTLICHER, TAYLOR, THOMAS AND WATTS

MARCH 16, 2023

---

JOINT SPONSORS: SENATORS DONATE, BUCK;  
FLORES AND NGUYEN

---

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-114)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 6)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

---

---

AN ACT relating to education; requiring the Superintendent of Public Instruction to develop a strategic plan for the recruitment of teachers and other licensed educational personnel; requiring the Commission on Professional Standards in Education to adopt certain regulations concerning the licensing of teachers and other educational personnel; authorizing a school district or governing body of a charter school or university school for profoundly gifted pupils to compensate a student who is assigned for training purposes as a student teacher, counselor, student social worker or trainee in a library; eliminating the requirement that pupil growth account for 15 percent of certain teacher and administrator evaluations; revising provisions governing the review of the statewide performance evaluation system; revising provisions relating to the evaluations that certain teachers are required to receive; authorizing a school district and the governing body of a charter school to provide certain professional development training; repealing provisions containing certain requirements relating to learning goals for pupils and the measurement of pupil growth; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law prescribes the duties of the Superintendent of Public Instruction. (NRS  
2 385.175) **Section 1** of this bill requires the Superintendent to develop a strategic plan for the

3 recruitment of teachers and other licensed educational personnel and establishes requirements  
4 for the contents of the strategic plan.

5 Existing law requires the Commission on Professional Standards in Education to adopt  
6 regulations prescribing the qualifications for licensing teachers and other educational  
7 personnel, including regulations governing examinations for the initial licensing of teachers  
8 and other educational personnel and the procedures for the issuance and renewal of those  
9 licenses. (NRS 391.019, 391.021) **Section 3** of this bill requires the Commission to adopt  
10 regulations that authorize an applicant to be exempt from any requirement to pass a  
11 competency test in basic reading, writing and mathematics prescribed by the Commission if  
12 the applicant completes a course of study approved by the Department of Education with a  
13 grade of B or better in each subject area of the competency test that the applicant previously  
14 did not pass.

15 Existing law requires the Commission to adopt regulations prescribing course work on  
16 parental involvement and family engagement and multicultural education. (NRS 391.019,  
17 391.0347) **Sections 2 and 4.5** of this bill require the Commission to establish standards for  
18 professional development training which may be used to satisfy such course work  
19 requirements. **Section 6** of this bill requires a school district and the governing body of a  
20 charter school to provide professional development training on: (1) parental involvement and  
21 family engagement in accordance with the standards adopted by the Commission; and (2)  
22 multicultural education in accordance with the standards adopted by the Commission. **Section**  
23 **6** requires that such training be provided at no cost to the employee. **Section 7** of this bill  
24 makes a conforming change to indicate the proper placement of **section 6** in the Nevada  
25 Revised Statutes.

26 Existing law requires the Commission to adopt regulations which provide for the issuance  
27 of provisional licenses to teachers and other educational personnel before completion of all  
28 courses of study or other requirements for a license in this State. (NRS 391.032) **Section 4** of  
29 this bill requires the Commission to adopt regulations that require the Superintendent of  
30 Public Instruction to issue a provisional license to teach pending receipt of academic  
31 transcripts of certain applicants who are otherwise qualified for a license.

32 Existing law requires the Board of Regents of the University of Nevada to establish a  
33 program of student teaching and practicum which allows students to be assigned to a school  
34 district as student teachers, counselors or trainees in a library. (NRS 396.519) Existing law  
35 authorizes school districts to enter into agreements with certain institutions of higher  
36 education for the assignment of students to schools as student teachers, counselors or trainees  
37 in a library. (NRS 391.095) **Section 5** of this bill authorizes: (1) a governing body of a charter  
38 school or university school for profoundly gifted pupils to similarly enter into agreements; and  
39 (2) a school district or governing body of a charter school or university school for profoundly  
40 gifted pupils to compensate a student who is assigned within the school district for training  
41 purposes as a student teacher, counselor, student social worker or trainee in a library.

42 Existing law requires that pupil growth account for 15 percent of the evaluation of a  
43 teacher or administrator who provides direct instructional services to pupils. (NRS  
44 391.465) Section 5.3 of this bill eliminates this requirement. Sections 5.1 and 5.5 of this  
45 bill make conforming changes to eliminate references to this requirement.

46 Existing law: (1) requires the State Board of Education to annually review the  
47 statewide performance evaluation system to ensure accuracy and reliability; and (2) sets  
48 forth certain items which are required to be analyzed in such a review. (NRS 391.485)  
49 Section 5.7 of this bill: (1) eliminates from that analysis certain data used to evaluate  
50 pupil growth; and (2) eliminates a requirement that the Department of Education, in  
51 reviewing the manner in which the statewide performance evaluation is carried out by  
52 each school district, include a review of the manner in which learning goals for pupils  
53 are established and evaluated.

54 Existing law requires each postprobationary teacher to receive certain evaluations  
55 that are based upon a certain number of observation cycles of that teacher. (NRS  
56 391.690) Section 5.9 of this bill revises the circumstances under which a  
57 postprobationary teacher is required to, and may request to, be evaluated. Section 5.9  
58 also prohibits an administrator from: (1) directly or indirectly requiring such a teacher  
59 to participate in an observation cycle or receive an evaluation; or (2) conducting an  
60 observation cycle or evaluation of such a teacher without the consent of that teacher

61 under certain circumstances. Section 11 of this bill makes these provisions retroactively  
62 applicable to include evaluations received for the 2021-2022 and 2022-2023 school years.  
63 Section 13 of this bill repeals provisions requiring: (1) the development of learning  
64 goals for pupils; (2) the establishment of assessments to measure pupil growth; and (3)  
65 the evaluation of certain teachers and administrators to determine the extent to which  
66 learning goals were achieved.

---

---

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

1       **Section 1.** NRS 385.175 is hereby amended to read as follows:  
2       385.175 The Superintendent of Public Instruction is the educational leader for  
3 the system of K-12 public education in this State. The Superintendent of Public  
4 Instruction shall:  
5       1. Execute, direct or supervise all administrative, technical and procedural  
6 activities of the Department in accordance with policies prescribed by the State  
7 Board.  
8       2. Employ personnel for the positions approved by the State Board and  
9 necessary for the efficient operation of the Department.  
10       3. Organize the Department in a manner which will assure efficient operation  
11 and service.  
12       4. Maintain liaison and coordinate activities with other state agencies  
13 performing educational functions.  
14       5. Enforce the observance of this title and all other statutes and regulations  
15 governing K-12 public education.  
16       6. Request a plan of corrective action from the board of trustees of a school  
17 district or the governing body of a charter school if the Superintendent of Public  
18 Instruction determines that the school district or charter school, or any other entity  
19 which provides education to a pupil with a disability for a school district or charter  
20 school, has not complied with a requirement of this title or any other statute or  
21 regulation governing K-12 public education. The plan of corrective action must  
22 provide a timeline approved by the Superintendent of Public Instruction for  
23 compliance with the statute or regulation.  
24       7. Report to the State Board on a regular basis the data on the discipline of  
25 pupils and trends in the data on the discipline of pupils collected pursuant to NRS  
26 385A.840.  
27       8. *Develop a strategic plan for the recruitment of teachers and other*  
28 *licensed educational personnel which includes, without limitation:*  
29       (a) *A strategy to decrease the processing times of applications for licensure*  
30 *pursuant to chapter 391 of NRS.*  
31       (b) *A plan to provide for the translation of academic transcripts which are in*  
32 *a language other than English of applicants for licensure pursuant to chapter*  
33 *391 of NRS. The Department shall post the process for the translation of*  
34 *academic transcripts on its Internet website.*  
35       9. Perform such other duties as are prescribed by law.  
36       **Sec. 2.** NRS 391.019 is hereby amended to read as follows:  
37       391.019 1. Except as otherwise provided in NRS 391.027, the Commission  
38 shall adopt regulations:  
39       (a) Prescribing the qualifications for licensing teachers and other educational  
40 personnel and the procedures for the issuance and renewal of those licenses. The  
41 regulations:

1 (1) Must include, without limitation, the qualifications for licensing  
2 teachers and administrators pursuant to an alternative route to licensure which  
3 provides that the required education and training may be provided by any qualified  
4 provider which has been approved by the Commission, including, without  
5 limitation, institutions of higher education and other providers that operate  
6 independently of an institution of higher education. The regulations adopted  
7 pursuant to this subparagraph must:

8 (I) Establish the requirements for approval as a qualified provider;

9 (II) Require a qualified provider to be selective in its acceptance of  
10 students;

11 (III) Require a qualified provider to provide in-person or virtual  
12 supervised, school-based experiences and ongoing support for its students, such as  
13 mentoring and coaching;

14 (IV) Significantly limit the amount of course work required or provide  
15 for the waiver of required course work for students who achieve certain scores on  
16 tests;

17 (V) Allow for the completion in 2 years or less of the education and  
18 training required under the alternative route to licensure;

19 (VI) Provide that a person who has completed the education and  
20 training required under the alternative route to licensure and who has satisfied all  
21 other requirements for licensure may apply for a regular license pursuant to sub-  
22 subparagraph (VII) regardless of whether the person has received an offer of  
23 employment from a school district, charter school or private school; and

24 (VII) Upon the completion by a person of the education and training  
25 required under the alternative route to licensure and the satisfaction of all other  
26 requirements for licensure, provide for the issuance of a regular license to the  
27 person pursuant to the provisions of this chapter and the regulations adopted  
28 pursuant to this chapter.

29 (2) Must require an applicant for a license to teach middle school or junior  
30 high school education or secondary education to demonstrate proficiency in a field  
31 of specialization or area of concentration by successfully completing course work  
32 prescribed by the Department or completing a subject matter competency  
33 examination prescribed by the Department with a score deemed satisfactory.

34 (3) Must not prescribe qualifications which are more stringent than the  
35 qualifications set forth in NRS 391.0315 for a licensed teacher who applies for an  
36 additional license in accordance with that section.

37 (b) Identifying fields of specialization in teaching which require the specialized  
38 training of teachers.

39 (c) Except as otherwise provided in NRS 391.125, requiring teachers to obtain  
40 from the Department an endorsement in a field of specialization to be eligible to  
41 teach in that field of specialization.

42 (d) Setting forth the educational requirements a teacher must satisfy to qualify  
43 for an endorsement in each field of specialization.

44 (e) Setting forth the qualifications and requirements for obtaining a license or  
45 endorsement to teach American Sign Language, including, without limitation, being  
46 registered with the Aging and Disability Services Division of the Department of  
47 Health and Human Services pursuant to NRS 656A.100 to engage in the practice of  
48 sign language interpreting in a primary or secondary educational setting.

49 (f) Requiring teachers and other educational personnel to be registered with the  
50 Aging and Disability Services Division pursuant to NRS 656A.100 to engage in the  
51 practice of sign language interpreting in a primary or secondary educational setting  
52 if they:

53 (1) Provide instruction or other educational services; and

1 (2) Concurrently engage in the practice of sign language interpreting, as  
2 defined in NRS 656A.060.

3 (g) Prescribing course work on parental involvement and family engagement.  
4 The Commission shall ~~[work]~~ :

5 (1) *Work* in cooperation with the Office of Parental Involvement and  
6 Family Engagement created by NRS 385.630 in developing the regulations required  
7 by this paragraph.

8 (2) *Establish standards for professional development training which may*  
9 *be used to satisfy any course work requirement prescribed pursuant to this*  
10 *paragraph.*

11 (h) Establishing the requirements for obtaining an endorsement on the license  
12 of a teacher, administrator or other educational personnel in cultural competency.

13 (i) Authorizing the Superintendent of Public Instruction to issue a license by  
14 endorsement to an applicant who holds an equivalent license or authorization issued  
15 by a governmental entity in another country if the Superintendent determines that  
16 the qualifications for the equivalent license or authorization are substantially similar  
17 to those prescribed pursuant to paragraph (a).

18 (j) Establishing the requirements for obtaining an endorsement on the license  
19 of a teacher, administrator or other educational personnel in teaching courses  
20 relating to financial literacy.

21 (k) Authorizing a person who is employed as a paraprofessional and enrolled in  
22 a program to become a teacher to complete an accelerated program of student  
23 teaching in the same or a substantially similar area in which the person is employed  
24 as a paraprofessional while remaining employed as a paraprofessional.

25 (l) Requiring the Department to accept a program of student teaching or other  
26 teaching experience completed in another state or foreign country by an applicant  
27 for a license if the Department determines that the program or experience  
28 substantially fulfills the standards of a program of student teaching in this State.

29 (m) Authorizing a person who is employed by a public school to provide  
30 support or other services relating to school psychology, if the person does not hold  
31 a license or endorsement as a school psychologist but is enrolled in a program that  
32 would allow the person to obtain such a license or endorsement, to complete a  
33 program of internship in school psychology while remaining employed in such a  
34 position.

35 2. Except as otherwise provided in NRS 391.027, the Commission may adopt  
36 such other regulations as it deems necessary for its own government or to carry out  
37 its duties.

38 3. Any regulation which increases the amount of education, training or  
39 experience required for licensing:

40 (a) Must, in addition to the requirements for publication in chapter 233B of  
41 NRS, be publicized before its adoption in a manner reasonably calculated to inform  
42 those persons affected by the change.

43 (b) Must not become effective until at least 1 year after the date it is adopted by  
44 the Commission.

45 (c) Is not applicable to a license in effect on the date the regulation becomes  
46 effective.

47 **Sec. 3.** NRS 391.021 is hereby amended to read as follows:

48 391.021 1. Except as otherwise provided in NRS 391.027, the Commission  
49 shall adopt regulations governing examinations for the initial licensing of teachers  
50 and other educational personnel. The regulations adopted by the Commission must  
51 ensure that the examinations test the ability of the applicant to teach and the  
52 applicant's knowledge of each specific subject he or she proposes to teach.

1           2. When adopting regulations pursuant to subsection 1, the Commission shall  
2 consider including any alternative means of demonstrating competency for persons  
3 with a disability or health-related need that the Commission determines are  
4 necessary and appropriate.

5           3. *The regulations adopted by the Commission pursuant to subsection 1*  
6 *must authorize an applicant to be exempt from any requirement to pass a*  
7 *competency test in basic reading, writing and mathematics if the applicant*  
8 *submits to the Department evidence that, after not passing a competency test in*  
9 *basic reading, writing and mathematics at the level of competence specified by*  
10 *the Commission, the applicant began and completed, with a grade of B or better,*  
11 *a course of study approved by the Department in each subject area of the*  
12 *competency test that the applicant did not pass at the level of competence*  
13 *specified by the Commission.*

14           4. Teachers and educational personnel from another state who obtain a  
15 reciprocal license pursuant to NRS 391.032 are not required to take the  
16 examinations for the initial licensing of teachers and other educational personnel  
17 described in this section or any other examination for initial licensing required by  
18 the regulations adopted by the Commission.

19           **Sec. 4.** NRS 391.032 is hereby amended to read as follows:

20           391.032 1. Except as otherwise provided in NRS 391.027, the Commission  
21 shall:

22           (a) Adopt regulations which provide for the issuance of provisional licenses to  
23 teachers and other educational personnel before completion of all courses of study or  
24 other requirements for a license in this State.

25           (b) Adopt regulations which provide for the reciprocal licensure of educational  
26 personnel from other states including, without limitation, for the reciprocal  
27 licensure of persons who hold a license to teach special education. Such regulations  
28 must include, without limitation, provisions for the reciprocal licensure of persons  
29 who obtained a license pursuant to an alternative route to licensure which the  
30 Department determines is as rigorous or more rigorous than the alternative route to  
31 licensure prescribed pursuant to subparagraph (1) of paragraph (a) of subsection 1  
32 of NRS 391.019.

33           2. A person who is a member of the Armed Forces of the United States, a  
34 veteran of the Armed Forces of the United States or the spouse of such a member or  
35 veteran of the Armed Forces of the United States and who has completed the  
36 equivalent of an alternative route to licensure program in another state may obtain a  
37 license as if such person has completed the alternative route to licensure program of  
38 this State.

39           3. *The Commission shall adopt regulations requiring the Superintendent of*  
40 *Public Instruction to issue a provisional license to teach pending receipt of any*  
41 *academic transcripts of an applicant if:*

42           (a) *The Superintendent determines that the applicant is otherwise qualified*  
43 *for the license; and*

44           (b) *The applicant:*

45           (1) *Holds a valid license or certificate to teach issued by another state for*  
46 *which completion of a bachelor's or higher degree and professional education*  
47 *course work through a college or university accredited by a regional accrediting*  
48 *association is necessary; or*

49           (2) *Satisfies the requirements for conditional licensure through an*  
50 *alternative route to licensure.*

51           4. A person who is issued a provisional license must complete all courses of  
52 study and other requirements for a license in this State which is not provisional  
53 within 3 years after the date on which a provisional license is issued.



1       **Sec. 4.5.** NRS 391.0347 is hereby amended to read as follows:

2       391.0347 1. Any licensed teacher who is initially licensed on or after July 1,  
3 2019, except for a teacher who is licensed only as a substitute teacher, must submit  
4 with his or her first application for renewal of his or her license to teach proof of  
5 the completion of a course in multicultural education. If the licensed teacher is  
6 initially issued a nonrenewable license, he or she must submit such proof with his  
7 or her first application for a renewable license to teach.

8       2. The Commission shall adopt regulations:

9       (a) That prescribe the required contents of a course in multicultural education  
10 which must be completed pursuant to this section;

11       (b) That prescribe the number of credits which must be earned by a licensed  
12 teacher in a course in multicultural education; ~~and~~

13       (c) *That establish standards for professional development training which*  
14 *may be used to satisfy any course work requirement prescribed pursuant to this*  
15 *section; and*

16       (d) As otherwise necessary to carry out the requirements of this section.

17       **Sec. 5.** NRS 391.095 is hereby amended to read as follows:

18       391.095 1. A school district *or a governing body of a charter school or*  
19 *university school for profoundly gifted pupils* may enter into an agreement with a  
20 branch of the Nevada System of Higher Education or an accredited postsecondary  
21 educational institution which is licensed by the Commission on Postsecondary  
22 Education and which offers courses of study and training for the education of  
23 teachers which are approved or recognized by the Commission pursuant to NRS  
24 391.038, for the assignment of students for training purposes as student teachers,  
25 counselors or trainees in a library, or for experience in a teaching laboratory.  
26 Students so assigned within the school district *, charter school or university school*  
27 *for profoundly gifted pupils, as applicable,* for training purposes may, under the  
28 direction and supervision of a licensed teacher, instruct and supervise pupils in the  
29 school, on the school grounds or on authorized field trips. The students so assigned  
30 are employees of the school district *or governing body of a charter school or*  
31 *university school for profoundly gifted pupils, as applicable,* for purposes of NRS  
32 41.038 and 41.039, while performing such authorized duties, whether or not the  
33 duties are performed entirely in the presence of the licensed teacher.

34       2. *Except as otherwise provided in the agreement entered into pursuant to*  
35 *subsection 1 and to the extent not inconsistent with NRS 391.096, a school*  
36 *district or governing body of a charter school or university school for profoundly*  
37 *gifted pupils, as applicable, may compensate a student assigned within the school*  
38 *district charter school or university school for profoundly gifted pupils for*  
39 *training purposes as a student teacher, counselor, student social worker or*  
40 *trainee in a library.*

41       3. As used in this section:

42       (a) "Accredited" has the meaning ascribed to it in NRS 394.006.

43       (b) "Postsecondary educational institution" has the meaning ascribed to it in  
44 NRS 394.099.

45       **Sec. 5.1.** NRS 391.460 is hereby amended to read as follows:

46       391.460 1. The Council shall:

47       (a) Make recommendations to the State Board concerning the adoption of  
48 regulations for establishing a statewide performance evaluation system to ensure  
49 that teachers, administrators who provide primarily administrative services at the  
50 school level, administrators at the district level who provide direct supervision of  
51 the principal of a school, and who do not provide primarily direct instructional  
52 services to pupils, and other licensed educational personnel, regardless of whether

1 licensed as a teacher or administrator, including, without limitation, a principal and  
2 vice principal are:

3 (1) Evaluated using multiple, fair, timely, rigorous and valid methods; ~~and~~  
4 ~~which includes evaluations based upon pupil growth as required by NRS 391.465;~~

5 (2) Afforded a meaningful opportunity to improve their effectiveness  
6 through professional development that is linked to their evaluations; and

7 (3) Provided with the means to share effective educational methods with  
8 other teachers, administrators and other licensed educational personnel throughout  
9 this State.

10 (b) Develop and recommend to the State Board a plan, including duties and  
11 associated costs, for the development and implementation of the performance  
12 evaluation system by the Department and school districts.

13 (c) Consider the role of professional standards for teachers, administrators and  
14 other licensed educational personnel, to which paragraph (a) applies and, as it  
15 determines appropriate, develop a plan for recommending the adoption of such  
16 standards by the State Board.

17 (d) Develop and recommend to the State Board a process for peer observations  
18 of teachers by qualified educational personnel which is designed to provide  
19 assistance to teachers in meeting the standards of effective teaching, and includes,  
20 without limitation, conducting observations, participating in conferences before and  
21 after observations of the teacher and providing information and resources to the  
22 teacher about strategies for effective teaching.

23 2. The performance evaluation system recommended by the Council must  
24 ensure that:

25 (a) Data derived from the evaluations is used to create professional  
26 development programs that enhance the effectiveness of teachers, administrators  
27 and other licensed educational personnel; and

28 (b) A timeline is included for monitoring the performance evaluation system at  
29 least annually for quality, reliability, validity, fairness, consistency and objectivity.

30 3. The Council may establish such working groups, task forces and similar  
31 entities from within or outside its membership as necessary to address specific  
32 issues or otherwise to assist in its work.

33 4. The State Board shall consider the recommendations made by the Council  
34 pursuant to this section and shall adopt regulations establishing a statewide  
35 performance evaluation system as required by NRS 391.465.

36 **Sec. 5.3. NRS 391.465 is hereby amended to read as follows:**

37 391.465 1. The State Board shall, based upon the recommendations of the  
38 Teachers and Leaders Council of Nevada submitted pursuant to NRS 391.460,  
39 adopt regulations establishing a statewide performance evaluation system which  
40 incorporates multiple measures of an employee's performance. Except as otherwise  
41 provided in subsection 3, the State Board shall prescribe the tools to be used by a  
42 school district for obtaining such measures.

43 2. The statewide performance evaluation system must:

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

- 45 (1) Highly effective;
- 46 (2) Effective;
- 47 (3) Developing; or
- 48 (4) Ineffective.

49 (b) Include the criteria for making each designation identified in paragraph (a),  
50 which must include, without limitation, consideration of whether the classes for  
51 which the employee is responsible exceed the applicable recommended ratios of  
52 pupils per licensed teacher prescribed by the State Board pursuant to NRS 388.890  
53 and, if so, the degree to which the ratios affect:

1 (1) The ability of the employee to carry out his or her professional  
2 responsibilities; and

3 (2) The instructional practices of the employee.

4 ~~(c) Except as otherwise provided in subsections 2 and 3 of NRS 391.695 and~~  
5 ~~subsections 2 and 3 of NRS 391.715, require that pupil growth, as determined~~  
6 ~~pursuant to NRS 391.480, account for 15 percent of the evaluation of a teacher or~~  
7 ~~administrator who provides direct instructional services to pupils at a school in a~~  
8 ~~school district.~~

9 ~~(d)~~ Include an evaluation of whether the teacher, or administrator who  
10 provides primarily administrative services at the school level or administrator at the  
11 district level who provides direct supervision of the principal of a school, and who  
12 does not provide primarily direct instructional services to pupils, regardless of  
13 whether the probationary administrator is licensed as a teacher or administrator,  
14 including, without limitation, a principal and vice principal or licensed educational  
15 employee, other than a teacher or administrator, employs practices and strategies to  
16 involve and engage the parents and families of pupils.

17 ~~(e)~~ (d) Include a process for peer observations of teachers by qualified  
18 educational personnel which is designed to provide assistance to teachers in  
19 meeting the standards of effective teaching, and includes, without limitation,  
20 conducting observations, participating in conferences before and after observations  
21 of the teacher and providing information and resources to the teacher about  
22 strategies for effective teaching. The regulations must include the criteria for school  
23 districts to determine which educational personnel are qualified to conduct peer  
24 observations pursuant to the process.

25 ~~(f)~~ (e) Require a person who evaluates a teacher who is responsible for a  
26 number of pupils that exceeds the applicable recommended ratio of pupils per  
27 licensed teacher prescribed by the State Board pursuant to NRS 388.890, who is a  
28 postprobationary employee as defined in NRS 391.650 and whose performance on  
29 that evaluation is designated as effective or highly effective to, under the statewide  
30 performance evaluation system, award the teacher an additional weight for criteria  
31 relating to:

32 (1) The manner in which the teacher structures a classroom environment;  
33 (2) The manner in which the teacher provides an opportunity for extended  
34 discourse;

35 (3) The manner in which the teacher employs the cognitive abilities and  
36 skills of all pupils;

37 (4) The manner in which the teacher engages with the families of pupils;  
38 and

39 (5) The perception of pupils of the performance of the teacher,  
40 ↪ that is equivalent to the percentage by which the ratio of pupils for which the  
41 teacher is responsible exceeds the recommended ratio of pupils per licensed  
42 teacher. Any additional weight awarded to a teacher pursuant to this paragraph  
43 must not cause the score on a criterion to exceed the maximum score that would  
44 otherwise be possible on the criterion for a teacher rated as highly effective.

45 ~~(g)~~ (f) If an employee knowingly and willfully failed to comply with the  
46 provisions of NRS 388.1351, indicate any disciplinary actions taken against the  
47 employee pursuant to NRS 388.1354.

48 3. A school district may apply to the State Board to use a performance  
49 evaluation system and tools that are different than the evaluation system and tools  
50 prescribed pursuant to subsection 1. The application must be in the form prescribed  
51 by the State Board and must include, without limitation, a description of the  
52 evaluation system and tools proposed to be used by the school district. The State  
53 Board may approve the use of the proposed evaluation system and tools if it

1 determines that the proposed evaluation system and tools apply standards and  
2 indicators that are equivalent to those prescribed by the State Board.

3 4. An administrator at the district level who provides direct supervision of the  
4 principal of a school and who also serves as the superintendent of schools of a  
5 school district must not be evaluated using the statewide performance evaluation  
6 system.

7 **Sec. 5.5. NRS 391.470 is hereby amended to read as follows:**

8 391.470 On or before August 1 of each year, the board of trustees of each  
9 school district shall submit a report to the State Board and the Teachers and Leaders  
10 Council of Nevada created by NRS 391.455 concerning the implementation and  
11 effectiveness of the process for peer observations of teachers set forth in the  
12 regulations adopted by the State Board pursuant to paragraph ~~(c)~~ (d) of subsection  
13 2 of NRS 391.465, including, without limitation, any recommendations for  
14 revisions to the process of peer observations.

15 **Sec. 5.7. NRS 391.485 is hereby amended to read as follows:**

16 391.485 1. The State Board shall annually review the statewide  
17 performance evaluation system to ensure accuracy and reliability. Such a review  
18 must include, without limitation, an analysis of the:

19 (a) Number and percentage of teachers, administrators and other licensed  
20 educational personnel who receive each designation identified in paragraph (a) of  
21 subsection 2 of NRS 391.465 in each school, school district, and the State as a  
22 whole; **and**

23 (b) ~~[Data used to evaluate pupil growth in each school, school district and the  
24 State as a whole, including, without limitation, any observations; and~~

25 ~~—(c)]~~ Effect of the evaluations conducted pursuant to the statewide system of  
26 accountability for public schools on the academic performance of pupils enrolled in  
27 the school district in each school and school district, and the State as a whole.

28 2. The board of trustees of each school district shall annually review the  
29 manner in which schools in the school district carry out the evaluation of teachers,  
30 administrators and other licensed educational personnel pursuant to the statewide  
31 performance evaluation system.

32 3. The Department may review the manner in which the statewide  
33 performance evaluation system is carried out by each school district. ~~[, including,  
34 without limitation, the manner in which the learning goals for pupils are established  
35 and evaluated pursuant to NRS 391.480.]~~

36 **Sec. 5.9. NRS 391.690 is hereby amended to read as follows:**

37 391.690 1. If a postprobationary teacher receives an evaluation designating  
38 his or her overall performance as developing or ineffective, the postprobationary  
39 teacher must receive one evaluation in the immediately succeeding school year  
40 which is based in part upon three observation cycles which must occur in  
41 accordance with the observation schedule set forth in subsection 1 of NRS 391.685.  
42 If a postprobationary teacher receives evidence from the first two observation  
43 cycles during the school year indicating that, unless his or her performance  
44 improves, his or her overall performance may be rated as developing or ineffective  
45 on the evaluation, the postprobationary teacher may request that the third  
46 observation cycle be conducted by another administrator. If a postprobationary  
47 teacher requests that his or her third observation cycle be conducted by another  
48 administrator, that administrator must be:

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

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

1           2. ~~[[[~~ Except as otherwise provided in subsection 3, if a postprobationary  
2 teacher receives an evaluation designating his or her overall performance as  
3 effective ~~[[[~~ or highly effective, the postprobationary teacher must receive one  
4 evaluation in the immediately succeeding school year. The evaluation must be  
5 based in part upon at least one scheduled observation cycle, which must occur  
6 within 120 days after the first day of instruction of the school year.

7           3. If a postprobationary teacher receives an evaluation designating his or her  
8 overall performance as effective or highly effective for 2 consecutive ~~[school~~  
9 ~~year]~~ evaluations, the postprobationary teacher ~~:[ must]~~

10           (a) ~~[[Participate]~~ May request to participate in one observation cycle in the  
11 school year immediately following the school year in which the postprobationary  
12 teacher receives a second consecutive evaluation designating his or her  
13 performance as effective or highly effective. ~~[[and]~~ If a postprobationary teacher  
14 requests to participate in an observation cycle pursuant to this paragraph, the  
15 postprobationary teacher may receive one evaluation based in part upon the  
16 observation cycle conducted pursuant to this paragraph only upon the request of  
17 the postprobationary teacher.

18           (b) ~~[[Receive]~~ Must receive one evaluation in the second school year  
19 immediately following the school year in which the postprobationary teacher  
20 ~~[[participated in the observation cycle pursuant to paragraph (a)]]~~ receives a second  
21 consecutive evaluation designating his or her performance as effective or highly  
22 effective. The evaluation must be based in part upon at least one scheduled  
23 observation cycle, which must occur within 120 days after the first day of  
24 instruction of that school year.

25           4. An administrator may not:

26           (a) Directly or indirectly threaten, intimidate, coerce, compel or otherwise  
27 require a postprobationary teacher to request or not to request to participate in an  
28 observation cycle or receive an evaluation pursuant to paragraph (a) of  
29 subsection 3; or

30           (b) Conduct an observation cycle or evaluation of a postprobationary teacher  
31 pursuant to paragraph (a) of subsection 3 without the consent of the  
32 postprobationary teacher.

33           **Sec. 6.** Chapter 391A of NRS is hereby amended by adding thereto a new  
34 section to read as follows:

35           1. A school district and the governing body of a charter school shall provide  
36 professional development training on:

37           (a) Parental involvement and family engagement that meets the standards  
38 established by the Commission on Professional Standards in Education pursuant  
39 to NRS 391.019 to teachers who have not yet completed the course work on  
40 parental involvement and family engagement prescribed by NRS 391.019.

41           (b) Multicultural education that meets the standards established by the  
42 Commission on Professional Standards in Education pursuant to NRS 391.0347  
43 to teachers who have not yet completed the course work on multicultural  
44 education prescribed by NRS 391.0347.

45           2. Any professional development training provided pursuant to subsection  
46 I:

47           (a) May be provided by the school district or governing body or through an  
48 agreement with an institution of higher education or a regional training program  
49 for the professional development of teachers and administrators.

50           (b) Must be provided at no cost to the employee.

1           **Sec. 7.** NRS 391A.345 is hereby amended to read as follows:

2           391A.345 As used in NRS 391A.345 to 391A.385, inclusive, *and section 6 of*  
3 *this act*, unless the context otherwise requires, “professional development training”  
4 has the meaning ascribed to “professional development” in 20 U.S.C. § 7801(42).

5           **Sec. 8.** (Deleted by amendment.)

6           **Sec. 9.** (Deleted by amendment.)

7           **Sec. 10.** (Deleted by amendment.)

8           **Sec. 10.3.** The Commission on Professional Standards in Education shall:

9           1. Conduct a study during the 2023-2024 interim concerning the Praxis II and  
10 pedagogy examinations;

11           2. Present its recommendations to the Standing Committee on Education  
12 during the 83rd Session of the Nevada Legislature; and

13           3. Adopt regulations pursuant to NRS 391.019, 391.021 and 391.023 as it  
14 deems necessary and appropriate based on its findings and recommendations as  
15 they relate to the Praxis II and pedagogy examinations.

16           **Sec. 10.6.** The Department of Education and the Nevada System of Higher  
17 Education shall jointly:

18           1. Develop a plan to expand awareness of and eliminate barriers for access to  
19 any scholarship programs that are intended to increase the number of persons  
20 licensed pursuant to chapter 391 of NRS; and

21           2. Present the plan to the Joint Interim Standing Committee on Education on  
22 or before June 30, 2024.

23           **Sec. 11. 1. The amendatory provisions of NRS 391.690, as amended by**  
24 **section 5.9 of this act, apply to any evaluation, observation cycle and other**  
25 **conduct of postprobationary teachers and administrators described in NRS**  
26 **391.690, as amended by section 5.9 of this act, that occurs on or after July 1,**  
27 **2021.**

28           **2. As used in this section:**

29           **(a) “Evaluation” means an evaluation of a postprobationary teacher as**  
30 **described in NRS 391.690, as amended by section 5.9 of this act.**

31           **(b) “Observation cycle” means an observation cycle that a**  
32 **postprobationary teacher participates in or requests to participate in as**  
33 **described in NRS 391.690, as amended by section 5.9 of this act.**

34           **Sec. 12. Any administrative regulations relating to learning goals or**  
35 **pupil growth which were adopted pursuant to NRS 391.480 by a regulatory**  
36 **body before July 1, 2023, and which conflict with or are inconsistent with the**  
37 **provisions of this act are void.**

38           **Sec. 13. NRS 391.480 is hereby repealed.**

39           ~~**Sec. 11.**~~ **Sec. 14.** 1. This section becomes effective upon passage and  
40 approval.

41           **2. Sections 5.1 to 5.9, inclusive, 11, 12 and 13 of this act become effective:**

42           **(a) Upon passage and approval for the purpose of adopting any**  
43 **regulations and performing any other preparatory administrative tasks that**  
44 **are necessary to carry out the provisions of this act; and**

45           **(b) On July 1, 2023, for all other purposes.**

46           **3. Sections 1 to ~~10.6~~ 5, inclusive, and 6 to 10.6, inclusive, of this act**  
47 **become effective:**

48           **(a) Upon passage and approval for the purpose of adopting any regulations and**  
49 **performing any other preparatory administrative tasks that are necessary to carry**  
50 **out the provisions of this act; and**

51           **(b) On July 1, 2024, for all other purposes.**

TEXT OF REPEALED SECTION

---

---

391.480 Development of learning goals for pupils; Department to establish list of assessments to measure achievement of learning goals; evaluation of educational personnel based on achievement of learning goals; regulations.

1. Each teacher at a school in a school district shall, in consultation with the principal of the school at which the teacher is employed or other administrator who is assigned by the principal, develop learning goals for the pupils of the teacher for a specified period.

2. Each principal, vice principal and other administrator who provides direct instructional services to pupils at a school in a school district shall, in consultation with his or her direct supervisor, develop learning goals for the pupils at the school where the principal, vice principal or other administrator, as applicable, is employed for a specified period.

3. The Department shall establish a list of assessments that may be used by a school or school district to measure the achievement of learning goals established pursuant to this section.

4. The board of trustees of each school district shall ensure that the learning goals for pupils established pursuant to this section measure pupil growth in accordance with the criteria established by regulation of the State Board.

5. Each teacher and administrator who establishes learning goals for pupils pursuant to this section must be evaluated at the end of the specified period to determine the extent to which the learning goals of the pupils were achieved. Such an evaluation must be conducted in accordance with the criteria established by regulation of the State Board for determining the level of pupil growth for the purposes of the statewide performance evaluation system. The State Board may establish by regulation the manner in which to include certain categories of pupils in the evaluation conducted pursuant to this subsection.