

NOTICE OF INTENT TO ACT UPON A REGULATION
REVISED
Notice of Hearing for the Adoption of Regulations of the
Nevada State Board of Education
Nevada State Board for Career and Technical Education

The Nevada State Board of Education/Nevada State Board for Career and Technical Education will hold a public hearing on **September 1, 2016 to be video conferenced in the Board Room at the Nevada Department of Education Offices, 700 East Fifth Street Carson City Nevada and 9890 South Maryland Parkway, Las Vegas, Nevada.**

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions/repeal of regulations of the Nevada Administrative Code (NAC) 391.571, 391.572, 391.573, 391.574, 391.575, and 391.576.

The time for the hearing is scheduled as follows:

1:10 P.M. Public Hearing and Possible Adoption of Proposed Amendments to R021-16; NAC Chapter 391 relating to educational personnel; revising provisions relating to the statewide performance evaluation system for the evaluation of teachers and building administrators.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The purpose of the proposed regulations are to revise the statewide performance evaluation system for teachers and building administrators to meet the requirements of AB447 (2015).
2. Existing law requires the State Board of Education to adopt regulations establishing a statewide performance evaluation system which incorporates multiple measures to evaluate the overall performance of certain employees and which must include: (1) a process for peer evaluations of teachers by qualified educational personnel; and (2) criteria for school districts to determine which educational personnel are qualified to conduct peer reviews. (NRS 391.465) Section 2 of this regulation requires the board or trustees of each school district to annually submit to the Department of Education certain data regarding certain employees. Section 3 of this regulation: (1) specifies criteria for such a policy if one is adopted and (3) prescribes the authorized activities of a peer evaluator. Section 4 of this regulation: (1) prescribes the training required before a person can be authorized to be a peer evaluator; (2) sets forth criteria for being selected as a peer evaluator; (3) requires a school district to certify a person as qualified to be a peer evaluator if certain criteria are met; and (4) requires a person selected to conduct peer reviews to participate in certain activities in order to ensure that peer evaluations are conducted in a consistent manner. Existing law requires pupil achievement data to account for 20 percent of the performance valuation for certain employees for the 2016-2017 school year and 40 percent of the performance evaluation beginning with the 2017-2018 school year. (NRS 391.465) Sections 5,6,9, and 10 of this regulation make conforming changes. Existing regulations require the performance evaluation of school-level administrators and teachers to include an evaluation of the employee in certain domains. (NAC 391.571, 391.574) Sections 7,8,11 and 12 of this regulation revise provisions relating to the domains in which a school-level administrator and a teacher are evaluated.
3. There is no economic effect of the regulation on the business that it regulates and no impact on the public.
 - a. There are neither adverse nor beneficial effects
 - b. There are no immediate or long term effects
4. There is no additional cost to the agency for the enforcement of the proposed regulation.
5. There is no duplication or overlap of regulations of state or local government agencies.

6. This regulation is not required pursuant to federal law
7. The proposed regulation does not include provisions that are more stringent than a federal regulation that regulates the same activity.
8. This regulation does not impose a fee.

Persons wishing to comment upon the proposed action of the State Board of Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the 700 E. Fifth St, Carson City, NV 89701, Written submissions must be received by the (Nevada Department of Education **on or before August 18**). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the (Nevada Department of Education/State Board of Education) may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the Nevada Department of Education, 700 East Fifth St, Carson City, Nevada 89701 and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies, if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 16 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

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3. There is no economic effect of the regulation on the business that it regulates and no impact on the public.
 - a. There are neither adverse nor beneficial effects
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BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Interim Superintendent
of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: January 8, 2016

Re: Proposed amendments to regulations 391.571 and 391.574

I, Dena Durish, Deputy Superintendent of Educator Effectiveness and Family Engagement, do hereby certify that, to the best of my knowledge or belief:

1. The proposed permanent regulation amendments to NAC 391.571 and 391.574 are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations pertain to changes to the Student Performance Domain for teachers and administrators pursuant to the passage of AB447(2015) as recommended by the Teachers and Leaders Council. A concerted effort was made to determine any economic burden.
2. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
3. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dena Durish".

Dena Durish
Deputy Superintendent
Educator Effectiveness and Family Engagement Division

BRIAN SANDOVAL
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: January 11, 2016

Re: Proposed new regulations regarding peer evaluations pursuant to NRS 391.465

I, Dena Durish, Deputy Superintendent of Educator Effectiveness and Family Engagement, do hereby certify that, to the best of my knowledge or belief:

1. The proposed permanent regulation additions to NAC 391 are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations deal only with process for per evaluations of teachers as recommended by the Teachers and Leaders Council pursuant to NRS 391.460 (1)(d). A concerted effort was made to determine any economic burden.
2. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
3. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in black ink that reads "Dena Durish".

Dena Durish
Deputy Superintendent
Educator Effectiveness and Family Engagement Division

BRIAN SANDOVAL
Governor

STEVE CANAVERO, Ph.D.
*Interim Superintendent
of Public Instruction*

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: September 17, 2015

Re: Proposed amendments to NAC 391.571 – NAC 391.579 related to teacher and administrator evaluations

I, Dena Durish, Deputy Superintendent of Educator Effectiveness and Family Engagement, do hereby certify that, to the best of my knowledge or belief:

1. The proposed permanent regulation additions to NAC 391 and amendments to NAC 391.571 – NAC 391.579 are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations deal only with teacher and administrator evaluation and are to be made pursuant to AB447 (2015).
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dena Durish".

Dena Durish
Deputy Superintendent
Educator Effectiveness and Family Engagement Division

BRIAN SANDOVAL
Governor

STEVE CANAVERO, Ph.D.
*Interim Superintendent
of Public Instruction*

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: November 20, 2015

Re: Proposed amendments to NAC 391.571 – NAC 391.578 regarding teacher and administrator evaluations

I, Dena Durish, Deputy Superintendent of Educator Effectiveness and Family Engagement, do hereby certify that, to the best of my knowledge or belief:

1. The proposed permanent regulation additions to NAC 391 and amendments to NAC 391.571 – NAC 391.578 are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations deal only with teacher and administrator evaluation.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dena Durish".

Dena Durish
Deputy Superintendent

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

LCB File No. R021-16

July 25, 2016

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

AUTHORITY: §§1-13, NRS 385.080 and 391.465.

A REGULATION relating to education; requiring the board of trustees of each school district to submit certain data to the Department of Education; prescribing requirements relating to peer evaluations of 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 to evaluate the overall performance of certain employees and which must include: (1) a process for peer evaluations of teachers by qualified educational personnel; and (2) criteria for school districts to determine which educational personnel are qualified to conduct peer reviews. (NRS 391.465) **Section 2** of this regulation requires the board of trustees of each school district to annually submit to the Department of Education certain data regarding certain employees. **Section 3** of this regulation: (1) authorizes the board of trustees of a school district to adopt a policy for peer evaluations of teachers; (2) specifies criteria for such a policy if one is adopted; and (3) prescribes the authorized activities of a peer evaluator. **Section 4** of this regulation: (1) prescribes the training required before a person can be authorized to be a peer evaluator; (2) sets forth criteria for being selected as a peer evaluator; (3) requires a school district to certify a person as qualified to be a peer evaluator if certain criteria are met; and (4) requires a person selected to conduct peer reviews to participate in certain activities in order to ensure that peer evaluations are conducted in a consistent manner.

Existing law requires pupil achievement data to account for 20 percent of the performance evaluation for certain employees for the 2016-2017 school year and 40 percent of the performance evaluation beginning with the 2017-2018 school year. (NRS 391.465) **Sections 5, 6, 9 and 10** of this regulation make conforming changes.

Existing regulations require the performance evaluation of school-level administrators and teachers to include an evaluation of the employee in certain domains. (NAC 391.571,

391.574) Sections 7, 8, 11 and 12 of this regulation revise provisions relating to the domains in which a school-level administrator and a teacher are evaluated.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. 1. *Each school year, the board of trustees of each school district shall submit to the Department data regarding school-level administrators and teachers employed by the district in the form and manner prescribed by the Department. The data submitted pursuant to this section must include, without limitation:*

(a) The number of school-level administrators who received a performance evaluation rating as ineffective, minimally effective, effective or highly effective pursuant to NRS 391.705 or 391.710, as applicable, and the number of teachers who received a performance evaluation rating as ineffective, minimally effective, effective or highly effective pursuant to NRS 391.685 or 391.690, as applicable;

(b) An aggregate of all the scores received by school-level administrators and teachers for each standard pursuant to NAC 391.572, 391.573, 391.575 and 391.576, as applicable, in accordance with the scoring matrix prescribed by the Department pursuant to NAC 391.580; and

(c) For each school-level administrator or teacher in his or her first year of employment with the school district, the name of the provider approved by the State Board or Commission to offer a course of study or training, including, without limitation, a qualified provider approved by the Commission pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 391.019 to offer an alternative route to licensure, from which the administrator or

teacher received training or completed a course of study to qualify him or her as an administrator or teacher, as applicable.

2. Each school district shall report the information required by paragraphs (a) and (b) of subsection 1 without disclosing the identity of an individual licensee, any information from which the identity of an individual licensee could be determined or otherwise violating the confidentiality of the licensee.

Sec. 3. 1. The board of trustees of a school district may adopt a policy to allow peer evaluations of teachers in the district to be conducted to assist teachers in meeting the standards of effective teaching.

2. A policy adopted pursuant to subsection 1 must provide for:

(a) Regular monitoring of the peer evaluators; and

(b) Annual calibration exercises as described in subsection 4 of section 4 of this regulation.

3. If a policy is adopted pursuant to subsection 1, a peer evaluator may:

(a) Collect evidence necessary to evaluate the instructional practice of a teacher in the classroom and to provide assistance to teachers in meeting the standards of effective teaching; and

(b) Conduct at least one of the scheduled observations required pursuant to NRS 391.685 or 391.690.

Sec. 4. 1. Before a person may be selected to be a peer evaluator, the person must receive training that includes, without limitation, instruction concerning:

(a) The protocols and procedures associated with the statewide performance evaluation system, including, without limitation:

(1) The evaluation tools prescribed by the Department for conducting performance evaluations of teachers, including, without limitation, rubrics for specifying expectations of performance that are measured during the observations of performance required by NRS 391.685 and 391.690;

(2) Best practices for conducting observations in a manner that avoids personal bias;
and

(3) Best practices for guiding pre-observation and post-observation conferences, including, without limitation, best practices for leading discussions with teachers who have been observed during a peer evaluation in a manner that:

(I) Engages the teacher in a collaborative discussion regarding his or her practices;
and

(II) Provides appropriate, quality feedback regarding teaching practices that will assist the teacher to improve his or her practices;

(b) Writing evaluations in narrative form;

(c) Confidentiality and data security;

(d) Best practices for collecting data;

(e) Standards of content and performance adopted by the State Board pursuant to NRS 389.520; and

(f) The curriculum adopted by the school district in which the teacher is employed.

2. In addition to the training required pursuant to subsection 1, to qualify to be selected as a peer evaluator, a person must have at least 3 years of experience teaching and be certified by the school district pursuant to subsection 3.

3. *A school district must certify a person as qualified to be a peer evaluator if the school district determines that the person:*

(a) Has successfully completed the training described in subsection 1;

(b) Knows and understands the standards of content and performance adopted by the State Board pursuant to NRS 389.520;

(c) Knows and understands the curriculum adopted by the school district;

(d) Has received an evaluation designating his or her overall performance as highly effective; and

(e) Demonstrates that he or she possesses knowledge and expertise regarding pedagogy.

4. *A person selected to be a peer evaluator pursuant to this section must participate annually in an in-person calibration exercise, in which the person must conduct a peer evaluation at the same time as another peer evaluator who has demonstrated competency in conducting peer evaluations of teachers.*

NEW FIRST
PARALLEL
SECTION

Sec. 5. NAC 391.571 is hereby amended to read as follows:

391.571 1. The performance evaluation of each school-level administrator must include an evaluation of the school-level administrator in the following domains:

(a) Instructional leadership practices of the administrator at the school, as prescribed by NAC 391.572, which, except as otherwise provided in subsection 2, must account for ~~35~~ 60 percent of the performance evaluation;

(b) Professional responsibilities of the administrator to support learning and promote the effectiveness of the school community, as prescribed by NAC 391.573, which, except as

otherwise provided in subsection 2, must account for ~~{15}~~ **20** percent of the performance evaluation; and

(c) Except as otherwise provided in subsection 2, the performance of pupils enrolled in the school based upon the data prescribed by the Department pursuant to NAC 391.578, which must account for ~~{50}~~ **20** percent of the performance evaluation as follows:

(1) ~~{Thirty five}~~ **Ten** percent must be derived from measures of pupil ~~{growth;}~~ *performance based upon the results of pupils on the statewide examinations and assessments designated by the State Board; and*

(2) Ten percent must be derived from measures of ~~{the reduction of achievement gaps for the specific groups of pupils identified for the statewide system of accountability for public schools pursuant to NRS 385.3594; and~~

~~—(3) Five percent must be derived from measures of} pupil ~~{proficiency.}~~ *performance based upon the progress of pupils toward annual learning goals.*~~

2. The performance evaluation of a probationary administrator, other than a postprobationary employee who is deemed a probationary employee pursuant to NRS ~~{391.3129,}~~ **391.730**, in his or her initial year of probationary employment must be based upon the domains of instructional leadership practices of the administrator at the school as prescribed by NAC 391.572 and professional responsibilities of the administrator to support learning and promote the effectiveness of the school community as prescribed by NAC 391.573, with the percentages and weights assigned to those domains in accordance with the scoring matrix prescribed by the Department pursuant to NAC 391.580.

Sec. 6. NAC 391.571 is hereby amended to read as follows:

391.571 1. The performance evaluation of each school-level administrator must include an evaluation of the school-level administrator in the following domains:

(a) Instructional leadership practices of the administrator at the school, as prescribed by NAC 391.572, which, except as otherwise provided in subsection 2, must account for ~~{60}~~ 45 percent of the performance evaluation;

(b) Professional responsibilities of the administrator to support learning and promote the effectiveness of the school community, as prescribed by NAC 391.573, which, except as otherwise provided in subsection 2, must account for ~~{20}~~ 15 percent of the performance evaluation; and

(c) Except as otherwise provided in subsection 2, the performance of pupils enrolled in the school based upon the data prescribed by the Department pursuant to NAC 391.578, which must account for ~~{20}~~ 40 percent of the performance evaluation as follows:

(1) ~~{Ten}~~ *Twenty* percent must be derived from measures of pupil performance based upon the results of pupils on the statewide examinations and assessments designated by the State Board; and

(2) ~~{Ten}~~ *Twenty* percent must be derived from measures of pupil performance based upon the progress of pupils toward annual learning goals.

2. The performance evaluation of a probationary administrator, other than a postprobationary employee who is deemed a probationary employee pursuant to NRS 391.730, in his or her initial year of probationary employment must be based upon the domains of instructional leadership practices of the administrator at the school as prescribed by NAC 391.572 and professional responsibilities of the administrator to support learning and promote

the effectiveness of the school community as prescribed by NAC 391.573, with the percentages and weights assigned to those domains in accordance with the scoring matrix prescribed by the Department pursuant to NAC 391.580.

Sec. 7. NAC 391.572 is hereby amended to read as follows:

391.572 The performance evaluation of a school-level administrator in the domain of instructional leadership practices of the administrator at the school must include, without limitation, an evaluation of the school-level administrator in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The school-level administrator creates and sustains a focus on learning at the school, as demonstrated by the following indicators:

(a) Engaging stakeholders in the development of a ~~{plan}~~ *vision* for obtaining high pupil achievement and college and career readiness for pupils and ~~{periodically}~~ *frequently* reviewing and revising the ~~{plan as necessary;}~~ *vision when appropriate;*

(b) Holding teachers and pupils accountable for learning ~~{by regularly}~~ *through regular* monitoring *of* a range of performance data;

(c) ~~{Providing adequate}~~ *Structuring* opportunities ~~{for}~~ *to engage* teachers to reflect on their practice and take actions to improve pupil learning and support professional growth; and

(d) Systematically supporting short-term and long-term planning *for teachers* to facilitate pupil learning through a variety of means.

2. The school-level administrator creates and sustains a ~~{school}~~ culture of ~~{striving for}~~ continuous improvement, as demonstrated by the following indicators:

- (a) Setting clear expectations for the performance of teachers and pupils and creating a system for the consistent monitoring and follow-up of growth and development;
- (b) Supporting the development of teachers through quality observation, feedback, coaching and professional learning structures;
- (c) Gathering and analyzing data from multiple sources to monitor and evaluate the progress of the school toward established goals for ~~[[pupil performance and]]~~ learning ~~[[;]]~~ ***that facilitate ongoing improvement;*** and
- (d) Operating with a belief that all children can achieve regardless of their race, perceived abilities or socioeconomic status.

3. The school-level administrator creates and sustains productive relationships, as demonstrated by the following indicators:

- (a) Creating and maintaining a welcoming, respectful and caring environment that ~~[[promotes]]~~ ***demonstrates an interest in*** the well-being of pupils, staff and the school community ~~[[;]]~~ ***and creates a positive affective experience for such persons;***
- (b) Providing opportunities for extended, productive discourse between the school-level administrator and teachers and among teachers to ~~[[inform decisions designed to meet the goals of the school, including, without limitation, structuring the school environment to enable such collaboration; and]]~~ ***support the decision-making process at the school;***
- (c) ***Structuring the school environment to facilitate collaboration between the school-level administrator and teachers and among teachers in a manner that supports the learning goals of the school; and***

(d) Creating and maintaining *structures and* processes to communicate and partner with teachers and ~~{parents and}~~ *the families of pupils* in a manner that supports the *learning* goals of the school.

4. The school-level administrator creates and sustains structures to support an effective school, as demonstrated by the following indicators:

(a) Implementing systems and processes to align curriculum, instruction and assessment with state standards and standards for college and career readiness and ~~{periodically}~~ *frequently* reviewing and revising those systems and processes when ~~{necessary;}~~ *appropriate;*

(b) Developing systems and processes to implement a *coherent and* clearly articulated curriculum across the entire school and ~~{periodically}~~ *frequently* reviewing and revising those systems and processes when ~~{necessary;}~~ *appropriate;* and

(c) Allocating resources, including the organization of time, effectively to support and further the *learning* goals of the school.

Sec. 8. NAC 391.573 is hereby amended to read as follows:

391.573 The performance evaluation of a school-level administrator in the domain of professional responsibilities of the administrator to support learning and promote the effectiveness of the school community must include, without limitation, an evaluation of the school-level administrator in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The school-level administrator effectively manages the ~~{teachers}~~ *personnel* employed at the school, as demonstrated by the following indicators:

(a) Collecting high-quality observation data and other evidence of the practice of teachers in a fair and equitable manner and using the results of the performance evaluations of teachers to *provide support to teachers and* improve their performance;

(b) Using available data, including the performance evaluations of teachers, to identify, recognize, support and retain teachers;

(c) Supporting the development of leadership skills in teachers and providing *leadership* opportunities for teachers ; ~~{to assume leadership roles;}~~ and

(d) Complying with the requirements of the statewide performance evaluation system ~~{}~~ *and any expectations specified in policies adopted pursuant thereto.*

2. The school-level administrator engages in self-reflection ~~{designed to foster}~~ *and* professional growth, as demonstrated by the following indicators:

(a) Seeking feedback from colleagues and staff and using a variety of data and information to self-reflect ~~{and improve}~~ upon his or her practice;

(b) Seeking opportunities to increase his or her professional knowledge to remain current on educational research and evidence-based practices; and

(c) Pursuing ~~{relevant}~~ professional learning opportunities *that are aligned with his or her professional responsibilities* to improve his or her *instructional* leadership across the school community.

3. The school-level administrator meets professional obligations, as demonstrated by the following indicators:

(a) Modeling and advocating for fair, equitable and appropriate treatment of all ~~{school employees,}~~ *personnel employed at the school*, pupils and the ~~{parents and}~~ families of pupils;

(b) Modeling integrity ~~and honesty~~ in *all* interactions with colleagues and staff, pupils, the ~~parents and~~ families of pupils and the ~~school~~ community ; ~~and respecting the confidentiality and dignity of such interactions; and~~

(c) *Respecting the rights of personnel employed at the school, pupils and the families of pupils with regard to confidentiality, when appropriate, and engaging in honest interaction with and treating such persons with dignity; and*

(d) Following policies, regulations and procedures applicable to his or her role and responsibilities as a school-level administrator.

4. The school-level administrator ~~employs practices and strategies to involve and engage~~ *engages* the ~~parents and~~ families of pupils and the ~~school~~ community, as demonstrated by the following indicators:

(a) Involving the ~~parents and~~ families of pupils and the ~~school~~ community in appropriate policy implementation, program planning and assessments;

(b) Involving the ~~parents and~~ families of pupils and the ~~school~~ community in *accomplishing* the goals of the school *set forth in the vision developed pursuant to paragraph (a) of subsection 1 of NAC 391.572* and school improvement efforts; and

(c) When appropriate, ~~informing the parents~~ *connecting pupils* and *the* families of pupils ~~of~~ *with* available educational, health and social services . ~~and connecting the parents and families with those services in response to their needs.~~

NEW FIRST
PARALLEL
SECTION

Sec. 9. NAC 391.574 is hereby amended to read as follows:

391.574 1. The performance evaluation of each teacher must include an evaluation of the teacher in the following domains:

(a) Instructional practices of the teacher in the classroom, as prescribed by NAC 391.575, which, except as otherwise provided in subsection 2, must account for ~~{35}~~ 60 percent of the performance evaluation;

(b) Professional responsibilities of the teacher to support learning and promote the effectiveness of the school community, as prescribed by NAC 391.576, which, except as otherwise provided in subsection 2, must account for ~~{15}~~ 20 percent of the performance evaluation; and

(c) Except as otherwise provided in subsection 2, the performance of pupils enrolled in the school based upon the data prescribed by the Department pursuant to NAC 391.578, which must account for ~~{50}~~ 20 percent of the performance evaluation as follows:

(1) ~~{Thirty-five}~~ **Ten** percent must be derived from measures of pupil ~~{growth;}~~ *performance based upon the results of the statewide examinations and assessments designated by the State Board; and*

(2) Ten percent must be derived from measures of ~~{the reduction of achievement gaps for the specific groups of pupils identified for the statewide system of accountability for public schools pursuant to NRS 385.3594; and~~

~~— (3) Five percent must be derived from measures of } pupil {proficiency-} performance based upon the progress of pupils toward annual learning goals.~~

2. The performance evaluation of a probationary teacher, other than a postprobationary employee who is deemed a probationary employee pursuant to NRS ~~{391.3129,}~~ **391.730**, in his or her initial year of probationary employment must be based upon the domains of instructional practices of the teacher in the classroom as prescribed by NAC 391.575 and professional

responsibilities of the teacher to support learning and promote the effectiveness of the school community as prescribed by NAC 391.576, with the percentages and weights assigned to those domains in accordance with the scoring matrix prescribed by the Department pursuant to NAC 391.580.

NEW
SECOND
PARALLEL
SECTION

Sec. 10. NAC 391.574 is hereby amended to read as follows:

391.574 1. The performance evaluation of each teacher must include an evaluation of the teacher in the following domains:

(a) Instructional practices of the teacher in the classroom, as prescribed by NAC 391.575, which, except as otherwise provided in subsection 2, must account for ~~{60}~~ 45 percent of the performance evaluation;

(b) Professional responsibilities of the teacher to support learning and promote the effectiveness of the school community, as prescribed by NAC 391.576, which, except as otherwise provided in subsection 2, must account for ~~{20}~~ 15 percent of the performance evaluation; and

(c) Except as otherwise provided in subsection 2, the performance of pupils enrolled in the school based upon the data prescribed by the Department pursuant to NAC 391.578, which must account for ~~{20}~~ 40 percent of the performance evaluation as follows:

(1) ~~{Ten}~~ *Twenty* percent must be derived from measures of pupil performance based upon the results of the statewide examinations and assessments designated by the State Board; and

(2) ~~{Ten}~~ *Twenty* percent must be derived from measures of pupil performance based upon the progress of pupils toward annual learning goals.

2. The performance evaluation of a probationary teacher, other than a postprobationary employee who is deemed a probationary employee pursuant to NRS 391.730, in his or her initial year of probationary employment must be based upon the domains of instructional practices of the teacher in the classroom as prescribed by NAC 391.575 and professional responsibilities of the teacher to support learning and promote the effectiveness of the school community as prescribed by NAC 391.576, with the percentages and weights assigned to those domains in accordance with the scoring matrix prescribed by the Department pursuant to NAC 391.580.

Sec. 11. NAC 391.575 is hereby amended to read as follows:

391.575 The performance evaluation of a teacher in the domain of instructional practices of the teacher in the classroom must include, without limitation, an evaluation of the teacher in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The teacher ~~{connects}~~ **ensures that new learning is connected to** the prior learning and experience of **all pupils**, ~~{to guide current learning,}~~ as demonstrated by the following indicators:

(a) Activating the **initial** understanding of ~~{each pupil}~~ **all pupils and applying that existing understanding** to new concepts and skills;

(b) Making explicit connections for ~~{each pupil}~~ **all pupils** between new concepts and skills and previously learned concepts and skills;

(c) Making clear to ~~{each pupil}~~ **all pupils** the purpose and relevance of new concepts and skills; and

(d) Providing ~~{each pupil}~~ **all pupils** with opportunities to build on or challenge ~~{his or her}~~ **their** initial understanding of concepts and skills.

2. The teacher ~~assigns~~ *ensures that* tasks *are* based upon ~~the appropriate~~ *high* cognitive demands for pupils with diverse abilities, as demonstrated by the following indicators:

- (a) Purposefully employing the cognitive abilities and skills of ~~each pupil;~~ *all pupils;*
- (b) Placing appropriate demands on ~~each pupil;~~ *all pupils;*
- (c) Progressively developing the cognitive abilities and skills of ~~each pupil;~~ *all pupils;* and
- (d) Operating with a belief that all children can achieve regardless of their race, perceived abilities or socioeconomic status.

3. The teacher ~~requires~~ *ensures that all* pupils ~~to~~ engage in *the act of learning* , *constructing understandings for themselves*, through discourse and other strategies, as demonstrated by the following indicators:

- (a) Providing opportunities for extended, productive discourse between the teacher and ~~each pupil;~~ *all pupils* and among pupils;
- (b) Providing opportunities for ~~each pupil;~~ *all pupils* to ~~learn~~ *create* and interpret ~~new concepts in~~ multiple ~~different ways;~~ *representations;*
- (c) Assisting ~~each pupil;~~ *all pupils* to use existing knowledge and prior experience to make connections and recognize relationships among new concepts and skills; and
- (d) Structuring the classroom environment to enable collaboration among pupils and participation by ~~each pupil;~~ *all pupils*, and to create a positive affective ~~learning~~ experience for ~~each pupil;~~ *all pupils*.

4. The teacher ~~requires~~ *ensures that all* pupils ~~to~~ engage in metacognitive activity ~~to~~ *to increase understanding of and accept responsibility for their own learning*, as demonstrated by the following indicators:

(a) Imparting an understanding to pupils of the skills and concepts being ~~presented,~~ *taught*, the reasons each skill or concept is being presented and the methods for a pupil to assess whether he or she has learned each skill or concept presented;

(b) Structuring opportunities for self-monitored learning for ~~each pupil;~~ *all pupils*; and

(c) Supporting ~~each pupil~~ *all pupils* to take actions to improve ~~his or her~~ *their* abilities based on the self-monitoring described in paragraph (b).

5. The teacher integrates assessment into instruction, as demonstrated by the following indicators:

(a) Planning ongoing learning opportunities for ~~each pupil~~ *all pupils* based upon ~~his or her~~ *evidence of their* current learning status;

(b) Aligning assessment opportunities with ~~each pupil's~~ *learning* goals ~~of learning~~ and performance criteria;

(c) Structuring opportunities to generate evidence that ~~each pupil is~~ *all pupils are* learning each skill and concept being presented ~~+~~ *during a lesson*; and

(d) Adapting ~~the~~ *his or her* actions ~~of the teacher~~ in the classroom based on the evidence described in paragraph (c).

Sec. 12. NAC 391.576 is hereby amended to read as follows:

391.576 The performance evaluation of a teacher in the domain of professional responsibilities of the teacher to support learning and promote the effectiveness of the school community must include, without limitation, an evaluation of the teacher in the following standards of performance, with each standard carrying the weight prescribed by the Department pursuant to NAC 391.580:

1. The teacher demonstrates commitment to the school community, as demonstrated by the following indicators:

(a) ~~{Collaborating}~~ ***Taking an active role on his or her instructional team and collaborating*** with colleagues to improve the instruction of *all* pupils;

(b) ~~{Building}~~ ***Taking an active role in developing*** a professional culture that supports the initiatives of the school and *the initiatives of the* school district; and

(c) ~~{Cultivating}~~ ***Taking an active role in cultivating*** a safe, learning-centered school culture and community that maintains high expectations for all pupils.

2. The teacher engages in self-reflection to foster professional growth ~~{,}~~ ***and practice***, as demonstrated by the following indicators:

(a) Seeking feedback from instructional leaders and colleagues and using a variety of data ~~{and information}~~ to reflect on his or her practice;

(b) Pursuing ~~{relevant}~~ professional learning opportunities ***that are aligned with his or her role and responsibilities as a teacher*** to support improved instructional practice across the school community; and

(c) Taking an active role in mentoring colleagues and pursuing leadership opportunities .
~~{relevant for teachers.}~~

3. The teacher meets professional obligations, as demonstrated by the following indicators:

(a) Modeling and advocating for fair, equitable and appropriate treatment of all pupils and the ~~{parents and}~~ families of pupils;

(b) Modeling integrity ~~{and honesty}~~ in interactions with colleagues , ~~{and staff,}~~ pupils, the ~~{parents and}~~ families of pupils and the ~~{school}~~ community ; ~~{and respecting the confidentiality and dignity of such interactions;}~~ and

(c) Following policies, regulations and procedures ~~{applicable}~~ *specific* to his or her role and responsibilities as a teacher.

4. The teacher ~~{employs practices and strategies to involve and engage}~~ *engages* the ~~{parents and}~~ families of pupils , ~~{and the school community,}~~ as demonstrated by the following indicators:

(a) Regularly facilitating two-way communication between the teacher and the ~~{parents and}~~ families of pupils ~~{and using}~~ , *including, without limitation:*

(1) *Using* available tools that are responsive to the language needs of the ~~{parents and}~~ families ~~{;} of pupils;~~

(2) *Responding to requests for information made by the families of pupils; and*

(3) *Providing information regarding the goals of instruction and the progress of a pupil toward meeting such goals upon request.*

(b) ~~{Using the concerns and requests communicated by the parents and families of pupils when appropriate to improve the pupil's goals of learning and facilitate the progress of the pupil;~~

~~—(e)}~~ Valuing, respecting and welcoming ~~{each pupil}~~ *pupils from diverse cultural backgrounds* and the ~~{parents and family}~~ *families* of ~~{each pupil and encouraging}~~ *such pupils by treating them as valuable assets to pupil learning.*

(c) *Informing pupils and* the ~~{parents and}~~ families ~~{to become active members of the school community and assist in pupil learning; and}~~

~~(d) When appropriate, informing the parents and families~~ of pupils of available educational, health and social services and connecting the ~~parents~~ *pupils* and families *of pupils* with those services in response to their needs.

5. The teacher assists pupils in learning, creates a safe and supportive learning environment and demonstrates that he or she cares about pupils and their goals and interests. The data for these indicators must be measured by the reports of the teacher's pupils ~~+~~ *as demonstrated by pupils reporting that the teacher:*

(a) Helps them learn;

(b) Creates a safe and supportive learning environment; and

(c) Cares about them as individuals and their goals and interests.

Sec. 13. 1. This section and sections 1 to 5', inclusive, 7, 8, 9, 11 and 12 of this regulation become effective upon filing with the Secretary of State.

2. Sections 6 and 10 of this regulation become effective on July 1, 2017.