

**NEVADA STATE BOARD OF EDUCATION MEETING  
JULY 23, 2015**

**Assembly Bill 447  
(2015)**

**Nevada Educator Performance Framework  
*(evaluations of counselors, librarians and  
other licensed educational personnel)***

1

**“STUDENT ACHIEVEMENT DATA”  
REQUIRED BY LAW PRIOR TO JULY 1, 2015  
*(PER NRS 391.3125)***

It is the intent of the Legislature that a uniform system be developed for objective evaluation of teachers and other licensed personnel in each school district.

Each board...shall develop a policy for objective evaluations....  
The policy must comply with the statewide performance evaluation system established by the State Board pursuant to NRS 391.465.  
The policy must set forth a means according to which an employee's overall performance is determined to be highly effective, effective, minimally effective or ineffective. Except as otherwise provided in subsection 9, the policy must require that pupil achievement data, as prescribed by the State Board pursuant to NRS 391.465, account for at least 50 percent of the evaluation.

2

**“STUDENT ACHIEVEMENT DATA”  
NRS 391.465 AMENDED TO READ AS FOLLOWS:**

The State Board shall, based upon the recommendations of the Teachers and Leaders Council of Nevada submitted pursuant to NRS 391.460, adopt regulations establishing a statewide performance evaluation system which incorporates multiple measures of an employee’s performance.

*Except as otherwise provided in subsection 4, the State Board shall prescribe the tools to be used by a school district for obtaining such measures.*

3

**“STUDENT ACHIEVEMENT DATA”  
NRS 391.465 AMENDED TO READ AS FOLLOWS:**

*The statewide performance evaluation system must  
...require that pupil achievement data account  
for at least 20 percent\* of the evaluation  
...prescribe the pupil achievement data that must be used  
as part of the evaluation system\*\* which must require  
that pupil achievement data derived from:*

- (1) statewide examinations and assessments must account for at least 10 percent of the evaluation of a teacher or administrator, as applicable; and*
- (2) assessments approved by the board of trustees of a school district that employs the teacher or administrator, as applicable, must account for at least 10 percent of the evaluation.*

\* Beginning in 16-17. Increases to 40 percent in 17-18.

\*\* Does not apply to probationary teachers/administrators in initial year of probationary employment.

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**“PRINCIPAL SUPERVISORS”  
NRS 391.3127 AMENDED TO READ AS FOLLOWS:**

Each board...shall develop an objective policy for the objective evaluation of administrators...The policy must provide for the evaluation of those administrators who provide primarily administrative services at the school level and who do not provide primarily instructional services to pupils, regardless of whether such an administrator is licensed as a teacher or administrator, including, without limitation, a principal and a vice principal.

*The policy must also provide for the evaluation of those administrators at the district level who provide direct supervision of the principal of a school.*

The policy must comply with the statewide performance evaluation system established by the State Board pursuant to NRS 391.465.

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**“OTHER LICENSED PERSONNEL”  
REQUIRED BY LAW PRIOR TO JULY 1, 2015  
(PER NRS 391.3123 AND 391.3125)**

NRS 391.3123

Commencing with the 2015-2016 school year, the board of trustees of each school district shall implement and carry out the policy for evaluations of counselors, librarians and other licensed educational personnel, except for teachers and administrators, required by NRS 391.3125.

NRS 391.3125

In a similar manner, counselors, librarians and other licensed personnel must be evaluated.

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**“OTHER LICENSED PERSONNEL”  
NRS 391.3125 AMENDED TO READ AS FOLLOWS:**

It is the intent of the Legislature that a uniform system be developed for objective evaluation of teachers ~~[and other licensed personnel]~~ in each school district.

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**“OTHER LICENSED PERSONNEL”  
NRS 391.3123 AMENDED TO READ AS FOLLOWS:**

~~[Commencing with the 2015-2016 school year, the board of trustees of each school district shall implement and carry out the policy]~~  
*The State Board may provide* for evaluations of counselors, librarians and other licensed educational personnel, except for teachers and administrators, ~~[required by NRS 391.3125.]~~  
*and determine the manner in which to measure the performance of such personnel, including, without limitation, whether to use pupil achievement data as part of the evaluation.*

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**“DIFFERENT SYSTEM”  
NRS 391.465 AMENDED TO READ AS FOLLOWS:**

*A school district may apply to the State Board to use a performance evaluation system and tools that are different than the evaluation system and tools prescribed pursuant to subsection 1. The application must be in the form prescribed by the State Board and must include, without limitation, a description of the evaluation system and tools proposed to be used by the school district. The State Board may approve the use of the proposed evaluation system and tools if it determines that the proposed evaluation system and tools apply standards and indicators that are equivalent to those prescribed by the State Board.*

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**2015-2016  
QUESTIONS/ITEMS FOR BOARD CONSIDERATION**

Other Licensed Educational Personnel

- Statewide evaluation system for other licensed educational personnel?
- If so, *which* personnel (counselors, librarians, speech pathologists, school nurses, school psychologists, audiologists, social workers, project facilitators/teachers on special assignment, etc.)
- If so, inclusion of student achievement data?
- If so, what measures? What percentage(s)?

Student Achievement Data

- Designate assessments that may be used by districts to determine local data

Principal Supervisors

- Adopt regulations establishing a statewide system (i.e. NEPF Standards/Indicators)

Different System

- Prescribe a form (if requested)

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## CURRENT RECOMMENDATIONS FOR BOARD MOTION(S)

- 2015-2016: NEPF for teachers and building-level administrators only
- 2015-2016: Districts continue to use local evaluations, approved by board of trustees, for principal supervisors and other licensed educational personnel
- 2016-2017: Direct TLC/NDE staff to make future recommendations to Board for statewide evaluation system for:
  - ✓ Principal supervisors
  - ✓ Other licensed educational personnel
    - Which (if any) should be included in a statewide system
    - What the system(s) should look like
    - What (if any) student measures should be included

## AB447 (2015) “The NEPF Bill” Fact Sheet

### Assembly Bill 447:

- Requires that future use of student achievement data (see below) include both state and local data sources.
  - **2015-2016:** Includes no student achievement data
  - **2016-2017:** Includes 20% student achievement data
    - 10% statewide assessment data
    - 10% district determined data (TLC to recommend to SBE for regulation change)
  - **2017-2018:** Includes 40% student achievement data
    - 20% statewide assessment data
    - 20% district determined data
- Requires the Teachers and Leaders Council (TLC) to make recommendations to the SBE regarding:
  - regulations for a statewide evaluation system for district administrators who supervise principals, and
  - district assessments/measures that may be used to demonstrate student outcomes.
- Gives the State Board of Education (SBE) the authority to determine the manner in which to measure the performance of librarians, counselors and other licensed educational personnel, including whether to use student achievement data as part of the evaluation.
- Allows school districts to apply to SBE to use a performance evaluation system and tools that are different than NEPF, provided that the proposed district performance evaluation system and tools must apply standards and indicators that are equivalent to those of the NEPF
- Changes the number of required observations and evaluations for teachers and building-level administrators, as shown below:

Probationary Educators	Year One Probationary	Year Two Probationary	Year Three Probationary
# of Required Evaluations	1	1	1
# of Required Scheduled Observations	3	2 <i>(if rated Highly Effective or Effective in Year One)</i>	1 <i>(if rated Highly Effective or Effective in Years One and Two)</i>
If overall performance on the <b>evaluation</b> is rated as Minimally Effective or Ineffective during the first or second year of the probationary period, the educator must receive <b>one evaluation</b> during the immediately succeeding school year based in part upon <b>three observations</b> .			

Post-Probationary with Previous Year Rating of:	# of required EVALUATIONS	# of required scheduled OBSERVATIONS
Highly Effective or Effective	1	1
Minimally Effective or Ineffective	1	3
If evidence from the <b>first two observations</b> during a school year indicates that, unless his or her performance improves, he/she may be rated as Minimally Effective or Ineffective on the <b>evaluation</b> , the post-probationary teacher or building level administrator may request the <b>third observation</b> be conducted by another administrator.		

## AB447 (2015) “The NEPF Bill” Extended Fact Sheet

**Statutes amended by AB447:**

**NRS 391.3123** *“Implementation of statewide performance evaluation system for counselors, librarians and certain other licensed educational personnel for 2015-2016 school year.”*

**NRS 391.3125** *“Policy for evaluations of licensed educational personnel; number of evaluations and observation schedule; request by post-probationary teacher for another evaluator; recommendations and assistance for employee; copy of evaluation.”*

**NRS 391.3127** *“Policy for evaluations of administrators; number of evaluations and observation schedule; request by post-probationary administrator for another evaluator; recommendations and assistance for employee; procedures for transfer or reassignment and appeal to board.”*

**NRS 391.460** *“Council required to make recommendations to State Board concerning statewide performance evaluation system; authorization to establish working groups and task forces”*

**NRS 391.465** *“Establishment of statewide performance evaluation system by State Board.”*

**Section 4:** (effective July 1, 2015) Amends NRS 391.3123 and removes the requirement that school boards implement NRS 391.3125 for evaluations of counselors, librarians, and other licensed educational personnel for the 2015-2016 school year. Instead it allows the State Board of Education (SBE) “*may provide for the evaluations*” of counselors, librarians, and other licensed educational personnel except for teachers and administrators, “*and determine the manner in which to measure the performance of such personnel, including, without limitation, whether to use pupil achievement data as part of that evaluation*”. The “counselors, librarians and other licensed personnel” language has been removed from other sections of NRS to be consistent with this change.

**Sections 5 and 6:** (effective July 1, 2015) Amends NRS 391.3125 and NRS 391.3127 to change the number of observations and evaluations required for teachers and building-level administrators, as shown below:

Probationary Educators	Year One Probationary	Year Two Probationary	Year Three Probationary
# of Required Evaluations	1	1	1
# of Required Scheduled Observations	3	2 <i>(if rated Highly Effective or Effective in Year One)</i>	1 <i>(if rated Highly Effective or Effective in Years One and Two)</i>
If overall performance on the <b>evaluation</b> is rated as Minimally Effective or Ineffective during the first or second year of the probationary period, the educator must receive <b>one evaluation</b> during the immediately succeeding school year based in part upon <b>three observations</b> .			

Post-Probationary with Previous Year Rating of:	# of required EVALUATIONS	# of required scheduled OBSERVATIONS
Highly Effective or Effective	1	1
Minimally Effective or Ineffective	1	3
If evidence from the <b>first two observations</b> during a school year indicates that, unless his or her performance improves, he/she may be rated as Minimally Effective or Ineffective on the <b>evaluation</b> , the post-probationary teacher or building level administrator may request the <b>third observation</b> be conducted by another administrator.		

## AB447 (2015) “The NEPF Bill” Extended Fact Sheet

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**Sections 5 and 6, continued:** Amends NRS 391.3127 to add that each board must have a policy (that complies with the statewide performance evaluation system in NRS 391.465) to provide for the evaluation of those administrators at the district level who provide direct supervision of the principal of a school.

**Section 8:** (effective July 1, 2015) Adds requirement that the Teachers and Leaders Council make recommendations to the SBE concerning the adoption of regulations for establishing a statewide performance evaluation system regarding “... administrators at the district level who provide direct supervision of the principal of a school...”

**Section 9:** (effective July 1, 2015 for purposes of adopting regulations and preparation, July 1, 2016 for all other purposes) Amends NRS 391.460 1(a) (1) to add “...which include evaluations based upon pupil achievement data as required by NRS 391.465.”

**Section 10:** (effective July 1, 2015 for purposes of adopting regulations and preparation, July 1, 2016 for all other purposes) Amends NRS 391.465 by adding a section that reads: “A school district may apply to the State Board to use a performance evaluation system and tools that are different than the evaluation system and tools prescribed pursuant to subsection 1. The application must be in the form prescribed by the State Board and must include, without limitation, a description of the evaluation system and tools proposed to be used by the school district. The State Board may approve the use of the proposed evaluation system and tools if it determines that the proposed evaluation system and tools apply standards and indicators that are equivalent to those prescribed by the State Board.”

**Section 11:** (effective July 1, 2015 for purposes of adopting regulations and preparation, July 1, 2016 for all other purposes) Requires student achievement data account for at least 20% of the evaluation “...pupil achievement data derived from statewide examinations and assessments must account for 10% of the evaluation of a teacher or administrator as applicable; and (2) pupil achievement data derived from assessments approved by the board of trustees of a school district that employs the teacher or administrator, as applicable, must account for at least 10% of the evaluation.

“The State Board shall, by regulation, designate the assessments that may be used by a school district to determine pupil achievement... The board of trustees of a school district may select one or more of the assessments designated by the SBE to determine pupil achievement, or the board of trustees may apply to the Superintendent of Public Instruction for approval to use a different assessment to determine pupil achievement.”

**Section 12:** (effective July 1, 2017) Changes percentage of student achievement data from 20% to 40% and divides it evenly at 20% statewide assessment data and 20% district determined data.