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July 24, 2015

**GUIDANCE MEMORANDUM #15-15**

**TO:** All School Districts

**FROM:** Dale A.R. Erquiaga  
Superintendent of Public Instruction

**SUBJECT:** Assembly Bill 447 of the 78<sup>th</sup> Regular Legislative Session – Educator Evaluations

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Since 2011, the Nevada Department of Education and local school districts have worked to design a statewide performance evaluation system; recent legislation and action by the State Board necessitate some explanation. This guidance memorandum is issued pursuant to the authority provided in NRS 385.175(5), directing the Superintendent of Public Instruction to enforce the observance of Title 34 of Nevada's statutes and all other statutes and regulations governing public education.

Assembly Bill 447 of the 78<sup>th</sup> Regular Legislative Session modified existing law and established new parameters for the evaluation system known as the Nevada Educator Performance Framework (NEPF). A fact sheet concerning the bill is attached and incorporated by reference. Key elements for districts to understand for the upcoming school year:

1. Beginning with the 2015-2016 school year, all districts will use the NEPF to evaluate all classroom teachers and building-level administrators. Evaluations will be based solely on the Educational Practice Standards & Indicators, consisting of Instructional Practice (teachers) or Instructional Leadership Practice (administrators) and Professional Responsibilities (both).
2. No student performance data will be used in school year 2015-2016.
3. This year, the State Board must begin planning for the inclusion of student performance data derived from local district sources/assessments. In the original NEPF model, only state-level summative assessments were contemplated, and the value was to be 50 percent of the overall score.

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AB447 has amended the student data provisions to provide for local data in future years, as follows:

**2015-2016:** Includes no student achievement data (as noted above)

**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

4. Librarians, counselors and other licensed personnel will continue to be evaluated under existing district-level evaluation systems during the 2015-2016 school year. The State Board of Education may provide for a new evaluation for these personnel in future years and may determine whether to use pupil achievement data as part of that evaluation. The Teachers and Leaders Council will make recommendations to the State Board.
5. During the upcoming year, the State Board will also establish an evaluation system for administrators at the district level who provide direct supervision of the principal of a school. The Teachers and Leaders Council will make recommendations to the State Board for this system as well.
6. For teachers and building-level administrators, beginning with the 2015-2016 school year, the bill changes the frequency of **observations** and the number of **evaluations** based on probationary status and prior effectiveness ratings. A chart is included in the attachment.

Districts are advised that they have a responsibility to their workforce to continue professional development on the NEPF, particularly the Educational Practice Standards and Indicators. The regional training programs or other providers may be of assistance; some funding is to be provided by the Department through the Great Teaching & Leading Fund for this purpose.

Finally, any district wishing to use an evaluation system other than the NEPF must apply to the State Board for approval. Please contact Dena Durish, Deputy Superintendent for Educator Effectiveness & Family Engagement, for additional information.



## 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.