

Assembly Bill No. 57—Committee on Education

CHAPTER.....

AN ACT relating to education; requiring that pupil growth account for 0 percent of certain teacher and administrator evaluations for the 2021-2022 school year; requiring that pupil growth account for 15 percent of certain teacher and administrator evaluations beginning with the 2022-2023 school year; temporarily suspending the requirement to develop learning goals for pupils to measure pupil growth; clarifying that pupil growth accounts for 0 percent of certain teacher and administrator evaluations for the entirety of the 2020-2021 school year; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires that pupil growth account for 15 percent of an evaluation of a teacher or administrator who provides direct instructional services to pupils. (NRS 391.465) Existing law provides that pupil growth may be determined by the extent to which the learning goals of a pupil are achieved. (NRS 391.480) **Section 1** of this bill requires that pupil growth account for 0 percent of an evaluation of a teacher or administrator during the school year 2021-2022. **Section 1** requires that pupil growth account for 15 percent of such an evaluation for each academic year beginning with the school year 2022-2023. **Section 2** of this bill temporarily suspends the requirement to establish learning goals for pupils during the school years 2020-2021 and 2021-2022.

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

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

**Section 1.** NRS 391.465 is hereby amended to read as follows:

391.465 1. 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 3, the State Board shall prescribe the tools to be used by a school district for obtaining such measures.

2. The statewide performance evaluation system must:

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

- (1) Highly effective;
- (2) Effective;
- (3) Developing; or



(4) Ineffective.

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

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

(2) The instructional practices of the employee.

(c) Except as otherwise provided in subsections 2 and 3 of NRS 391.695 and subsections 2 and 3 of NRS 391.715, require that pupil growth, as determined pursuant to NRS 391.480, account for ~~H5~~:

*(1) Zero percent of the evaluation of a teacher or administrator who provides direct instructional services to pupils at a school in a school district for the school year 2021-2022; and*

*(2) Fifteen percent of the evaluation of a teacher or administrator who provides direct instructional services to pupils at a school in a school district ~~H~~ for each academic year beginning with the school year 2022-2023.*

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

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

3. 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.

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

**Sec. 2.** NRS 391.480 is hereby amended to read as follows:

391.480 *For each school year beginning with the school year 2022-2023:*

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.

**Sec. 2.5.** Notwithstanding the amendatory provisions of section 2 of this act, if an agreement entered into between a school



district and an employee organization before the effective date of this act provides incentives to teachers on the basis of learning goals for the pupils of the teacher, a teacher who is subject to such an agreement may continue to develop learning goals for pupils pursuant to NRS 391.480 to satisfy the requirements of the agreement for the duration of the agreement. Any learning goals for pupils developed by a teacher shall account for the percentage of the evaluation of a teacher pursuant to NRS 391.465 set forth in that section.

**Sec. 3.** The amendatory provisions of sections 1 and 2 of this act apply for the entirety of the 2020-2021 school year to the evaluation of a teacher or administrator who provides direct instructional services to pupils at a school in a school district only to the extent that the amendatory provisions of sections 1 and 2 of this act do not result in the decrease of the overall rating of the teacher or administrator.

**Sec. 4.** 1. This act becomes effective upon passage and approval.

2. The amendatory provisions of sections 1 and 2 of this act expire by limitation on June 30, 2023.

