Joe Lombardo
Governor

Dr. Victor Wakefield
Superintendent of Public Instruction



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STATE OF NEVADA
DEPARTMENT OF EDUCATION

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Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada Department of Education is proposing new and/or amended regulatory language within the Nevada Administrative Code (NAC). A workshop has been scheduled for **Wednesday, November 18, 2026,** to stream online via YouTube or attend at the following locations: Nevada Department of Education Offices, 700 E. Fifth Street, Board Room, Carson City and 2080 E. Flamingo Road, Room 114, Las Vegas, Nevada. The purpose of the workshop is to solicit comments from interested persons on the following general topics to be addressed in a proposed regulation:

2:05 PM Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391 regarding certification process for administrators reviewing evaluations under the Nevada Educator Performance Framework.

A copy of all materials relating to the proposal may be obtained at the workshop, on the NDE website, or by contacting the Nevada Department of Education via email at rick.derry@doe.nv.gov. Persons wishing to comment upon the proposed action of the Department may provide in-person testimony or submit written comment via email at rick.derry@doe.nv.gov. Comments may be submitted via email leading up to and for the duration of the workshop.

This notice has been sent to all persons on the agencies mailing list for administrative regulations and posted on the Nevada Department of Education's website at https://doe.nv.gov/, Nevada's Public Notice site at https://notice.nv.gov, the Nevada State Legislature's webpage at https://leg.state.nv.us, and physically at the Nevada Department of Education Offices and with Nevada State Library and Archives. Copies of this notice will also be emailed to members of the public upon request.

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SMALL BUSINESS IMPACT STATEMENT PURSUANT TO NRS 233B.0608

DATE: November 2, 2026

RE: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391

The proposed regulation regarding the certification of administrators to conduct evaluations under the Nevada Educator Performance Framework is not likely to impose a direct or significant economic burden upon a small business, or directly restrict the formation, operation or expansion of a small business. A concerted effort was made to determine any economic burden. All relevant materials were reviewed, and the Department considered its history of implementing similar regulations; the proposed changes are within the scope of the Department's activities and present no significant cost of enforcement. 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 adverse economic impact can be assessed.

I, Victor Wakefield, 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 is accurate.

Dr. Victor Wakefield
Superintendent of Public Instruction
Nevada Department of Education

The intent of this regulation is to comply with language amending NRS 391.485, pursuant to SB460 Sec. 51 #4, adopting regulations establishing a framework for a certification program to rate administrators based on the ability of an administrator to properly conduct an evaluation and ensure that only certified administrators conduct evaluations pursuant to the statewide performance evaluation system as established per NRS 391.465.

Chapter 391.XXX is hereby amended by adding thereto a new section to read as follows:

1. Per the requirements of NRS 391.485, as amended by Senate Bill (SB)460 (2025), the Department shall:
    (a) Establish a framework for a certification program to rate administrators based on the ability of an administrator to properly conduct and evaluation; and
    (b) Ensure that only certified administrators, who participate in evaluations per the requirement set forth in NRS 391.465 for the statewide performance evaluation system, conduct evaluations

2. "Administrator" means a person who provides primarily administrative services at the school level or supervises principals at the school level, including conducting evaluations of personnel, and who does not provide primarily direct instructional services to pupils, regardless of whether such a person is licensed as a teacher or administrator, including, without limitation, a principal supervisor, principal, vice principal, assistant principal, dean, and student success coordinator.

3. To obtain certification to evaluate licensed personnel, an administrator must successfully complete training prescribed by the Department, ensuring the administrator has the ability to properly conduct evaluations, which includes, but is not limited to:
    (a) The ability of an employee to carry out his or her professional responsibilities;
    (b) The instructional practice of the employee;
    (c) The process for setting, monitoring, and fulfilling goals for educational growth and;
    (d) The process of conducting employee conferences, classroom observations, and providing actional feedback in support of growth in professional practice.
    (e) The process of establishing and monitoring a Performance Improvement Plan, per the requirements set forth in NRS 391.827, 391.828, 391.829, 391.831
    (f) The ability of an administrator to remain in compliance with the requirements of the statewide performance evaluation system

4. An administrator who supervises principals, must additionally complete training prescribed by the Department, ensuring the administrator has the ability to properly conduct evaluations, which includes but is not limited to:
    (a) The ability of a principal to carry out his or her professional responsibilities
    (b) The instructional leadership practice of the employee;
    (c) The process for setting, monitoring, and fulfilling goals for educational growth;
    (d) The process of conducting employee conferences and providing actionable feedback in support of growth in professional practice.
    (e) The ability of a principal to remain in compliance with the requirements of the statewide performance evaluation system;
    (f) The process of establishing and monitoring a Performance Improvement Plan, per the requirements set forth in NRS 391.827, 391.828, 391.829, 391.831; and
    (g) The process for conducting a review of at least 3 percent of all evaluations of licensed personnel for the administrators they supervise, as established by NRS 391.465,

5. Except as otherwise provided in subsection 6, each school district shall use the administrator certification tools and training materials prescribed by the Department for the purpose of earning

certification to conduct evaluations pursuant the statewide performance evaluation system. The Department shall prescribe such evaluation tools, including, without limitation:

(a) Rubrics for specifying expectations of performance which are measured during course completion;
(b) Protocols to guide participants through certification training completion in compliance with NRS 391.465, 391.480, 391.485, 391.827-831; and
(c) Instruments and techniques to assist the person completing certification as described subsection 3 and 4 of NAC 391.XXX.

6. A school district may apply to the Department for flexibility to employ an alternate training certification program than the program and tools prescribed by the Department.
The application must be on a form prescribed by the Department and include, without limitation:
   (a) The evaluation tools proposed for use by the school district, which must align with the standards prescribed by NAC 391.XXXX subsection 3 and 4:
   (b) The process that will be used to incorporate the scoring matrix prescribed by the Department pursuant to NAC 391.XXXX; and
   (c) Clear alignment to the requirements of the statewide performance evaluation framework as established by NRS 391.465, 391.480, 391.485, 391.827-831.

7. A school district must obtain approval from the Department pursuant to subsection 6 before using any certification training tools that are different from the certification training tools prescribed by the Department pursuant to subsection 5.

8. A school district shall not allow an administrator to independently conduct an evaluation without ensuring that the administrator is certified to conduct evaluations pursuant to NRS 391.845:
   (a) An administrator in the process of completing certification training may, with permission from their direct supervisor, who is certified to conduct evaluations, participate in the components of an evaluation cycle, including but not limited to:
      i. Classroom observation cycles;
      ii. Goal setting;
      iii. Pre and post conference feedback; and
      iv. Summative evaluation documentation
   (b) The administrator supervising the evaluation process must review and additionally sign all documentation in relation to the employee's summative evaluation, attesting to the accuracy and reliability of the evaluation process.

9. On or before May 1st of each calendar year, the Superintendent, or his or her designee, of each school district shall submit to the Department a formal written attestation verifying compliance with the administrator certification requirements as described herein, including but not limited to:
   (a) That every administrator currently employed by the school district who is required to conduct evaluations pursuant to the statewide performance evaluation framework has successfully obtained the certification required to conduct evaluations pursuant to NRS 391.485;
   (b) For any administrator who is assigned evaluation duties but is not yet fully certified, such individual is actively enrolled in and diligently pursuing the completion of the approved certification training necessary to obtain certification pursuant to NRS 391.485.
   (c) For any administrator operating under the provisions of paragraph (b), the school district shall maintain documentation specifying the expected date of completion for the required training, which must be made available to the Department upon request. No administrator operating under paragraph (b)may independently finalize a performance evaluation unless under the direct supervision of a fully certified administrator.

10. Each school district administrator whose duties include the evaluation of licensed personnel shall, upon the renewal of their educator license issued pursuant to NRS Chapter 391, successfully complete approved recertification training to maintain authorization to conduct evaluations pursuant to NRS 391.485:
    (a) An administrator is exempt from recertification requirements if the administrator has successfully completed the initial certification training pursuant to NRS 391.485 within the six (6) years immediately preceding the date when their educator license expires; and
    (b) Each school district shall maintain personnel records verifying the specific dates of evaluation certification and recertification for all administrative staff to ensure compliance with the six-year exemption threshold established under this section, which are to be made available to the Department upon request.