

The Nevada Department of Education, Office of Educator Development, Licensure, and Family Engagement recommend the following language be included within the Nevada Administrative Code to amend NAC Chapter 391.582 establishing new requirements. The intent of this regulation is to comply with language amending NRS 391.480, pursuant to per SB460 Sec.50 establishing goals for educational growth and required examinations administered pursuant to NRS 390.105, for each teacher who provides instruction in English language arts, science or mathematics.

Section 1. Chapter 391.582 of NAC is hereby amended by adding thereto new sections to read as follows:

NAC 391.582 Selection of assessments to determine extent to which ~~learning~~ goals for educational growth of pupils were determined; achieved; monitoring of assessments; modifications. (NRS 385.080, 390.105, 391.465, 391.480)

1. The criteria for determining which assessments a school or school district may use to determine goals for educational growth in accordance with examinations administered pursuant to NRS 390.105:
 - (a) For each teacher who provides instruction in English language arts, science, or mathematics:
 - (1) Establish pupil proficiency for the purpose of establishing goals for educational growth as measured over the course of the current school year; and
 - (2) Goals for educational growth must be based upon proficiency determined through examinations administered pursuant to NRS 390.105, the Nevada Academic Content Standards, and knowledge and skills in which pupils are expected to demonstrate growth in a particular subject or grade level
2. If a pupil has no prior assessment data available to establish criteria for the educational growth goal, as established in subsection 1:
 - (a) A school or school district shall use a modified version of an assessment described in subsection 1 to establish proficiency for the purpose of establishing the goals for educational growth; and
 - (b) If it is not practicable to use an assessment described in paragraph (a) to establish proficiency for the purpose of establishing the educational growth goal, a school or school district shall develop a new assessment to determine the proficiency knowledge and skills in which the pupil is expected to demonstrate growth in a particular subject or grade level. Such an assessment must be:
 - (1) Reviewed by experts to determine the validity of the assessment;
 - (2) Scored using a documented protocol that produces high reliability; and
 - (3) Is reflective of proficiency and pupil growth over time.

3. The criteria for determining which assessments a school or school district may use to determine goals for educational growth, pursuant to NRS 391.480:
 - (a) For each teacher who does not provide instruction pursuant to the subjects listed in subsection 1:
 - (1) A school or school district may use, without limitation, assessments that are course-embedded; teacher developed; or align with academic content standards for the appropriate course or grade level.
4. The criteria for determining which assessments a school or school district may use to determine the extent to which ~~the learning~~ goals for educational growth of pupils were achieved pursuant to subsection 5 of NRS 391.480 are:
 - (a) The degree to which the assessment aligns with:
 - (1) The standards of content and performance established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520; and
 - (2) Curriculum and instruction required for the standards adopted by the State Board;
 - (b) Whether the assessment is appropriately rigorous to determine pupil achievement in the intended subject areas; and
 - (c) The validity and reliability of the assessment.
5. A school or school district that uses an assessment to determine the extent to which the ~~learning~~ goals for educational growth of pupils were achieved pursuant to subsection 5 of NRS 391.480 shall continually monitor the use of the assessment to ensure:
 - (a) The reliability and validity of the assessment;
 - (b) That the assessment is scored accurately in a manner that produces results that allow the comparison of pupils, classes or schools; and
 - (c) The security of the assessment.
6. If practicable, a school or school district shall use an assessment that has previously been approved by the Department pursuant to subsection 3 of NRS 391.480 to determine the extent to which the ~~learning~~ goals for educational growth of pupils were achieved pursuant to subsection 5 of NRS 391.480.
7. If no assessment described in subsection 3 effectively determines the extent to which the ~~learning~~ goals for educational growth of pupils were achieved:
 - (a) If practicable, a school or school district shall use a modified version of an assessment described in subsection 3 to determine the extent to which the ~~learning~~ goals for educational growth of pupils were achieved; and

(b) If it is not practicable to use an assessment described in paragraph (a) to determine the extent to which the **learning** goals **for educational growth** of pupils were achieved, a school or school district shall develop a new assessment to determine the extent to which the **learning** goals **for educational growth** of pupils were achieved. Such an assessment must be:

- (1) Reviewed by experts to determine the validity of the assessment; and
- (2) Scored using a documented protocol that produces high reliability.

8. As used in this section:

(a) “Reliability” means the degree to which the results of the assessment are reproducible in similar circumstances; and

(b) “Validity” means the degree to which an assessment measures pupil achievement in the intended subject area.

(Added to NAC by Bd. of Education by R138-17, eff. 5-16-2018)