

PERFORMANCE EVALUATIONS - PROBATIONARY LICENSED PERSONNEL

Lyon County School District personnel recognize the importance of having effective teachers and administrators to deliver a quality educational program for all students. A vision to continually improve to better serve students is supported with a formal evaluation process. The primary purpose of evaluation of personnel is to promote personal growth and competence that, in turn, will result in the improvement of the educational services provided to the students. Evaluations need to document the strengths of employees, as well as areas for improvement. Evaluations that are truthful, reliable, impartial and understandable will serve the purpose of continual improvement for licensed personnel.

Nevada Revised Statute 391 outlines the process for evaluating certified probationary licensed personnel.

Reference:-NRS 391.311 through 391.3129, NRS 391.3197, NRS 391.465, Assembly Bill 447 (2015 Legislature)

Policy #G DFA
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*PERFORMANCE EVALUATIONS – PROBATIONARY LICENSED PERSONNEL –
ADMINISTRATIVE REGULATIONS*

Unless otherwise provided by negotiated agreement, a probationary employee is employed on a contract basis for three (3) one-year periods and has no right to employment after any of the three (3) probationary contract years. (NRS 391.3197)

Evaluation

The District will adopt the probationary licensed evaluation system required by the Nevada Department of Education, the Nevada Educational Performance Framework (NEPF). The NEPF evaluation tool provides standards, indicators, expectations and documents, and rates an employee as either Highly Effective, Effective, Minimally Effective or Ineffective. (NRS 391.465).

Teachers

A probationary teacher must receive one evaluation during each school year of their probationary employment. The evaluation must be based in part upon at least three scheduled observations of the teacher during the first school year of their probationary period as follows:

- 1) The first scheduled observation must occur within 40 days after the first day of instruction of the school year;
- 2) The second scheduled observation must occur after 40 days but within 80 days after the first day of instruction of the school year; and
- 3) The third scheduled observation must occur after 80 days but within 120 days after the first day of instruction of the school year.

If a probationary teacher receives an evaluation designating their overall performance as effective or highly effective during the first school year of their probationary period, the evaluation during the second school year of the probationary period must be based in part upon at least two scheduled observations of the teacher which must occur within the times specified in paragraphs (2) and (3) above.

If a probationary teacher receives an evaluation designating their overall performance as effective or highly effective during the first and second school years of their probationary period, the evaluation during the third school year of the probationary period must be based in part upon at least one scheduled observation of the teacher which must occur within 120 days after the first day of instruction of the school year.

If a probationary teacher receives an evaluation designating their overall performance as minimally effective or ineffective during the first or second school year of the probationary period, the probationary teacher must receive one evaluation during the immediately succeeding school year which is based in part upon three observations which must occur in accordance with the observation schedule set forth in paragraphs (1), (2), and (3) above. (NRS 391.3125)

Certified employees identified as “other licensed educational personnel” will be evaluated on a similar evaluation framework provided by the Nevada State Board of Education. NRS 391.3125)

Pupil achievement will account for a portion of the evaluation in the 2016-2017 school year and beyond. (NRS 391.3125 and NRS 391.465)

Administrators

A new employee or post-probationary teacher who is employed as an administrator shall be deemed to be a probationary employee and must serve a three-year probationary period as an administrator.

The evaluation of an administrator at a school designated as a turnaround school must not include an evaluation of the performance of pupils enrolled in the school for the first and second years after the school has been designated as a turnaround school.

A probationary administrator must receive one evaluation during each school year of his or her probationary employment. The evaluation must be based in part upon at least three scheduled observations of the probationary administrator during the first school year of his or her probationary period which must occur in accordance with the observation schedule set forth for probationary teachers.

If a probationary administrator receives an evaluation designating their overall performance as effective or highly effective during the first school year of their probationary period, the evaluation during the second school year of the probationary period must be based in part upon at least two scheduled observations of the administrator which must occur within the times specified in paragraphs (2) and (3) of subsection a. (Teachers) of the observation schedule set forth for probationary teachers.

If a probationary administrator receives an evaluation designating their overall performance as effective or highly effective during the first and second school years of their probationary period, the evaluation during the third school year of the probationary period must be based in part upon at least one scheduled observation of the teacher which must occur within 120 days after the first day of instruction of the school year.

If a probationary administrator receives an evaluation designating their overall performance as minimally effective or ineffective during the first or second school year of the probationary period, the probationary administrator must receive one evaluation during the immediately succeeding school year which is based in part upon three observations which must occur in accordance with the observation schedule set forth in paragraphs (1), (2), and (3) of subsection a. (Teachers) of the observation schedule for probationary teachers. (NRS 391.3127)

Pupil achievement will account for a portion of the evaluation in the 2016-2017 school year and beyond. (NRS 391.3127 and NRS 391.465)

Notice of Re-employment

The Board shall notify each probationary employee in writing on or before May 1 of the first, second and third school years of his/her probationary period, as appropriate, whether s/he is to be re-employed for the next year of the probationary period or for the next school year as a post-probationary employee. The employee must advise the Board in writing on or before May 10 of the

first, second and third year of his/her probationary period, as appropriate, of his/his acceptance of re-employment. Failure of the board to notify the probationary employee in writing on or before May 1 in the first or second year of the probationary period does not entitle the employee to post-probationary status.

A probationary employee who completes his/her three-year probationary period and receives a notice of re-employment from the District in the third year of his/her probationary period is entitled to be a post-probationary employee in the ensuing year of employment. (NRS 391.3197)

Notice of Non-Re-employment

If a probationary employee is notified that s/he will not be re-employed for the second or third year of his/her probationary period or the ensuing school year, his/her employment ends on the last day of the current school year. The notice that s/he will not be reemployed must include a statement of the reasons for that decision.

Except for a dismissal prior to the completion of the current school year, probationary employees do not have due process rights regarding admonitions, demotions, suspensions, dismissals, and non-reemployment. Employees who are dismissed prior to the completion of the current school year are entitled to an expedited hearing pursuant to the Expedited Labor Arbitration Procedures established by the American Arbitration Association or by its successor organization. (NRS 391.3197)

Administrators

A new employee or post-probationary teacher who is employed as an administrator shall be deemed to be a probationary employee and must serve a three-year probationary period as an administrator.

If a post-probationary teacher who is an administrator is not reemployed as an administrator after any year of his/her probationary period and there is a position as a teacher available for the ensuing school year, the Board of Trustees of the school district shall, on or before May 1, offer the person a contract as a teacher for the ensuing school year.

An administrator who has completed his/her probationary period and is thereafter promoted to the position of principal must serve an additional probationary period of one year in the position of principal. If an administrator is promoted to the position of principal before completing his or her probationary period, the administrator must serve the remainder of the probationary period, or an additional one year probationary period, whichever is longer. If the administrator serving the additional probationary period is not reemployed as the principal after the expiration of the additional probationary period, the Board shall, on or before May 1, offer the person a contract for the ensuing school year for the administrative position in which the person attained post-probationary status. (NRS 391.3197)