

## PERFORMANCE EVALUATIONS - PROBATIONARY LICENSED PERSONNEL

### 1. Probation

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.

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.

### 2. Evaluation

The District has adopted a performance evaluation system in compliance with the statewide performance evaluation system known as the Nevada Educator Performance Framework (NEPF). The NEPF requires that the District rate overall performance as highly effective, effective, developing, or ineffective. Additionally, a portion of the evaluation is based on student achievement. The requirements of the NEPF are outlined in Nevada Revised Statute (NRS) and Nevada Administrative Code (NAC) regulation, specifically in Chapter 391. The primary purpose of evaluation is to provide a format for constructive assistance. Evaluations, while not the sole criterion, must be used in the dismissal process. Administrators evaluating teachers must hold a conference with the teacher before and after each scheduled observation.

**References:** NRS 391.311 through 391.3129, NRS 391.3197, NRS 391.465, Assembly Bill 447 (2015 Legislature) 650 through 391.730 and 391.810 through 391.826.

NAC 391.565 through 391.589.

***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)

1. Timeline for Evaluations - Probationary Licensed Personnel

a. 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 cycles of the teacher during the first school year of their probationary period as follows:

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

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

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 cycles of the teacher which must occur within the times specified in paragraphs numbers (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 cycle 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 developing 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 cycles which must occur in accordance with the observation cycle schedule set forth in paragraphs numbers (1), (2), and (3) above. (NRS 391.3125 685)

*Note:* 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)

b. 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 students 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 the probationary employment. The evaluation must be based in part upon at least three scheduled observations cycles of the probationary administrator during the first school year of his or her the probationary period which must occur in accordance with the observation cycle 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 cycles of the administrator which must occur within the times specified in paragraphs numbers (2) and (3) of subsection a. (Teachers) of the observation cycle 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 cycle 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 developing 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 cycles which must occur in accordance with the observation cycle schedule set forth in paragraphs numbers (1), (2), and (3) of subsection a. (Teachers) of the observation cycle schedule for probationary teachers. (NRS 391.3125 705)

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)

## 2. Notice of Re-employment

The Board shall notify each probationary employee in writing on or before May 1 of during the first, second, and third school years of his/her the employee's probationary period, as appropriate, whether s/he the employee is to be reemployed for the next year second or third year of the probationary period, or for the next fourth school year as a post-probationary employee. Such notice must be provided on or before May 1 (or, on or before May 15 of an odd-numbered year so long as the board notifies the employee of the extension by April 1). 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 of the employee's acceptance of reemployment on or before May 10 if the board provided its notice on or before May 1 (or, on or before May 25 if the board provided a notice of an extension by April 1). Failure of the board to notify the probationary employee in writing on or before May 1 or May 15, as applicable, in the first or second year of the probationary period does not entitle the employee to post-probationary status. Failure to advise the board of the employee's acceptance of reemployment as outlined above is conclusive evidence of the employee's rejection of the contract.

A probationary employee who completes his/her the three-year probationary period, receives a designation of highly effective or effective on each of the evaluations for two consecutive school years, and receives a notice of re-employment from the District in the third year of his/her the probationary period is entitled to be a post-probationary employee in the ensuing year of employment (a.k.a the fourth year of employment). (NRS 391.3197 820)

## 3. Notice of Non-Re-employment

If a probationary employee is notified that s/he they will not be re-employed for the second or third year of his/her their probationary period or the ensuing school year, his/her school year following their three-year probationary period, employment ends on the last day of the current school year. The notice that s/he the employee will not be reemployed must include a statement of the reasons for that decision (NRS 391.820).

LYON COUNTY SCHOOL DISTRICT  
BOARD POLICY

GDFBA

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 If a probationary employee receives notice that they will be dismissed prior to before the completion of the current school year, they may request 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 822 - 391.824)

Probationary Administrators

A new employee or post-probationary teacher who is employed as an administrator to provide primarily administrative services at the school level 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 employed as an administrator is not reemployed as an administrator after any year of his/her their probationary period and there is a position as a teacher available for the ensuing school year in the District, 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 according to the provisions of the Notice of Re-employment section of this policy and regulations.

An administrator who has completed his/her their 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 their probationary period, the administrator must serve the remainder of the probationary period, or an additional one year probationary period in the position of principal, whichever is longer. If the administrator serving the additional probationary period is not reemployed as the a principal after the expiration of the probationary period or 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 according to the provisions of the Notice of Re-employment section of this policy and regulations. (NRS 391.3197 820)