

May 22, 2020

Chair Brittney Miller
Nevada Legislative Committee on Education

Re: **Administrators Refusal to Hire of Qualified Licensed Educators**

Members of the Nevada Legislative Committee on Education,

I would like to bring to your attention an unintended consequence of AB469, a law that passed in the 2017 Legislative Session. This law is referred to as the reorganization of CCSD into a decentralized model that allows autonomy to the schools and school principals. To be clear, CCEA supported this law and continues to do so. However, we want to highlight an area where the law has produced unintended consequences. Under Section 16.2 of that law, it permits principals to 'select' staff. However, that provision is conditioned by Section 16.4 which states:

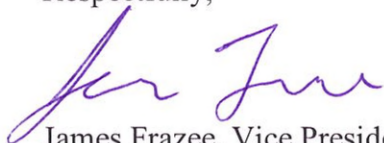
"To the greatest extent possible, the principal of a local school precinct shall select teachers who are licensed and in good standing before selecting substitutes to each at the local school precinct. The principal, in consultation with the organizational team, shall make every effort to ensure that effective licensed teachers are employed at the local school precinct."

This past year, we have seen principals abuse this provision and blatantly not hire qualified, licensed, and effective teachers. One teacher was denied reentry back into their school after they completed an approved medical leave of absence. Recently, 17 teachers who are effective, licensed, and qualified, were denied placement at schools that had vacancies they applied for because the principal simply did not want them and cited their right under AB469 to deny entry.

There are currently over 1800 vacancies in CCSD. For principals to be allowed to flagrantly not place effective and qualified teachers in these vacancies is not only a disregard for the meaning and intent of the law but a careless disregard for students' education. Furthermore, upon review of some of these cases, there are employment practices that border on discrimination that these principals have engaged in. Older female teachers are being denied employment. Teachers of color have been denied employment (in schools that have a high number of minority students and very few minority teachers). Let me be clear- to date, those vacancies remain open or filled by a substitute despite a qualified, effective and licensed educator to fill them.

We are asking you, as lawmakers, to look into this issue as well. We need to revise AB 469, Section 16.2 that conditions the right of a principal to select staff to be in compliance with employment laws and contractual rights that teachers have in a collective bargaining agreement. Attached is information regarding sections of law for this issue.

Respectfully,



James Frazee, Vice President Elect
CCEA

Below are the provisions that are part of AB469 that was passed in the 2017 Legislative Session specifically Sections 16.2 and 16.4:

Section 16.2: To superintendent shall transfer to each local school precinct the authority to carry out the following responsibilities:

(a) Select for the local school precinct the:

- (1) Teachers;
- (2) Administrators other than the principal; and
- (3) Other staff who work under the direct supervision of the principal.

Section 16.4: To the greatest extent possible, the principal of a local school precinct shall select teachers who are licensed and in good standing before selecting substitutes to each at the Local school precinct. The principal, in consultation with the organizational team, shall make every effort to ensure that effective licensed teaches are employed at the local school precinct.