

October 8, 2020

Elaine Wynn, President
Nevada State Board of Education
2080 E. Flamingo Rd. Suite 210
Las Vegas, NV 89129

Re: Emergent Issues Regarding the Reorganization of the Clark County School District

President Wynn and Board Members:

There are two important issues related to the reorganization of CCSD under the law known as AB469 that CCEA would like to bring to your attention. We have raised these issues with the Superintendent as well.

Before I start I want to remind this board that CCEA supported AB469 and in fact helped work on the ultimate language of the bill. I was a primary participant in drafting this legislation. We believe in a decentralized delivery system with autonomy and control at the school level. We believe 85% of all unrestricted dollars must go to the school and follow the student into the classroom. We believe in the School Organization Teams made up of parents, teachers, support staff, the principal, and members of the community. In short, despite what we are about to share with you today we strongly support AB469 but there are two trends that have developed that are alarming and do not reflect what the intent of the law.

The first is the issue of carryover dollars. Under NRS 388G.650 paragraph 3 states, *“each local school precincts must carry forward its year-end balance to the next school year for use by the local school precinct.”* This year there will be \$142 million; last year they were \$67 million – that is a 200% increase. This is not what the law was intended to become. This money should be spent on student instruction and support. The major source of carryover dollars is salary savings (i.e. attrition). This occurs when funded fulltime positions are not filled by educators but by substitutes.

The second issue is the failure to place licensed and qualified teachers in vacant classrooms. Last year, we had close to 500 vacancies year round. Currently, there are close to 400 vacancies. Yet last spring and continuing today as we speak, we have principals refusing to place licensed and qualified educators into these vacancies. They are citing their right to hire staff under NRS388G.610 paragraph 2 and they are using an opinion written by Attorney General Laxalt as their justification. Yet, in many cases, these positions are being filled by substitutes. This is a violation of NRS 388G.610 paragraph 4 that prohibits the hiring of a substitute if there is a licensed and qualified educator available. As a result of this activity, CCEA has found that there is an employment practice emerging that discriminates against older qualified licensed educators and, in some cases, minority educators.

Both of these issues have two things in common. Principal’s authority. We believe the law is clear and that this practice on the part of principals in ‘banking’ carry over dollars and refusing to hire qualified licensed educators is not what the reorganization of the school district intended when it gave school precincts autonomy.

Why are the carryover dollars as high as they are and in fact doubled from last year? Why are principals not hiring licensed and qualified educators in their classroom and retaining substitutes in lieu of hiring available licensed and qualified educators?

AB469 allows for the Superintendent of Public Instruction to have more oversight authority on the implementation of AB469. Under NRS 388G580 *“the Superintendent of Public Instruction shall take such actions as deemed necessary and appropriate to ensure that each large school district carries out the reorganization of the school district in accordance with NRS 388G500 to 388G810.”* CCEA has asked the Superintendent of Public Instruction to exercise its authority and look into these issues.

Furthermore, under NRS 388G.590 the *“State Board shall adopt such regulations as it deems necessary and appropriate to carry out the provisions of NRS 388G.500 to 388G810.”* Accordingly, we are asking this Board to look into this matter as well.

Respectfully,

A handwritten signature in blue ink that reads "John Vellardita". The signature is fluid and cursive, with a large initial "J" and "V".

John Vellardita, Executive Director
CCEA