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The 78th session of the Nevada Legislature ended at midnight on June 2, without going into a special session. NSEA, with the support of its local affiliates, helped avert what could have been a disaster for public education, collective bargaining, the Public Employees’ Retirement System, and voters’ rights. The NSEA lobby team supported by our local affiliates, especially CCEA, helped move legislation that will improve the education our students receive by providing the resources and programs necessary for their success. Not all legislation was positive or constructive, and some of it was the result of outside groups with private agendas. Despite these realities, NSEA with the support of local affiliates helped modify harmful legislation even though it passed both chambers.

Entering this legislative session, NSEA faced several challenges that could have proved disastrous had it not been for the help of our local affiliates. The last month of the session proved to be daunting in covering committee hearings, bills, amendments and working relationships to address those bills. CCEA contributed at least five staff to the lobbying effort during the last several weeks of the legislative session and produced and aired commercials statewide that aided in moving pro-public education legislation. NSEA utilized resources from the Advocacy Fund to support legislative organizing plans from CCEA, WEA, LCEA, and UCN.

To say that we dodged a bullet would be a huge understatement. Let’s take a look back to even before the beginning of the 2015 session and see what got us to where we are today.

Since 2009 Republicans have held the Governor’s office and Democrats have held both houses of the Legislature. The result has been:

- 2009: Special Session changes teacher evaluation from 0% to 50%
- 2011: The education reform acts AB 225 and AB 229
  - Loss of due process rights for post-probationary teachers
  - Three years of probation for new teachers with no due process
- 2013: Collective failure to adopt adequate funding for public education.

In all three sessions, the greatest source of disappointment for educators came from friends we used to be able to count on. They led the move toward more anti-public education policies in 2008 and 2011 while failing to lead on funding public education. This reality forced NSEA, with the assistance of its local affiliates, to change the way it works with both parties over the past two years. This was not an easy task as there is a school of thought that we should be completely loyal to traditional allies and, in some cases, unconditionally. The problem is this formula is not providing the results we want for members, and we need to rethink how we work with both political parties. A growing number of friends are wobbly on issues important to teachers and education support professionals and, as political contributions further blur political lines, educators in a number of states have decided to support moderates in both parties who are generally more supportive of our issues.

In Carson City, Republicans didn’t come without stereotypes. Hard-liners were anti-public education, anti-collective bargaining, anti-public pension, and it appeared at the beginning of the session they would become a party that was willing to cannibalize their own, especially moderates. Facing these challenges, in retrospect, it is clear from the results of the session that the establishment of relationships with individuals who support our cause was the single biggest factor in determining success. Of course this shift in position drew attention from the rest of the political community, labor, and other groups and that was to be expected. Educators and support professionals sent both parties a message that we are no longer going to be taken for granted by any one party. The efforts paid off with moderate Republicans standing up and working with NSEA and its local affiliates to fight the most severe anti-collective bargaining and anti-PERS reforms the state has ever seen.

So let’s see how this has worked for us during the legislative session.

Continued on page 16
Legislative Session: NSEA Legislative Priorities

A Quick List of Bills Signed & Failed

Descriptions below indicate bills signed by the Governor and bills that failed to pass.

NSEA Legislative Priorities - Supported

Peer Assistance and Review, Signed: SB 332 - Provides funding to implement Peer Assistance and Review (PAR) in CCSD.

Strategic Compensation, Signed: SB 391, SB 405, SB 432, SB 508, SB 511, AB 483 - Teachers and paraprofessionals.

Professional Development and Funding, Signed: SB 474 - plus targeted PD in student program bills.

Developmental Delay, Signed: AB 341 - Assessments for pupils indicating needs.

Kindergarten Eligibility, Signed: SB 391 - Kindergartener assessment in first 30 days of school.

Evaluations and Pupil Data, Signed: AB 447 - 0% in 2015-16/20% in 2016-17/40% in 2017-18.

Classroom Supplies, Signed: SB 133 - up to $250 for classroom supplies and materials


Full Funding for State/Federal Mandates- Signed: SB 483 - tax system, SB 515 - substantial budget increase, SB 503 - pupil breakfast funding, SB 429 - 2013-15 funding short fall, AB 175 - Uber tax.


Class Size Reduction Accountability and Funding- Signed: class size accountability AB 278, class size average ratio increased by 1 pupil and portables funded in SB 515, school construction bills SB 119, SB 207, SB 411.

Teacher Induction and Mentoring - Signed: SB 511 scholarships and incentives, SB 474 professional development, SB 332 PAR.

NSEA Legislative Priorities - Opposed


Anti-PERS Bills - Failed: AB 190 - PERS hybrid pension/401K style plan, AB 312 - 60 month high compensation average for retirement calculation.

Private School Vouchers - Signed: SB 302 institutes private school voucher accounts.

Charter Schools - Achievement School District- Signed: AB 448 establishes up to 6 achievement school district campuses per year from list of low performing school district campuses.

Deconsolidation of CCSD - Signed: AB 394 study and implementation plan to divide CCSD into school district precincts. • •
Legislative Session:  
Summaries of Bills Passed

High Priority Bills NSEA Supported

The following bills were passed and signed into law by the Governor. A full list of bill summaries for bills NSEA supported and opposed can be found at www.nsea-nv.org.

Educator Standards and Accountability

**AB 447 Educator Evaluations**
- AB 447 removes the requirement that pupil achievement data be used for the 2015-16 school year. For 2016-17, data from statewide assessments must account for at least 10% of the evaluation and school district assessments must account for at least 10% of the evaluation totaling 20% of the overall score. Beginning with 2017-18 the ratio is 20%/20% state and local data, totaling 40%. The bill also allows a school district to request to use a different evaluation system than the state system.

**Impact on NSEA Members**
- The bill provides relief for NSEA members by delaying and reducing the use of student performance data in evaluations, allowing local assessments for one-half of the student data score, and providing a phase-in period for further review of student performance data, and local evaluation options.

**SB 133 Teacher Supplies Reimbursement Account**
- SB 133 creates the Teachers’ School Supplies Reimbursement Account in the state general fund to provide up to $250 per teacher for classroom supplies. The bill appropriates $2,500,000 for Fiscal Year 2015-2016 and $2,500,000 for Fiscal Year 2016-2017.
- In addition, the bill authorizes a person with unclaimed property of less than $500 on account with the Nevada Unclaimed Property Administrator to donate the property or the net proceeds of a sale of the property to the Teacher’s School Supplies Reimbursement Account.
- The bill requires each school district to determine how to distribute the money to the teachers, including a request for reimbursement and whether to submit receipts to the principal of the school who must retain the receipts until the end of the next fiscal year.

**Impact on NSEA Members**
- NSEA members will have the opportunity to be reimbursed for out-of-pocket classroom expenses.

**Educator Preparation, Professional Development, Compensation**

**AB 483 Teacher and Administrator Pay for Performance**
- AB 483 requires school districts to annually reserve a sum of money sufficient to pay up to a 10% increase in base salaries for not less than 5% of the teachers and administrators employed by the school district.
- The bill eliminates the requirement that performance pay be the subject of collective bargaining and requires the program to focus on the lowest-rated schools.
- The bill requires the initial increase in salaries be effective for the 2016-2017 school year.

**Impact on NSEA Members**
- NSEA members may have less leverage in collective bargaining for across-the-board pay raises if the set-aside funds are not supplanted with new revenue authorized in the education budget and allocated by school districts. NSEA members may also have opportunities for bonuses based on performance.

Continued on page 6
SB 474 Great Teaching and Leading Professional Development Fund

- SB 474 creates the Great Teaching and Leading Professional Development Fund in the state general fund. The bill authorizes NSEA, its local affiliates, and other professional development providers to apply for funding to conduct professional development for teachers and other licensed personnel.
- The bill requires the State Board of Education to prescribe the priorities for which grants may be awarded. Program delivery may include professional development, educator preparation, peer assistance and review, leadership training and development, and programs to recruit, select, and retain effective teachers and principals.
- The bill creates the Advisory Task Force on Educator Professional Development to study and report to the Legislature on the effectiveness and needs for professional development of teachers, school administrators, and unlicensed educational personnel.

Impact on NSEA Members

- NSEA members will benefit from more effective and targeted professional development opportunities.

SB 511 Teach Nevada Scholarships and New Teacher Incentives

- SB 511 provide grants to universities, colleges, and providers of alternative licensure programs to award scholarships up to $3,000 per semester to teaching preparation students up to $24,000 total. The bill also allows payment of 25% of the scholarship to the recipient who graduates and teaches for five years in Nevada.
- The bill provides up to $5,000 in incentives for newly hired teachers who are employed to teach in low performing schools.

Impact on NSEA Members

- NSEA student members will benefit from scholarship opportunities, and NSEA members will have the option to pursue a portion of the incentive pay assignment funds.

Peer Assistance & Review
SB 332 Peer Assistance and Review Funding

- SB 332 appropriates money for Fiscal Years 2015-17 to the Clark County School District to carry out a program of peer assistance and review for teachers in meeting the standards for effective teaching.

Impact on NSEA Members

- NSEA members who are novice or underperforming teachers will benefit from assistance for improving instruction by highly effective peers.

Collective Bargaining
SB 241 Collective Bargaining

- SB 241 authorizes a local government employer to provide unpaid leave to an employee for time spent in performing employee organization duties, reduces the time to conduct a hearing on complaints about bargaining in good faith to 45 days, limits “evergreen” language in collective bargaining relating to increasing compensation, excludes school administrators whose annual salary is greater than $120,000 from membership in a bargaining unit, requires the employee organization to give notice on or before January 1 to bargain, and allows eight sessions of negotiations before issues are submitted to an arbitrator.
- The bill requires the parties to select an arbitrator no later than 330 days before the end of the existing bargaining agreement. In the event that an impasse is declared the arbitrator must schedule a hearing of not less than three consecutive business days and must agree to render a decision, if the hearing is held, within ten days of receiving final offers.
- The bill provides that during the first three years of employment by a school district, a principal is employed at-will. The principal again becomes an at-will employee and is subject to dismissal if in two consecutive school years the state accountability rating of the school is reduced by one or more levels and 50% or more of the teachers request a transfer.

Impact on NSEA Members

- NSEA members may benefit from enhanced bargaining procedures and principal accountability measures included in the bill. The evergreen clause will require proactive negotiation practices on the part of bargaining units.
Student Performance and Accountability

SB 460 Accountability System for Low Performing Schools

- SB 460 requires the State Board of Education to adopt regulations that prescribe an alternative performance framework to evaluate schools that serve at-risk pupils.
- A school is eligible to be rated using the alternative performance framework if the pupils: (1) have been expelled or suspended from school; (2) are a habitual disciplinary problem; (3) are academically disadvantaged; (4) have been adjudicated delinquent or in need of supervision; or (5) have an individualized education program, and at least 75% of the pupils fall within one or more of these categories. “Academically disadvantaged” is defined as being retained in the same grade two or more times or a deficiency in the credits to graduate.
- A school that wishes to be rated using the alternative performance framework must request the school district to apply to the State Board for approval.

Impact on NSEA Members

NSEA members employed in schools that operate under the alternative accountability system will benefit from a system that is in alignment with their student population.

Instructional Program Quality and Resources

AB 341 Dyslexia Instruction and Professional Development

- AB 341 requires each school district and charter school that serves pupils in Kindergarten or grade 1, 2 or 3 to prescribe an early literacy screening assessment. Screenings for dyslexia and instruction to address the needs of students with indicators of dyslexia must be made.
- The bill requires at least one employee in each Kindergarten or grade 1, 2 or 3 school to receive professional development regarding dyslexia. The bill requires the Department of Education to prepare and publish a Dyslexia Resource Guide for school districts and requires the State Board to create a course of higher education study on dyslexia and related disorders.

Impact on NSEA Members

- The bill provides NSEA members with training and instructional resources for students with dyslexia and other literacy challenges. NSEA won an amendment in the bill to expand the number of students eligible for screening in lieu of expanding the age eligibility for developmental delay.

SB 391 Read by Grade Three Program

- SB 391 requires the board of trustees of each school district or the governing body of a charter school to prepare a plan to improve the literacy of Kindergarten and grades 1, 2 and 3 pupils.
- The bill requires the principal of a public elementary school and charter school to designate a licensed teacher to serve as a learning strategist to train and assist teachers in reading instruction and authorizes additional compensation to learning strategists and teachers whose overall performance is determined to be “highly effective” under the statewide performance evaluation system.
- Requires each teacher employed by a school district or charter school who teaches Kindergarten or grade 1, 2, 3 or 4 to complete professional development in reading.
- Requires the principal to provide notice to parents that a pupil exhibits a deficiency in reading in Kindergarten or grade 1, 2 or 3 and establish a plan for instruction.
- A pupil enrolled in grade 3 must be retained if the pupil does not obtain the score prescribed by the State Board on the criterion-referenced examination in reading. Good-cause exemptions are allowed, and the State Board must prescribe an alternate examination for those pupils. Additional measures are also included in the bill.

Impact on NSEA Members

- NSEA members instructing K-3 students will have access to additional resources, training, and incentive pay for elevating student reading abilities. NSEA won an amendment in the bill to assess Kindergarteners in the first 30 days of enrollment in lieu of increasing Kindergarten age eligibility.

Continued on page 8
SB 405 Zoom Schools Expansion
• SB 405 requires the Clark County School District and the Washoe County School District to continue to carry out a program of Zoom elementary schools and to expand the program to middle schools, junior high schools, and high schools. The bill authorizes other school districts to apply for Zoom School grants for children who are limited English proficient.
• The bill requires the State Board of Education to prescribe outcome indicators to measure the effectiveness of Zoom School programs and requires the department to contract for an independent evaluation of the school districts and charter schools that received money.

Impact on NSEA Members
• NSEA members instructing in Zoom Schools will have access to additional resources, training, and incentives for elevating the academic progress of ELL and low performing students.

SB 432 Victory Schools, Resources for Low Income Schools
• SB 432 provides for the distribution of money to schools that have high numbers of pupils living in poverty and have received one of the two lowest possible ratings indicating underperformance of a public school.
• The bill requires each school district in which a Victory School is designated and the governing body of each charter school that is designated as a Victory School to conduct an assessment of the needs of pupils and submit a comprehensive plan for how the funding will be used to meet those needs.

SB 503 Breakfast after the Bell
• SB 503 provides for the creation of the Breakfast after the Bell Program for the purpose of requiring public schools with 70% or more of pupils eligible for free and reduced price lunches to provide breakfast to their pupils after the school day has officially begun. Exceptions from participation may be made based on federal meal reimbursements available to public schools for serving breakfast. The bill authorizes a participating school to choose a suitable model for serving breakfast under the program.

Impact on NSEA Members
• NSEA members instructing in schools serving student breakfasts will need to accommodate their start of day procedures to allow for breakfasts to be facilitated.

School Districts
AB 278 Class Size Reduction Reporting and Accountability
• AB 278 requires the Department of Education to develop policies and procedures to monitor the plans developed by each school district, monitor the quarterly reports submitted by each school district, review any variance requested by a school district, and distribute any money to school districts for the reduction of pupil-teacher ratios.
• The bill requires the department to develop guidance for school districts on developing plans to reduce pupil-teacher ratios, reporting on the reduction of pupil-teacher ratios, and the data to measure the effectiveness of plans to reduce pupil-teacher ratios. The bill requires the department to communicate with the school districts regarding the use of any money distributed to reduce pupil-teacher ratios, including the minimum number of teachers each school district is expected to employ.
• The bill requires the legislative auditor to conduct an audit concerning school district use of money appropriated for the class-size reduction program during the 2013-2015 biennium. The audit must include an
examination and analysis of the “plus two” program that authorized school districts to elect to increase class size by two pupils.

**Impact on NSEA Members**

- NSEA members should benefit from enhanced requirements for school districts to maintain reduced pupil-teacher ratios.

**SB 411 County Vote on Taxes for School Construction**

- SB 411 authorizes the board of trustees of a school district to establish a Public Schools Overcrowding and Repair Needs Committee to recommend taxes for consideration by the voters in the 2016 general election to fund the capital projects of the school district.

- A committee may not be established in a county in which there is imposed for the benefit of a school district a tax on the gross receipts from the rental of transient lodging or a tax on transfers of real property or both (currently Clark County).

- If the committee submits its recommendations to the Board of County Commissioners by April 2, 2016, the Board of County Commissioners is required to submit the tax proposal to the voters in the November 8, 2016, general election. If the additional tax is approved, the proceeds must be deposited in the fund for capital projects of the school district and may be pledged to the payment of the principle and interest on bonds or other obligations issued for school purposes.

**Impact on NSEA Members**

- NSEA members outside of CCSD would benefit from passage of taxes to build or repair school campuses.

**Education Funding**

**SB 429 Supplemental appropriations bill for 2013-15**

- SB 429 makes a supplemental appropriation to the state Distributive School Account in the sum of $62,026,744 for a shortfall resulting from an unanticipated increase in K-12 enrollment for the 2013-2014 and 2014-2015 school years and related factors. The bill as introduced will allocate $77,704,344.

**Impact on NSEA Members**

- NSEA members will benefit from the supplemental appropriation that will ensure that school districts are adequately funded to pay all their obligations for the remainder of the current biennium.

**SB 483 Government Financial Administration and Taxes**

- SB 483 is the tax bill that provides for funding of public schools and other governmental services. The bill includes a commerce tax on the Nevada gross revenue of business, a payroll tax on businesses, an excise tax on cigarettes, a state business license fee, a list fee on business, a tax on the net proceeds from mining operations, the local school support tax, the basic governmental services tax, and other related matters.

**Impact on NSEA Members**

- NSEA members will benefit from the revenue the new tax system will provide to public schools.

**SB 508 Nevada Plan Reform**

- SB 508 modernizes the Nevada Plan for funding public education. The bill removes the single annual count of pupils and requires school districts to make quarterly reports of average daily enrollment. The bill prospectively removes special education program units and includes a multiplier to the basic support for pupils with disabilities, includes funding provisions for Kindergarten, revises hold-harmless provisions for school districts and charter schools, creates the Contingency Account for Special Education, and requires the Department of Education to develop a plan for a multiplier to the basic support guarantee for LEP, FRL, and G&T pupils.

**Impact on NSEA Members**

- NSEA members will benefit from the updated funding formulas that will more adequately reflect the cost of education for diverse student populations.

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Delegate Assembly 2015

Congratulations to all of the award winners!

NSEA Human and Civil Rights Award
Bishop James M. Rogers, Sr.
Mariluz Garcia

Government Relations Award
Gordon McGregor

Bernard J. Anderson Dedicated Educator Award
Dana Galvin

Marian Conrad Retired Educator Award
Warren Wish

Friend of Education Award
Doug Smithson

Friend of Education Award
Cassandra Rice

Isaac Perez Outstanding Educator Award
Jesse E. Salas, Jr.

Highest Increase in Membership
(Highest Number of Membership Gain)
Education Support Employees Association

Highest Increase in Membership
(Highest Percentage of Membership Gain)
Eureka Schools Classified Association

Reach For the Stars Scholarship Recipients
Thuy Khau
Brittany Seaver
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I see myself as a glass-half-full kind of guy. I tend not to exaggerate the negative, nor do I minimize the positive. Obviously when the situation is complicated and nuanced, a simple interpretation is very difficult and any interpretation needs to reflect lots of shades of grey.

When NSEA asked me to analyze how the Nevada Public Employees’ Retirement System (PERS) fared in the just-completed Legislature, I took a deep breath and concluded that significant changes were made to the system, but I felt relieved because the negative impact could have been much worse. Public employees would have been significantly harmed if some of the proposed Republican bills had passed.

At the Tuesday, June 16 PERS Board meeting, PERS Executive Director Tina Leiss reported that she believes PERS survived the Legislature virtually unscathed. From her point of view, as a pension system PERS will not be harmed by the changes, though future employees will have slightly lower benefits.

From my perspective, harm to PERS would have been far worse if not for the efforts of the NSEA lobby team in Carson City, other public employee unions, and the protective instincts of PERS’ retirees and active members. As a state affiliated agency, PERS cannot engage in the political process and must remain above the fray. Even to respond to bills that are unconstitutional or to give testimony that is highly suspect, PERS must remain objective and diplomatic.

I’m sure we have all seen the occasional news report after a tornado when survivors are interviewed expressing how thankful they feel that only their barn and some fences were destroyed, but no one was killed and their homes were spared. Recognizing the positive in a horrible situation psychologically gives us the strength to carry on.

Looking back on the just-concluded Legislature, I feel the same way as the tornado survivor. Without a doubt, substantive changes were made to PERS affecting new employees hired after July 1, 2015. Current employees will see a curious mix of minor changes, and PERS will actually recognize a one billion dollar financial gain over the next decade due to reduced benefits to new employees. Yet, at the end of the storm, PERS survived in its current form as a defined benefit retirement system, and neither current public employees nor retirees will see any loss of benefits.

It is not hard to explain how this happened. Members of the most conservative faction of the Republican majority came to Carson City and painted a bullseye on PERS. In so many ways, Assemblyman Randy Kirner (Washoe-R), along with fellow Republicans Jim Wheeler, John Ellison, and John Moore, were the tornado winds...
equating the destruction of PERS as sensible reform. Using a script from the highly conservative American Legislative Exchange Council (ALEC) playbook, Kirner first sought to change the composition of the PERS Board with people from Wall Street banking and investment companies (AB 3). His second bill (AB 190) was designed to transform PERS into a 401(k) defined contribution hybrid system. His goal was to privatize the way PERS money was invested on behalf of new members. Only after an independent actuary estimated that this bill would cost Nevada public agencies an additional $750 – $800 million a year did legislators take notice. Despite Kirner’s assurance to the contrary, it is not possible to pay down the unfunded liability by prohibiting new public employees from becoming full members of PERS and maintain the contribution rates all at the same time.

It seemed every person testifying in favor of radical change to PERS — mostly Chamber of Commerce entities or the ultra-conservative Nevada Policy Research Institute — began their testimony with an acknowledgement that the system was one of the best performing and well managed public pensions in the country. Yet each predicted PERS would self-destruct or offered the opinion that the achievements of the past 30 years could not be sustained.

All the “experts” invited by Kirner could only say that their company would promise to make PERS better. When legislators questioned how this was going to happen when 401(k) plans cost more to implement and far more to manage, the experts could only say that their plan would transfer investment risk from the state to the individual PERS member. As NSEA President Ruben Murillo, Jr. said in his testimony, “If PERS is not broken, it doesn’t need to be fixed.”

It took the testimony of labor, economic, and pension expert Professor Teresa Ghilarducci from The New School in New York City to set the record straight and provide a stark contrast to all of Kirner’s experts. She testified that Nevada PERS uses the highest levels of pension “hygiene” and its pension benefits are appropriate and fiscally responsible.

Within the first month of the Legislature, six bills were introduced to either cut PERS’ benefits or change the operational policies of the pension system. Looking back, I recognize that the defeat of these bills took a substantial effort on the part of our legislative ground team and tremendous online input from retired and active members. Not only were committee hearing rooms filled beyond capacity with retirees opposed to these bills, but behind the scenes NSEA spent considerable time developing political relationships with the majority leadership to make sure almost all of these anti-PERS bills did not get to the floor for final vote.

A bill by Nevada State Treasurer Dan Schwartz to include himself on the PERS Board gave comic relief. Very quickly his proposal was shot down with bipartisan disdain. It is never a good sign when PERS is under pressure from outside financial interests or those wanting to mix politics with pension money. Frankly, it was disconcerting to hear some Republican legislators express the opinion that privatization of public programs such as PERS is in the state’s best interest. If public employees and unions cannot do a better job making sure these legislators are not re-elected, then I can guarantee anti-PERS bills will come back again in 2017.

Another bill introduced by Assemblyman Glen Trowbridge sought to reduce PERS benefits by lengthening the formula to compute benefits from highest
three years to highest five years. This esteemed official is the former president of Retired Public Employees of Nevada (RPEN). Despite vigorous objections from NSEA and other public employee groups, this bill made it out of committee but in the final days was unceremoniously left behind.

Ultimately, on the Senate side SB 406, an omnibus PERS bill introduced by Senate Majority Leader Michael Roberson, ended up passing both houses and being signed by the Governor. This bill contained benefit reductions that would affect new employees and policy changes that would affect both current and new employees.

New employees hired after July 1, 2015, will have their benefit multiplier – the annual percentage that is multiplied by the number of years of service – lowered from 2.5% to 2.25%. New employees will have to work 33 1/3 years before reaching the maximum 75% of salary retirement level. A lower cap from 5% (or 4% for those hired after 2010) to 3% on post-retirement increases was included in the changes.

Some SB 406 changes also affect current employees. All current and new employees killed in the line of duty — meaning on the job — the spouse, significant other, or family will receive a new compensation option for their loss. Any new employee committing a work-related felony — embezzlement, fraud, criminal acts will forfeit the investment portion of their retirement. Also, PERS benefits will be limited to $200,000 in salary for new employees. In the future, those very high-paying public jobs will see a cap on their retirement benefits.

In retrospect, when it comes to understanding how the 2015 Nevada Legislature impacted the Nevada Public Employees’ Retirement System (PERS), a fair analysis begins with the 2014 November election. For the first time in over seven decades, both houses of the Legislature and all the executive offices were controlled by the Republican Party. Looking back at the issues and goals of the Legislature, it should not come as a surprise that the conservative majority targeted PERS, collective bargaining, and vouchers for significant change. What surprised me was the extent to which the Governor was able to use his influence and form a coalition for major increases to much needed educational programs and a significant increase and broadening of the tax base.

Most of all, I want everyone to know that the behind the scenes work by our president Ruben Murillo, the entire ground and lobby team lead by Jovan Agee, CCEA President Vikki Courtney, CCEA Executive Director John Vellardita, and the input by NSEA staff members Debbie Cahill, Nick Di Archangel, and Mike McLamore was invaluable. Without their dedication and hard work, we would have been singing a dirge rather than celebrating the start of a new era in Nevada public education.

### SB 406 Overview

New employees hired after July 1, 2015:

- **Benefit multiplier lowered from 2.5% to 2.25%**
- **To reach 75% of salary, must work 33 1/3 yrs.**
- **Post retirement increase cap lowered to 3%**
Retirement! - Debbie Cahill, NSEA Deputy Executive Director

Debbie,

Happy Retirement and Thank You for Your Years of Service.

- Your NSEA Family

Today, today, today
I’m finally on my way
The time has come to say
goodbye, goodbye, goodbye
- James Taylor

What Does a Win Look Like, continued from page 3

The Good:

• SB 483: This funding bill, which included elements of tax proposals from the Governor, Assemblymen Armstrong and Anderson, and Senator Spearman was passed. This will help fund public education programs and resources necessary for the success of our students.

• SB 511: This bill creates a funding source in the form of an incentive for new teachers who work in schools that are at-risk. This bill also provides scholarships for those who want to teach and provides candidates for the teacher pipeline.

• SB 474: This bill addresses professional development that would allow for NSEA and any of its local affiliates to become a provider of professional development. The funding would be provided by applying for state grants.

• SB 332: This bill will help CCEA fund the Peer Assistance and Review pilot project in Clark County for the 2015-16 school year.

• SB 133: This bill first introduced in the 2013 session creates a School Supplies Reimbursement Account which could reimburse teachers up to $250 for out-of-pocket expenses on school materials.

• AB 447: This bill changes the percentage of student evaluation to be included in teacher evaluations from 50% to 40% by implementing 0% component for the first year, 20% for the 2016-17 school year and the full 40% for the 2017-18 school year. It also changes the language and intent for evaluation of first-year teachers from three evaluations to three observations.

• SB 241: This bill was supported by all public sector labor unions and was considered a compromise to offset other proposed bad collective bargaining legislation. It modifies the evergreen clause and requires both parties to bargain a year in advance. It also requires terminating bad principals if they have two successive years of low student performance and high staff turnover. One unfortunate interpretation by public employers is that they can cease pay
Take Your Career to New Heights... 
Become a National Board Certified Teacher!

Have you considered taking your teaching career to the next level and becoming a National Board Certified Teacher (NBCT)? It is an enriching experience that strengthens and grows your teaching abilities and allows you to take your students to new learning heights. Did we mention that you also increase your salary by 5% when you become Board certified?

CCEA will be hosting a 4-day National Board Jump Start workshop, 8am-2pm on August 4-7, 2015, at Bob Miller Middle School (2400 Cozy Hill Circle, Henderson, NV 89052). Spend four days learning about this amazing process. You will receive information about the certification process, have time to examine components and Assessment Center requirements, have the opportunity to plan your strategy to meet requirements, and have time to collaborate, gather resources, and information needed to pursue certification – all in a supportive, constructive, and collegial environment.

Jump Start’s intensive 4-day workshop will cover:

**Day 1 – Foundations:** Candidates will engage in a seminar to explore fundamental documents necessary for pursuing National Board Certification — including standards, the five core propositions, and looking at teaching and learning through the lens of an accomplished teacher.

**Day 2 – Component 2: Differentiation in Instruction (evidenced by student work).** This component involves planning for instruction and assessment using student work as a measure of the effectiveness of their instructional practice and feedback to students. This component is classroom-based and requires differentiation to meet student needs.

**Day 3 – Component 3: Teaching Practice & Learning Environment (evidenced by video recordings).** This component involves creating a portfolio entry, including video segments, of your teaching.

**Day 4 – Component 1: Content Knowledge (evidenced by assessment center).** In this Jump Start academy, candidates will delve into content knowledge standards, analyze Assessment Center requirements, and do self-reflection to identify personal content gaps. Candidates will also plan to imbed content knowledge into their day-to-day teaching context.

Registration fee for the 4-day workshop is $200 for CCEA or NSEA members (or $50/day attended). The fee includes breakfast, lunch and snacks each day and all training materials. Part of the registration fee also provides a honorarium to each of the many NBCTs and trainers who contribute their time to make this event a quality experience for candidates. Non-members may also attend on a space available basis; registration fee for non-members is $800 for the four-day training or $200/day.


For registration and/or general questions regarding Jump Start or the National Board process, please contact:

- Southern Nevada: Betsy Giles at BGiles@ccea-nv.org

For information regarding:

- the revised National Board Certification process, visit [boardcertifiedteachers.org](http://boardcertifiedteachers.org).
- the Nevada State National Board Reimbursement, contact James Kenyon at jkenyon@doe.nv.gov.
- NRS391.160: Five (5) percent salary increase for teachers and counselors who hold certification issued by the National Board for Professional Teaching Standards, please contact your school district’s Human Resources Department.

We look forward to helping you achieve your National Board Certification! ••
You may have heard about parents wanting to opt-out of standardized tests in Nevada and other states. There has been much confusion about whether or not parents can opt their children out of tests like the Smarter Balanced Assessment Consortium (SBAC) test. Adding to the confusion are news reports citing students from around the state opting out versus districts stating, “…parents are not allowed to opt their child out…”

So which is it? Can a parent opt out or not and, as an educator who is opposed to excessive standardized testing, what can you do about it?

First, let us take a look at the decision issued March 27, 2015, by Nevada Attorney General Adam Laxalt to State Superintendent Dale Erquiaga. It reads that there is nothing in state law making tests mandatory. “As Nevada law currently has no explicit provision making CRTs mandatory or optional, and federal law only encourages substantial but not universal participation in these CRTS, the decision to make the CRTs mandatory, optional, or to give that discretion to the individual school districts is within the agency tasked with administering the statute,” wrote Laxalt. Following this decision, the state superintendent left the final decision on opt-out and testing to individual districts. The response from school districts was split but also muted due to technical issues with SBAC testing. Churchill County Superintendent Dr. Sandra Sheldon said, “The decision is up to the district to decide on opting-out and at this time testing is still mandatory.” The Humboldt County superintendent announced at their April 14, 2015, meeting that the district was allowing parents “to do so at certain grade levels with a written statement.”

The most important thing you should know as an educator is if you solicit, encourage, or facilitate an opt-out while on the job and as part of your duties, you risk discipline from the employer up to and including termination. Teachers are also vulnerable to discipline if they refuse to administer or grade standardized tests. First Amendment protections do not extend to on-duty speech. Teachers and education support professionals have a degree of First Amendment protection against discipline for speaking as citizens about issues of public concern, but it is far from absolute; therefore NEA offers three avenues for advocacy on this matter:

- **Union resolution**—support a local affiliate resolution in favor of parental opt-out rights
- **State legislation**—support your state association in the legislative session to advocate for opt-out legislation
- **School board resolutions**—work with your local affiliate to advocate for a school board resolution to embrace opt-out rights.

Remember, while these are avenues to take, advocacy should be done on non-working time and away from the classroom and other working spaces. If a disciplinary charge arises from activity following this guideline, it is likely the discipline can be challenged successfully.
What Does a Win Look Like, continued from page 16

increases for the next year. This provision of the bill is being challenged by labor groups.

• SB 168: This bill addresses the reopening of a collective bargaining agreement during a fiscal emergency. It carves out money from the ending fund balance that would be used for compensation and benefits. While public sector employers were targeted with this legislation, school districts were exempt from this provision.

• SB 406: This bill was another one supported by all public sector labor unions and was considered a good compromise between the other proposed bad PERS bills. The PERS multiplier was changed from 2.5% to 2.25% for new hires only.

The Bad

• AB 280: Would have revised provisions relating to relations between local governments and certain public employees and would have given local governments the choice to negotiate with an employee organization and exempted police officers. This bill died in committee.

• AB 182: Would have revised provisions relating to collective bargaining by local government employers and would have eliminated binding arbitration and fact-finding process, end release time, and would have eliminated the “evergreen” clause. It also would have eliminated automatic dues-deduction and allowed for union members to opt-out of their union at any time. This bill died in committee.

• AB 249: Would have made various changes relating to collective bargaining. Would have required all agreements be posted online 21 days prior to the final public hearing on any CBA. It would have also required the chief executive officer to notify that a local government can meet funding requirements for the length of the CBA, or for three years, whichever is longer. It would have also prohibited fact-finding from considering a 25% end year balance from CBA negotiations. This bill died in committee.

The Ugly:

• SB 448: This bill authorizes an Achievement School District, which initially targeted 68 underperforming schools. The final version includes six underperforming schools taken from districts across the state and run by the Nevada Department of Education in cooperation with private charter school management firms.

• AB 302: This is the school voucher bill allowing parents of public school students to use an estimated $5,000 in state aid earmarked for their children to be placed in education savings accounts (ESA) for tuition or other expenses related to non-public education. This includes religious, private schools and homeschooling. The only stipulation for eligibility is that a student must have been enrolled in a public school for 100 consecutive days. This means 93 percent of public school students in Nevada will be eligible for this new program. Instead of investing in public schools, the majority party instead helped to provide a way for wealthier parents to send their children to private schools.

What did a win look like at the end of the session for our members?

• Our collective bargaining rights including automatic dues deduction and the right to bargain are preserved

• Minimal changes were made to PERS despite Armageddon legislation

• Radical Republican legislators and groups like NPRI were prevented from taking advantage of a strategic opportunity and agenda to make Nevada the Wisconsin of the West

• For the most part party line votes on disastrous legislation were prevented except for for SB 302 and SB 448

• Relationships on both sides of the aisle that will carry us into the future were developed and strengthened

Moving forward NSEA needs to review and revamp its candidate endorsement process and determine what its endorsements mean to candidates in the next election cycle. Relationships need to be developed and refined with Republicans, Democrats, and the business community. Special attention needs to be paid to the Nevada Department of Education. What became blatantly evident is that the Nevada Department of Education will be a major player when it comes to proposing education reform and its implementation.

To be successful in the future, NSEA must be flexible. NSEA cannot afford to be a static organization it must instead change its behavior based on new knowledge and insight. Also NSEA must work diligently to prepare for the 2016 presidential caucuses, the 2016 elections and—yes—the 2017 legislative session. The time to prepare is now.
## Calendar of Events

### August 2015

<table>
<thead>
<tr>
<th>Date</th>
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| 5    | ESEA Executive Board Meeting  
       ESEA Rep Council Meeting |
| 11   | CCEA Executive Board Meeting  |
| 12   | WESP General Membership Meeting |
| 18   | CCEA Rep Council Meeting |

### September 2015

<table>
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<th>Date</th>
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| 1    | CCEA Executive Board Meeting  
       WEA Board of Directors Meeting |
| 2    | WEA Rep Council Meeting  
       WESP Board of Directors Meeting |
| 7    | Labor Day – (NSEA Offices Closed) |
| 9    | ESEA Executive Board Meeting  
       ESEA Rep Council Meeting |
| 11   | Patriot Day |
| 14   | Rosh Hashanah - Begins at Sunset on 9/13 |
| 15   | CCEA Executive Board Meeting  
       WEA Board of Directors Meeting |
| 16   | WESP General Membership Meeting |
| 22   | CCEA Rep Council Meeting |
| 23   | Fall Equinox  
       Yom Kippur – (Begins at Sunset on 9/22)  
       NSEA Budget Meeting |
| 24-27| NSEA Board of Directors Meeting |
| 25   | Native American Day |
| 28-30| NEA Executive Committee Meeting  
       NEA Board of Directors Meeting |

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**Remember to Always Take Along a Friend!**

This card doubles as both your membership card and as a valuable savings card which gives you large savings on many purchases.

Among the places you can save, you’ll find restaurants, stores, movie theaters, appliances and more—all ready to save you money, just for being an NSEA member. From top national brands you know and trust to thousands of businesses, there are savings for every NSEA member.

We hope you are enjoying this valuable benefit and all the other services you receive as an NSEA member. It’s just one more way to say thank you for your hard work and valuable service.