



THE AMERICAN RESCUE PLAN

On March 11, 2021 President Biden signed the American Rescue Plan into law. This historical economic relief package will provide critical funding to support students and help alleviate suffering felt by millions of Americans.

No one has wanted to return to full-time, in-person learning more than the educators who dedicate their lives to helping their students succeed. After months of tireless advocacy, the Nevada State Education Association applauds the passage of this legislation.

Members of the National Education Association and activists helped secure nearly \$170 billion for public schools. Over the past months, NEA members and activists wrote hundreds of thousands of messages and placed thousands of calls to their senators and representatives advocating for Congress to pass this package that will include the single largest investment ever in education funding. The \$170 billion in funding will help ensure the safety and well-being of students and educators, alike.

This historic legislation not only provides the resources to help every school building put in place the effective measures needed to keep students and educators safe; it also makes extraordinary investments that will lift countless children and families out of poverty and works to address the immense inequities that have systematically affected the most vulnerable students and communities of color.

With this bill, the lives of America's students, educators, and their families will improve in significant ways. In addition to the 170 Billion mentioned above, this relief package includes:

- more than \$7 billion for E-Rate to help address the Digital Divide that has disproportionately affected students in rural areas and communities of color,

- almost \$350 billion in local and state aid to keep frontline workers including educators on the job and students with the dedicated education personnel they need.

Nevada is set to receive approximately \$1.3 Billion in total education funding through this package.

Thanks to the American Rescue Plan

Nevada will receive

\$1,328,000,000

for public K-12 & higher ed schools

- \$1 Billion K-12 Funding (Elementary and Secondary School Emergency Relief Fund or ESSER)
- \$203 Million for Higher Ed Funding;
- \$4.1 Billion in state and local aid.

Our public schools and institutions of higher education can use these and other funds in the American Rescue Plan:

- To hire more teachers, paraeducators, custodians, nurses and counselors,
- To implement safety protocols and acquire PPE,
- To improve ventilation and HVAC systems,
- To help students deal with incredible trauma and lost opportunities to learn they've endured this past year,
- To put devices and the internet in the hands of students who have been locked out of online learning, and
- To feed hungry students and provide assistance for homeless students.

The passage of the American Rescue Plan is proof that when NSEA/NEA members show up and make our voices heard, we shape the future for ourselves and our children. This legislation will undoubtedly alleviate some of Nevada's suffering, but there is much work to be done to fully recover and create the public schools all students need and deserve.

LINE THE STREET AT 6 FEET: **#RedForEdNV #ListenToEducators**



On February 15, 2021, hundreds of educators in red scarves and face coverings were back in Carson City and Las Vegas, lining both sides of the street from the Legislative buildings to bring attention to education funding. After sustaining difficult cuts last summer, K12 public education is threatened with another devastating hit—\$156 million in cuts over the biennium to class size reduction means more overcrowded classrooms even with the largest class sizes in the nation now. Additionally, a reduction in per-pupil funding moves education in Nevada the wrong way.

Federal emergency relief funds will address the impact of the COVID-19 pandemic to safely open and operate school buildings over the next year and a half. However, we know these funds will only serve as a temporary patch. Uses of funds are restricted, so they can't be used to backfill proposed cuts. Before the pandemic, Nevada ranked near the bottom of states in most education metrics. Federal emergency relief does nothing to address this structural deficit.

Since the introduction of SB543, NSEA has expressed policy concerns about the new school funding plan—the lack of educator voice; no new revenue for our chronically underfunded schools; watering down of our model education equity programs, Zoom and Victory schools; freezing and squeezing most school district budgets for a period of years; a giveaway to charter schools without increased accountability, and rewriting the rules of collective bargaining to make it nearly impossible

for education unions to win a raise at the bargaining table.

Now, the Governor's proposal to phase implementation of SB543 raises a slew of new questions. A month after its introduction, we still don't know the impact on individual school districts. Will there be yet another round of new winners and losers? Under the Nevada Plan, the state provides a basic support guarantee for every Nevada student, as required by the Constitution. Under the phased approach local revenues are excluded from this calculation, cutting the state guarantee in half to under \$3000 per pupil. What will be the impact on our schools if local revenues are less than anticipated?

NSEA maintains it is completely irresponsible to effectuate a radical shift in the state's education funding formula amidst a global pandemic, especially as further general fund cuts are proposed for our schools. This is even more true with the late hour changes proposed by the Governor. Given all these challenges, we believe the only responsible course of action is to delay SB543 until after the pandemic, while we are able to work together on optimal funding and the revenue plan to get us there.



Nevada needs new, ongoing state revenue. NSEA asks legislators to dig deep to find the political will to place AJR1 on the ballot. AJR1 would generate \$485 million in new revenue for Nevada annually. While only a part of what is needed for our educators and students, we see it as a critical step toward building a funding plan to achieve optimal education funding. **[Click here to read more.](#)**

HELP PASS SENATE BILL 142



BACKGROUND: In the final hours of the 2019 Legislative Session, Senate Bill 543 (the “Pupil Centered Funding Plan”) was passed with only a single public hearing. NSEA has consistently advocated moving towards greater equity in education, ensuring all school districts have the resources necessary to provide a high-quality education for every Nevada student. NSEA opposed Senate Bill 543 for a host of policy concerns, one of which was an anti-union end fund balance provision buried in the bill. With limited time spent discussing such a complex bill, the issue of ending fund balance received very little attention in the overall SB543 discussion.

However, previously in the same session, significant thought was put into how to treat ending fund balance not subject to collective bargaining. The Nevada Administrative Code (NAC 354.660) already states a school district ending fund balance of up to 8.3% of its annual budget is not subject to employee negotiations. Senate Bill 26 proposed putting this language in the Nevada Revised Statutes. After a full hearing on the subject, the bill failed to clear the committee. Another bill, Senate Bill 111 addressed the issue of ending fund balances and clarified that any monies from the state intended for salary or benefits for employees of school districts would be subject to negotiations with an employee organization.

Language in Senate Bill 543 doubling the amount of ending fund balance walled off from collective bargaining was a gross departure from current practice, policy, and previous direction of the legislature. This provision is anti-union and anti-collective bargaining and could tie up as much as \$740 million in ending fund balances while Nevada school

districts continue to suffer from an educator shortage. This provision will make it nearly impossible for education unions to win much-needed raises at the bargaining table.

WHAT DOES THE BILL DO? Senate Bill 142 was introduced on February 23, 2021 by Senator Roberta Lange. SB142 repeals the provision contained in SB543 walling off school district ending fund balances from employee negotiations.

WHAT CHANGES? In short, if SB142 is passed, the rules for negotiations between school districts and education unions will continue the way they have been conducted for years. With the ending fund balance provision contained in 2019’s Senate Bill 543 repealed, the collective bargaining rules on school district ending fund balance would revert to the 8.3% based upon the Nevada Administrative Code (NAC 354.660).

WHY IS SB142 GOOD POLICY? Collective bargaining, a mutual exchange of positions followed by an agreement, enables a group of employees with a “community of interest” to negotiate a binding, written contract with an employer. It gives workers a voice in their workplace and has become a respected approach. Collective bargaining is the most proven system for improving standards and quality of life for working people, including delivering higher wages. When labor and management can come to an agreement on salary and benefits, everyone benefits. If this provision were to remain at 16.6%, it will make it nearly impossible for any education union to ever win a raise at the bargaining table, further harming educator recruitment and retention. Creating an incentive for Nevada school districts to sit on up to \$740 million is clearly bad policy for educators but will also harm students. **Send a letter and help pass SB142.**

Education Support Professionals Need Unemployment Insurance

On February 10, 2021, SB75 was heard in the Senate Committee on Commerce and Labor. NSEA sought an amendment to allow education support professionals to be eligible for unemployment benefits during the summer months.

NSEA represents educators across the state, including thousands of ESP's who provide vital services to the children in Nevada's public education system. ESPs perform a wide range of essential work, including nutrition services, instructional assistance, school secretaries, maintenance and operations, student transportation, and more.

Nine-month, ten-month, and eleven-month education employees are not currently eligible to receive unemployment benefits during the summer months if they have a reasonable assurance to return for the next school year. Under normal circumstances, most ESPs have other employment opportunities during the summer. This income is vital to many ESPs, especially those who make less than a living wage during their working months.

Unfortunately, with the COVID-19 pandemic, job opportunities last summer were severely limited, and many ESPs struggled to make ends meet.

The likelihood of another summer with limited job opportunities due to the COVID-19 crisis would mean another summer with no income for thousands of Nevada educators. NSEA is seeking an amendment to SB75 to allow education support professionals to be eligible for unemployment benefits during the summer months.

In 1991, federal law made it optional for states to deny unemployment to nonprofessional employees of education institutions both for the weeks that begin during a break between academic terms and for those that begin during a vacation or recess for a holiday. NSEA is offering this amendment to SB75 to remove the language in NRS 612.432 and 612.434 referencing "service in other capacity" or "other service", which would provide unemployment eligibility for 9, 10, and 11-month education support professionals.

As of the publishing of this newsletter, NSEA has been working with DETR on a fix for ESP's this summer. We will have more information as the Session continues.

Standardized Testing: AB 83

The announcement by the US Department of Education regarding standardized tests is profoundly disappointing. Returning to in-person instruction should be about instructional time and support for our kids, not hours of standardized testing. This is the wrong priority for our kids.

Standardized tests should be suspended this year, a year unlike any other. Educators need flexibility. The message cannot be "welcome back to your classroom, or we know you've been in a difficult hybrid learning model, here is a standardized test." Sadly, that's the message we got.

We cannot simply be focused on reopening school buildings; we need to be focused on re-opening them better than they were. Issues educators have faced like overcrowded class sizes and inequities are not new, they are just exacerbated by the pandemic.

Over-testing has been a longstanding concern of classroom educators, as decades of standardized tests have shifted the focus in education away from

student learning toward a culture of high stakes testing. This crisis calls for a more substantive overhaul of testing requirements.

With districts tailoring their response to meet the unique challenges they face in their own communities, a one-size-fits-all approach to standardized tests misses the mark of this moment. In this moment, suspension of standard tests is the smart thing to do.

In light of the recent guidance issued by the US Department of Education, the Nevada Department of Education should exercise the limited flexibility offered to suspend high stakes school rankings. We further believe SB83 should be amended to ask the US Department of Education to reconsider their decision not to offer waivers from testing requirements this school year.

To help, you can email the U.S. Department of Education at ICDocketmgr@ed.gov (subject line: ED-2021-SCC-0032) and tell them to support our students by allowing states to cancel standardized tests this year.

THAT'S WHAT WE'RE TALKING ABOUT!

[Here Are the Bills NSEA Has Testified on at the Nevada Legislature So Far!](#)
(the bills and memos are hyperlinked, so click them to read more)

SUPPORT

AB19: Revises the academic subjects that constitute social studies. [NSEA Memo](#)

AB48: Authorizes certain retired public officers and employees to reinstate insurance under the Public Employees' Benefits Program. [NSEA Memo](#)

AB57: Pauses the use of student growth in teacher evaluations until 2023. [NSEA Memo](#)

AB88: Requires public schools and universities to adopt a policy prohibiting the use of certain racially discriminatory identifiers. [NSEA Memo](#).

AB109: requires that all teachers who provide instruction at a charter school be licensed to teach in this State. [NSEA Memo](#)

SB27: Nevada Department of Education Omnibus Bill. [NSEA Memo](#)

SB83: Authorizes the Nevada Department of Education to temporarily waive or pause mandated student assessments if the United States Department of Education has waived or paused similar requirements. [NSEA Memo](#)

OPPOSE

AB68: Makes various changes relating to charter schools. [NSEA Memo](#)

SB75: Revises provisions relating to unemployment compensation. NSEA is seeking an amendment to allow education support professionals to be eligible for unemployment benefits during the summer months. [NSEA Memo](#)

SB76: NSEA opposes SB76 and has strong concerns regarding proposals to eliminate the Council to Establish Academic Standards and the governing bodies of the Regional Professional Development Programs. In addition, with proposed cuts to class size reduction, we feel it is the wrong time to relax reporting requirements on variances to pupil-teacher ratios. [NSEA Memo](#)

[CLICK FOR NSEA'S 81ST SESSION BILL TRACKER](#)