



# **Assembly Bill (AB) 469 (2017)**

## **Definition of Terms**

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AB 469 Subcommittee Meeting  
January 12, 2022

# Presentation Outcomes

- AB 469 Subcommittee Members will receive an overview of input received from stakeholders regarding the definitions of “In good standing” and “To the greatest extent possible.”
- The State Board of Education receives Nevada Department of Education suggested recommendations concerning the definition of “in good standing” and “to the greatest extent possible”. Recommendations include a rationale.
- AB 469 Subcommittee Members will propose definitions of “In good standing” and “To the greatest extent possible” to bring to the State Board of Education.

# Context for this Conversation

- Legal counsel for the State Board of Education (SBE) has recommended that the SBE define two terms (“in good standing” and “to the greatest extent possible”)
- After AB 469 was signed into law (May 7, 2017), CCSD agreed to fully implement AB 469 during the 2018-19 school year.
- To that end, CCSD voluntarily collaborated with NDE in the development of an action plan (“2018 Plan for the Implementation of Actions to Finalize Compliance with Assembly Bill 469”)

# NRS 388G.610 (AB 469 - Section 16.4)

Subsection 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 teach 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.

# Stakeholder Survey

- The Subcommittee requested input from stakeholders to ensure that local school precincts were able to carry out the responsibilities transferred to them from the large school district, including clarification of the terms “In good standing” and “To the greatest extent possible.”
- NDE created a survey based on Subcommittee input and the approved survey was distributed on October 8, 2021. Stakeholder groups were directed to “seek input from your membership before completing the survey” by October 27, 2021.
- Survey respondents included the Clark County Education Association (CCEA), Nevada State Education Association (NSEA), Community Educational Advisory Board (CEAB), and the Clark County Association of School Administrators and Professional-Technical Employees (CCASPE).
- Survey results were presented to the Subcommittee on December 14, 2021.

# How should “In Good Standing” be defined?

*According to feedback from stakeholders*

- Having proper licensure/clear license
- Having an evaluation with a rating of “developing” or higher on the Nevada Educator Performance Framework (NEPF)
- Having a rating of “effective” or “highly effective” on the NEPF
- Having no pending serious discipline/no active discipline (3 years and one day rule)
- Having a good recommendation from previous school
- Presenting well to School Organizational Team (SOT)/interview team
- Not posing a physical or sexual threat to students

# What evaluation rating/s should affect an employee's "good standing"?

*According to feedback from stakeholders*

- Having a "developing" rating or higher on the NEPF
- Having an "effective" or "highly effective" rating on the NEPF
- Candidates with indicator/standard scores of 1's or 2's can still be considered for hire by local precincts

# What employee discipline should affect an employee's good standing?

*According to feedback from stakeholders*

- Discipline at a serious enough level where an educator may have been relieved of duty pending an investigation
- Any active discipline



# What attendance issues or concerns should affect an employee's "good standing"?

*According to feedback from stakeholders*

- Excessive absenteeism
- Unauthorized absences
- Patterns in absenteeism including arriving late and leaving early

Note: While specifics that define what is expected or excessive are not provided, it is assumed that the absences referred to here are not those that are associated with or attributable to COVID (any variant).

# How should “To the Greatest Extent Possible” be defined?

*According to feedback from stakeholders*

- Educator eligible for employment who has been rated “effective”, has the proper license, and has no serious discipline pending
- Educator has been vetted and approved by the School Organizational Team
- The individual school precinct has made a good faith effort to hire a staff member who is qualified and best fits the needs of the school
- A local school precinct should not be forced to accept the placement of an educator not in “good standing” if a suitable long-term substitute is available and preferred by the local school precinct
- *Must be conditional based on a principal’s ability to see all eligible candidates (not just those who applied to their school)*

# CCSD's Definition of "Active Discipline"

Active discipline is defined as a disciplinary document issued within three (3) years and one (1) day for licensed and unified employees per the Collective Bargaining Agreement (CBA). A disciplinary document is defined as being active discipline for two (2) years and one (1) day if no other additional discipline has been issued or three (3) years and one (1) day if subsequent discipline was issued within those two (2) years per the CBA.

# CCSD's Definition of "Satisfactory Licensed Teacher's Performance" (P-4320)

A licensed teacher's performance shall be considered to be overall satisfactory when the teacher:

1. Is carrying out the expectations of established performance criteria. For the 2014-15 school year an employee's overall performance will be deemed satisfactory when an overall rating of 2, 3, or 4 is earned through the combination scoring of the Educational Practice Standards and student performance data.
2. Is meeting contractual obligations.
3. Is meeting other such reasonable requirements as set forth in the individual work site handbooks.

# CCSD's Definition of "Satisfactory Licensed and Nonlicensed Administrator's Performance" (P-4320)

An administrator's performance shall be considered to be overall satisfactory when the administrator:

1. Is carrying out the expectations of the established job description. For the 2014-15 school year, an employee's overall performance will be deemed satisfactory when an overall rating of 2, 3, or 4 is earned through the combination scoring of the Educational Practice Standards and student performance data.
2. Is meeting contractual obligations.
3. Is meeting other such reasonable requirements as set forth for the assigned worksite.

# Recommendations – In Good Standing

- Employee’s previous evaluation has a rating of “developing” or higher
- Employee has no active discipline (no pending or documented discipline within the last 2 years)
- Employee has good attendance
  - Note: While specifics defining “good attendance” are not provided, it is assumed that attendance standing would not be affected by circumstances like the COVID-19 pandemic.

# Recommendations – To the Greatest Extent Possible

- The principal has the ability to see all eligible candidates (not just those who applied to their school)
- The principal has made every effort to hire a candidate that meets the definition of “in good standing”



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