



The Nevada Policy Research Institute

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New NPRI analysis exposes how mandatory collective bargaining hurts Nevada's students

LAS VEGAS — Many of Nevada public education's most serious failures can be traced directly to the state's mandatory collective bargaining laws, argues a new study from the Nevada Policy Research Institute.

“NRS 288: A Law Against Student Learning” shows how Nevada union contracts keep ineffective teachers in the classroom, drive talented teachers away and seriously cripple the ability of school boards to serve the hopes that parents have for their children.

Author and educator G. Gregory Moo, a new NPRI policy fellow, closely analyzes key sections of NRS 288 and its real-world consequences.

Moo — himself a former teacher, principal and district administrator — shows how provisions of the law adopted by Nevada lawmakers in 1969 gave disproportionate leverage to teacher unions.

“For more than 40 years,” said Moo, “teacher unions in Nevada have used mandatory collective bargaining to ratchet up their power and protect poorly performing teachers while avoiding accountability for teacher performance.”

Numerous studies have shown that teacher quality is the most important school-controlled factor in student achievement, noted Moo.

“NRS 288 limits student learning by restricting the ability of principals or school boards to remove or improve ineffective teachers,” he said.

In the years since NRS 288 was passed, the teacher unions and their political allies have relentlessly expanded the law's original language and scope within the some 28 different areas where school boards must negotiate with the union. That, writes Moo, effectively deprives parents, taxpayers and average citizens of the leverage they should have.

“In addition, the teacher unions enjoy disproportionate clout in the election of school board members — the same people with whom they ultimately bargain,” he noted.

The NPRI study acknowledges that rolling back concessions gained by the unions is extremely difficult, as the use of binding arbitration and evergreen clauses has regularly allowed the unions to hold onto their previous gains, even during economic downturns.

“In addition to harming student achievement, NRS 288 actually punishes high-quality teachers,” said Moo. “The wage scale rewards teachers for showing up and earning more education credits, rather than for performing well in the classroom. In Clark County, the bargained workday is only seven hours and 11 minutes long, including a 30-minute lunch. Most good teachers work many more hours than that, but their salaries are the same as a tenured teacher who puts in no extra time.”

The study’s release comes during a legislative session in which debate over education policy figures to play a prominent role. Republican Gov. Brian Sandoval has proposed a number of education reform ideas, including ending teacher tenure — an idea also supported by Democratic Assembly Speaker John Ocegüera.

“The fact that leaders in both parties have signaled their support for meaningful education reform suggests that Nevada today has an opportunity to finally get serious about improving our education system,” said Steven Miller, NPRI’s vice president for policy. “Policymakers should give great consideration to the role that the state’s collective bargaining laws have played in Nevada’s long-running failure to provide children with the quality education they deserve.”

An executive summary of the study is available online at <http://www.npri.org/publications/nrs-288>. The full study can be downloaded at http://www.npri.org/docLib/20110322_NRS_288_A_Law_against_Student_Learning.pdf.

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