

ASSEMBLY BILL NO. 308—ASSEMBLYMEN MOSCA, GONZÁLEZ,
NGUYEN, D'SILVA; BRITTNEY MILLER AND TORRES

MARCH 15, 2023

JOINT SPONSOR: SENATOR NGUYEN

Referred to Committee on Education

SUMMARY—Revises provisions governing education.
(BDR 34-1000)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 2)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring a school district that employs certain visa holders as teachers to conduct an orientation and certain meetings to aid the holders of the visas and their accompanying spouses and dependents in transitioning to employment in the school district and life in the community; prohibiting a school district from contracting or partnering with persons or entities who charge more than a certain amount of fees and costs related to the employment of such visa holders; requiring the Joint Interim Standing Committee on Education to conduct an interim study on the employment of certain federal visa holders as teachers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes the board of trustees of a school district or the
- 2 governing body of a charter school to employ a teacher or instructor authorized to
- 3 teach in the United States under the teacher exchange programs authorized by laws
- 4 of Congress of the United States. (NRS 391.070) A J-1 visa is a nonimmigrant visa
- 5 available to a foreign national who is a student, scholar, trainee, teacher, professor,
- 6 research assistant, specialist or leader in a field of specialized knowledge or skill



and who is temporarily coming to the United States for certain instructive purposes, including, without limitation, teaching. (8 U.S.C. 1101(a)(15)(J)) **Section 2** of this bill requires a school district in this State that employs J-1 visa holders to conduct an orientation to aid in the transition of J-1 visa holders and their accompanying spouses and dependents to employment with the school district and life in the community. **Section 2** also requires the school district to hold three separate meetings throughout the school year for the purpose of providing J-1 visa holders employed by the school district and their accompanying spouses and dependents with access to any resources or persons relevant to their visa program.

Section 3 of this bill prohibits a school district that employs, or intends to employ, a J-1 visa holder through a teacher exchange program from entering into a contract or partnering with a person or entity that is a sponsor of such a program or that recruits candidates for such a program if the total amount of the fees and costs charged per person who participates in, or applies to be a candidate for, the program exceeds \$5,000. **Section 5** of this bill provides that this prohibition does not apply to a contract or partnership existing on July 1, 2023, but does apply to any renewal or extension of such a contract or partnership after that date.

An H-1B visa is a nonimmigrant visa available to a foreign national who is coming to the United States for the purpose of practicing a specialty occupation. (8 U.S.C. § 1101(a)(15)(H), § 1184(i)(1)) **Section 4** of this bill requires the Joint Interim Standing Committee on Education, during the 2023-2024 interim, to conduct a study concerning the potential for school districts in this State to employ as teachers holders of H-1B visas.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 388 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *A school district in this State that employs a J-1 visa holder as a teacher in the school district shall:*

(a) Not later than 30 days after the beginning of each school year, conduct an orientation for J-1 visa holders and their accompanying spouses and dependents for the purpose of aiding in the transition of the J-1 visa holders and their accompanying spouses and dependents to employment with the school district and life in the community; and

(b) On three separate occasions during each school year, conduct a meeting with the J-1 visa holders employed by the school district and their accompanying spouses and dependents. Each school district that conducts such a meeting shall ensure that each meeting is attended by individuals with expertise in the relevant teacher exchange program in which the J-1 visa holders are participating and features information concerning appropriate resources for J-1 visa holders and their accompanying spouses and dependents.

2. *As used in this section, "J-1 visa holder" means a person who holds a visa pursuant to 8 U.S.C. § 1101(a)(15)(J).*



Sec. 3. 1. *A school district in this State that employs, or intends to employ, a J-1 visa holder pursuant to a teacher exchange program shall not enter into a contract or partner with any person or entity that is a sponsor of such a program or that recruits candidates for such a program if the total amount of fees and costs charged per person who participates in, or applies to be a candidate for, the program exceeds \$5,000.*

2. *As used in this section, "J-1 visa holder" means a person who holds a visa issued pursuant to 8 U.S.C. § 1101(a)(15)(J).*

Sec. 4. 1. The Joint Interim Standing Committee on Education shall, during the 2023-2024 interim, conduct an interim study concerning:

(a) The practice of obtaining an H-1B visa and the methods by which a local school district may become a host for a holder of such a visa; and

(b) Any relevant laws or programs of other states that concern the employment of H-1B visa holders in local school districts.

2. The Committee shall include its findings and recommendations for legislation relating to the study in the report required by subsection 4 of NRS 218E.330, to be prepared and submitted to the Director of the Legislative Counsel Bureau for transmittal to the 83rd Session of the Legislature.

3. As used in this section, "H-1B visa" means a visa issued pursuant to 8 U.S.C. § 1101(a)(15)(H).

Sec. 5. The provisions of section 3 of this act do not apply to a contract or partnership existing on July 1, 2023, but do apply to any renewal or extension of such a contract.

Sec. 6. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 7. This act becomes effective on July 1, 2023.

