

ASSEMBLY EDUCATION COMMITTEE

JANUARY 28, 1975

MEMBERS PRESENT: Chairman Wittenberg
Mr. Chaney
Mr. Coulter
Mr. Polish
Mr. Vergeils
Mr. Lowman
Mr. Weise

MEMBERS ABSENT: None

GUESTS: Richard Morgan, NSEA
E. L. Newton, NTA
G. DelCarlo, Wallie Warren
John Gamble, State Department of Education
Bob Best, Nevada State School Board Association
Kenneth Hansen, Superintendent of Schools
Debbie Sheltra
John Reiser, NIC
James Lorigan, NIC
Lee Adler

Meeting was called to order by Chairman Wittenberg, who stated that the purpose of the meeting was to hear testimony on AB 20 and 23. He informed the members and visitors that they would hear AB 23 first. AB 23 extends coverage of Nevada Industrial Insurance to include student teachers working in public schools without compensation.

John Gamble of the State Department of Education was called upon to give brief background on the bill. Mr. Gamble stated that this bill was presented by the department on behalf of the Education Legislation Coalition.

The bill would provide coverage to student teachers who are required to go out into the schools to observe as a prerequisite to get a teaching certificate. This would cover them while they are on duty in a school outside of the University but were still a student of the University of Nevada. The problem has existed where there has been an injury to a student teacher in the school where there is no NIC coverage as they are not employed by the school district. They would be given a deemed wage rate and the premium would be paid by the University.

Mr. Weise asked how many students this would affect, what would the NIC rate be, what about the student insurance program of the University, and is the University willing to pay for the program.

Mr. Gamble stated that he was not aware of how many students it would involve as it varies from time to time. The NIC rate should be quite low as this is not considered a hazardous occupation. The safety patrol program in the school districts

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is very low. As to the student insurance program, Mr. Gamble stated that he assumed that it did cover the student teacher or they would not have been requested to present such a bill.

Mr. Polish asked if this would cover any students other than University of Nevada students. He stated that in eastern Nevada they have many student teachers out of BYU and Utah State, who would be in our schools and under our jurisdiction. Mr. Gamble stated that it would cover University of Nevada students only.

John Reiser of NIC was called upon next. He stated that NIC had prepared an estimated rate for those who would be covered under this bill. At the present time this type of industry is in the 6300 classification which is a rate of \$.89 per \$100 deemed wage. They anticipate that this classification rate will go up to \$1.07 so what is being talked about in this bill is a rate of \$.89 or \$1.07 per \$100 of exposure. This would be \$.89 or \$1.07 per student teacher for each month they were covered. Mr. Reiser then presented the committee with the fiscal note which should have been attached to the bill. See attachment I

Mr. Wittenberg asked Mr. Reiser if he was aware of how many students this program would involve. Mr. Reiser replied that he was not aware of any number.

Mr. Morgan of the Nevada State Education Association stated that he might be able to shed a little light on the number or approximate number of students that might be affected. In past years approximately 550 teachers have graduated each year. The University is anxious to get Sophomores and Juniors out into the schools for student teaching also, so this would add approximately 500 more students. This observation goes on for only one semester or approximately 4 months. So all in all you are probably talking about 1,000 students of which only one half would be out in the schools at any one time.

Mr. Weise asked Mr. Morgan if he know what effect this would have on the student insurance program. Mr. Morgan stated that apparently the program would not be affected. He also stated that N.S.E.A. favored this bill as teaching can no longer be considered a safe occupation.

Mr. Weise said that he thought that the students at the University were offered a good insurance program at a very nominal rate which should cover them for this.

Kenneth Hansen, Superintendent of Schools, stated that he had very little to add except that this was presented at the request of the University. The University hoped that it might encourage students to go out into the schools earlier in their

preparations. This was the reason for the Department of Education agreeing to submit this bill.

Mr. Weise asked if Mr. Hansen was saying that the program would be retarded if this bill were to fail. Mr. Hansen said that it would not necessarily be retarded but they felt the bill would be most helpful.

E. L. Newton of the Taxpayers Association stated that he felt there were several implications to this bill that were not being considered. They were that student insurance is offered and as with any insurance program if a student was injured and had workmen's compensation they would not get any benefits from the student insurance program. Why should they therefore pay for an insurance program for something they would not be able to collect on. Also, he felt that if the student could collect workmen's compensation then perhaps he could afford to get hurt and under a presumed wage of \$100 they would collect \$66.66 per month. He stated that he did not feel the problem actually existed and there were enough bills in that did solve problems.

Mr. Best of the School Boards Association stated that they supported this bill, feeling that the student teacher has the same hazards as the certified employee is subjected to and they should therefore have the same protection. Also, this would protect the school boards from any liability. Safety patrols within the schools have already been covered and there has been no precedence set by this program for any collecting other than actual medical expenses.

Mr. Weise asked Mr. Best if the school board would be willing to pay for this program to which Mr. Best stated that although it was not a large amount he was not authorized to make any such statement.

As there was further testimony to be offered on this bill, Chairman Wittenberg called for testimony on AB 20 which revises provisions on lower age limits for beginning kindergarten and compulsory education.

Mr. Gamble testified that this bill was written primarily to clarify the language that exists between age requirement for kindergarten and first grade. The two are tied together but the language was different. He also stated that there was an error in the bill that should be amended out. On lines 13 and 35 on page of the bill the brackets should be removed from around the number 7 so that compulsory education would remain between the ages of 7 and 17.

Mr. Weise asked if there would be any impact on the number of students in kindergarten by lowering the age. Mr. Gamble said that they were not changing the mandatory age to begin only the age at which they were allowed to be enrolled. He felt there would not be any more students entering than there is now.

Mr. Vergiels asked if there were as many students in Kindergarten proportionate to 1st Grade. Mr. Gamble stated that there were except where there is no kindergarten offered. All this bill would do is clarify language between kindergarten and 1st grade ages. The basic difference was the removal of the word attend and replace with enroll.

Debbie Sheltra, a teacher representing herself as a concerned citizen, stated that the age limit was really a very controversial bill. She stated that she felt there should be some sort of mechanism in the bill whereby children could be tested so as to determine if they were ready for kindergarten or not. This would apply to those children whose birthdays fall a few days or weeks beyond the deadline. She stated that education should not just be aimed at the norm but there should be available some testing for the mature child who might be emotionally handicapped by being kept back a year in school for lack of a few days or weeks. This is especially true of girls who do develop more rapidly than boys at this age. Children are very aware of size and age and this sometimes has a very bad effect on a child emotionally to be older and bigger than the rest of the kids. The cost of such testing could be borne by the parents of the child being tested. She definitely felt there should be some mechanism in this bill for the exceptional child

Mr. Best stated that the School Board Association was in support of this bill and they also would ask that the age be left at 7 for compulsory education as proposed by Mr. Gamble.

Mr. Newton then stated that perhaps it might be well to delete the entire Section 1 of NRS 392.040 and that the state discontinue the practice of compulsory education for any age. He felt that there would be a much better attitude from the children if they did not have to go to school. He also stated that he did not feel it would affect enrollment that much and it would make honest people out of the school administrators who are required by law to be truant officers and make the kids go to school but do not enforce this law in this state.

Mr. Morgan stated that they were in agreement with the School Administrators on this bill. He also stated that he believed that the State of Virginia had abolished their compulsory education law a few years back and then reinstated it later. Compulsory education is something that is needed in this society.

Chairman Wittenberg thanked the witnesses and stated that they were excused. He then summarized what had been presented by the witnesses. AB-23. The cost would be borne by University, who had apparently budgeted and requested it. There was some question about whether the student insurance program covered these students when out teaching. There had been no precedence set by the similar safety patrol program for any other than medical expenses being paid. Also, this would relieve the liability on the part of School Boards.

AB-20. Clarifies language that presently exists between age limit of kindergarten and compulsory education. Needs an amendment to take brackets off the age of 7 and put it back in the language. Mr. Wittenberg then asked for any comments from the members. First on AB-23

Mr. Weise stated that NIC seemed very vague on the amount of money that was actually involved. It seemed to him that it could almost be \$1,000 per month. Also, he felt that the question of whether the student insurance program covered this or not had never been satisfactorily answered.

Mr. Wittenberg stated that the bill had been requested by the University and they had been contacted concerning this hearing but that no had appeared so they apparently must not object to the bill.

Mr. Vergiels moved that the committee do pass. Mr. Coulter seconded the motion.

Mr. Weised stated that he objected as he felt this was singling out the student teachers as a special group. When other groups of students have to go out into the field to complete their requirements and many times their tasks are just as hazardous if not more so.

Mr. Wittenberg stated that you cannot mandate the student to take the student insurance program and this bill would relieve the liability of the school districts.

Mr. Lowman stated that he saw nothing in the bill that actually stated that the University would be willing to foot the bill.

Mr. Wittenberg called for the vote on the previous motion. The motion failed by a vote of 4-3 (see attached Legislation Action form).

Mr. Coulter then moved that someone from the University be asked to appear for the committee to state the University's position on this bill. Mr. Chaney seconded the motion. Mr. Weise stated that he felt it should be someone from other than the Education Department at the University.

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Mr. Wittenberg stated that he would ask Mr. Humphrey. He also stated that he would ask someone from NIC to be here.

Mr. Polish moved that the committee return AB 20 to the floor of the Assembly with a "Do PASS" recommendation.
Mr. Wittenberg amended Mr. Polish's motion to include the amendment of removing the brackets around the age 7 and leaving age 7 as the compulsory age for enrollment in school.
Mr. Polish seconded Mr. Wittenberg's amended motion. The vote was unanimous (see attached Legislation Action form).

As there was no further business to discuss, Chairman Wittenberg adjourned the meeting at 4:05.

Respectfully submitted,

Sandra Gagnier
Assembly Attache

ASSEMBLY

AGENDA FOR COMMITTEE ON..... EDUCATION.....

1- 56

Date..... Jan. 28..... Time..... 3 P.M..... Room..... 336.....

Bills or Resolutions
to be considered

Subject

Counsel
requested*

AB 20	AN ACT relating to public school enrollment; reducing the age for beginning compulsory education to 6 years; revising provisions on the minimum age permissible for kindergarten enrollment; and providing other matters properly relating thereto. (BDR 34-242) Fiscal Note: No	NO
AB 23	AN ACT relating to industrial insurance; extending industrial insurance coverage to include student teachers working in public schools without compensation; and providing other matters properly relating thereto. Fiscal Note: No (BDR 53-55)	NO

*Please do not ask for counsel unless necessary.

BDR 1-68
A.B. 21
S.B. _____

FISCAL NOTE

AMENDMENTS:

Assembly: First Reading _____
 Second Reading _____
 Third Reading _____
Senate: First Reading _____
 Second Reading _____
 Third Reading _____

Date transmitted January 27, 1975

Agency submitting Nevada Industrial Commission Date prepared January 27, 1975

Summary	Fiscal Year 1974-75	Fiscal Year 1975-76	Fiscal Year 1976-77	Continuing
Workmen's Compensation cost for coverage of student teachers.	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total.....	_____	_____	_____	_____

EXPLANATION (use continuation sheets if required):

The present premium rate paid on the salaries of school and university employees is \$.89 per \$100 of payroll. It is probable that the rate beginning July 1, 1975, will increase by 20 percent, to \$1.07 per \$100.

The University would be considered the employer. Each month that a student is assigned to student teaching, the University would pay a premium of \$1.07 per student teacher.

Signature John R. Keiser
 John R. Keiser
Title Chairman

Reviewed by Department of Administration
Comments by Department of Administration:

58TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

DATE JANUARY 28, 1975

SUBJECT AB 23 - Extends coverage of Nevada Industrial Insurance to
include student teachers working in public schools without compensati

MOTION:

Do Pass XXX Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Vergiels Seconded By Mr. Coulter

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
CHANEY	_____	<u>X</u>	_____	_____	_____	_____
COULTER	<u>X</u>	_____	_____	_____	_____	_____
LOWMAN	_____	<u>X</u>	_____	_____	_____	_____
POLISH	_____	<u>X</u>	_____	_____	_____	_____
VERGIELS	<u>X</u>	_____	_____	_____	_____	_____
WEISE	_____	<u>X</u>	_____	_____	_____	_____
WITTENBERG	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	3	4				

ORIGINAL MOTION: Passed _____ Defeated XX Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

EDUCATION
LEGISLATION ACTION

DATE JANUARY 28, 1975

SUBJECT AB 20 revises provisions on lower age limits for beginning
kindergarten and compulsory education

MOTION:

Do Pass XX Amend XX Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Wittenberg Seconded By Mr. Polish

AMENDMENT: Delete brackets from around 7 on lines 13 and 35 so that
compulsory education age remains at 7 to 17

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
CHANEY	X	_____	_____	_____	_____	_____
COULTER	X	_____	_____	_____	_____	_____
LOWMAN	X	_____	_____	_____	_____	_____
POLISH	X	_____	_____	_____	_____	_____
VERGIELS	X	_____	_____	_____	_____	_____
WEISE	X	_____	_____	_____	_____	_____
WITTENBERG	X	_____	_____	_____	_____	_____

TALLY: 7

ORIGINAL MOTION: Passed XXX Defeated _____ Withdrawn _____

AMENDED & PASSED XXX AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes Jan. 28, 1975

1-66

BDR _____
A.B. 23 _____
S.B. _____

FISCAL NOTE

AMENDMENTS:
Assembly: First Reading _____
 Second Reading _____
 Third Reading _____
Senate: First Reading _____
 Second Reading _____
 Third Reading _____

Date transmitted January 27, 1975

Agency submitting Nevada Industrial Commission Date prepared January 27, 1975

Summary	Fiscal Year 1974-75	Fiscal Year 1975-76	Fiscal Year 1976-77	Continuing
Workmen's Compensation cost for coverage of student teachers.	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
Total.....	_____	_____	_____	_____

EXPLANATION (use continuation sheets if required):

The present premium rate paid on the salaries of school and university employees is \$.89 per \$100 of payroll. It is probable that the rate beginning July 1, 1975, will increase by 20 percent, to \$1.07 per \$100.

The University would be considered the employer. Each month that a student is assigned to student teaching, the University would pay a premium of \$1.07 per student teacher.

Signature John R. Reiser
Title Chairman

Reviewed by Department of Administration _____
Comments by Department of Administration: _____

Signature _____
Date _____ Title _____