

ASSEMBLY EDUCATION COMMITTEE

FEBRUARY 11, 1975

162

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

MEMBERS ABSENT: None

GUESTS: John Gamble, Department of Education
Dick Wright, Washoe County School District
Joyce Woodhouse, NSEA
Preston Price, Esmeralda County Schools
Shirlee Wedow, PTA
Betty Carlson, PTA
Mary Ann McDonald, PTA
Fran Herb, PTA
Richard Morgan, NSEA
Claude G. Perkins, Clark County School District
Gary Gray, Clark County Teachers Assoc.
Bob Best, Nevada School Board Association

Meeting was called to order by Chairman Wittenberg at 3:00 p.m. on February 11, 1975. Mr. Wittenberg stated that the purpose of the meeting was to hear AB 39 and AB 167.

AB 39, provides for participation in compact on education. Dr. Hansen, Superintendent of Schools, stated that there are 46 states which belong to Compact. This is the third time around for this bill and it is included in the Governor's budget. This Compact brings together educators from all the member states to propose new kinds of model legislation and to exchange ideas.

The representation from each state is 4 politicians and 3 educators. These form the Education Commission of the States. It is much like WICHE. Although Dr. Hansen said that he did have a great deal of interest in this personally, he was there on behalf of the Department and the Board who are both very much in favor of membership in this Compact.

\$12,000 has been budgeted for fees and \$3,000 for travel for the Commission.

Mr. Coulter asked why it had been killed in the previous sessions. Dr. Hansen stated that it hadn't actually been killed but rather that time had run out in the session before it was passed.

Dr. Hansen stated that U.S. Congress listens to the unified voice and much more can be accomplished as a member of the Compact.

Mr. Weise asked if Dr. Hansen had any idea about the possible liability in the withdrawal clause. Dr. Hansen stated that this clause was required in order insure the stability of the Interstate Compact. He said that he was not aware of any state every even threatening to withdraw.

Richard Morgan, NSEA, stated that he had been reluctant to support this bill in the past two sessions. He said, however, he was now in support of it because he felt that this was a better thing to do because it is a good program of state weight with government.

Mr. Weise asked why they had been reluctant before, to which Mr. Morgan stated that in the past there had been little interest in the teachers. This attitude has changed since then.

Mr. Weise then asked if they were not concerned with membership of the federal government. Mr. Morgan stated that they would just be a reference point and that the states would control.

Mrs. Wedow, Nevada PTA, stated that they were also in favor of this bill. They felt it was very worthwhile. The Compact can provide the best information available which can be completely relied upon. She stated that the Compact used to send information to everybody and anybody but they no longer do this. Must be a member in order to get the benefit of the research and knowledge.

Mr. Best, Nevada Association of School Boards, stated that they also wished to go on record of favoring this bill. They feel this is a great opportunity for research and development of materials.

AB 167, includes summer school makeup programs in apportionments from State Distributive School Fund. Claude Perkins, Assistant Superintendent of the Clark County School District, stated that they were very much in favor of this bill. Feel there is a need for it in terms of the benefit to the kids. The intent of the bill is to allow kids to attend summer school, who have a propensity to fail. They can project a dropout rate of 11-12% for those between 11 and 12 grade and 6% between 10 and 11 grade. This is an alternative program for these students. They also can determine in elementary school which students will probably have trouble. 24% of the elementary school children are working below capacity. This will help bring kids up to a functional level.

Mr. Perkins stated that from 1971-1975 a great deal of the money

allocated for the Distributive School Funds reverted back to General Fund.

Mr. Perkins cited one minor change that he would suggest and that is they feel the amount of 1/4 the average daily attendance on line 39 of page, would be too much money. They feel it should be 1/8. Clark County feels that they would need \$107 per student for summer school.

Mr. Weise asked about how much this would be. Mr. Perkins stated that they feel it would be about 1/7 of the student population between 1st and 12 grades and about 1/2 million dollars.

Mr. Perkins stated that he felt there were funds that would be flexible within the Department of Education to have this program.

Mr. Weise asked how this had been funded in the past. Mr. Perkins stated the student had to pay the tuition fee for summer school. Clark County charges \$30.00 per course. Unfortunately many of the students who need the course the most cannot afford this fee. He stated that there are a number of states that have tuition free summer school. He also added that they do have a little Title I funds but this is limited to a certain segment of the student population.

Mr. Weise asked if the amount would include transportation or would the kids have to make it to school on their own. Mr. Perkins stated the budgeted amounts were for school costs, administrators, teachers, supplies etc. but not including transportation. They feel they could have the program in several schools in order to make it convenient to most students. This would also be better utilization of the schools in the summer.

Mr. Polish asked how they determined who would be eligible. Mr. Perkins stated that they could pretty well determine who needs summer schools by tests, teacher conference, parent conference etc.

Mr. Lowman asked if he was sure that there was money within the present budget. Mr. Perkins stated that over the last 6 years money has always been reverted back to the General Fund.

Mr. Weise asked if they would plan to utilize any different techniques for this summer school. He wanted to know what was going to make students learn during the summer when they don't regularly. Mr. Perkins felt that they could concentrate on just one subject rather than 5 or 6 courses and they could get more individual help.

Mr. Gamble, State Department of Education, stated that this was not one of their bills but in the past they had supported this type of legislation. He stated that there was some flexibility within the fund based upon the fact that the fund is actually an estimate.

The estimates of the last 6 years have been high thus the money had reverted. 1/4 of 1% has been reverted which was not really that bad for an estimate. They usually estimate on the generous side. In previous years they had to come to the legislature and ask for additional funds when they had come up short. This program could probably be absorbed within the SDSF.

Mr. Weise stated that the reversion was really misleading because it occurs when property taxes exceed that which was anticipated. The cost of the schools does not actually go down. They still spend the same amount.

Mr. Polish asked about a federal program. Mr. Gamble stated that this type was primarily for equipment on a 50/50 basis.

Mr. Wright, Washoe County Schools, stated that they were also in favor of this bill. They feel 8-9% would benefit from summer school. Their present cost to the student is \$30-32 per course. He stated that looking from the economy point of view, these students that do have trouble in school also are the ones that have trouble getting summer jobs. This would give them some summer activity and also give them a chance to pick up a needed course.

Also, for the elementary school student it would give the school a chance to reinforce the learning for the child that does have trouble in school. They would have a chance to suffer from summer lag at the beginning of the school year and thus would not fall that much further behind.

It was asked why the difference of \$30 per course or \$107 per student. The answer was that they hoped to have a very low ratio of student to teacher so that these kids who need the individual help would be able to get it.

Mr. Morgan stated that the teachers are definitely in favor of this type of legislation. There are children who could be helped with this type of opportunity. The concept is excellent. He did state that he felt the language of line 18, page was too loose and should be spelled out more. He also felt that subsection (c) on page 1 should be cleared up a little because some students who could not catch up to their class in one summer would be eliminated.

Mrs. Wedow, PTA, stated that they were favor of this bill. She felt the bill was better written this time and they were greatly concerned about dropouts. They recommend the adoption of this bill.

Chairman Wittenberg thanked the witness and called for a five minute recess.

Mr. Wittenberg distributed copies of the proposed amendments for AB 21 and asked the committee if they wished to reconsider this bill. There was no motion for reconsideration so the bill dies in committee. (See Attachment I)

AB 39. Mr. Lowman moved "Do Pass and refer to Ways and Means" and Mr. Vergiels seconded. The vote was unanimous (See attached Legislation Action Form).

AB 167. Mr. Weise moved "Do Pass and refer to Ways and Means" and Mr. Polish seconded it. The vote was unanimous (See attached Legislation Action Form).

Respectfully submitted,

Sandra Gagnier,
Assembly Attache

ASSEMBLY

AGENDA FOR COMMITTEE ON EDUCATION

Date Feb. 11, 1975 Time 3:00 p.m. Room 336

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Bills or Resolutions to be considered	Subject	Counsel requested*
AB 39	AN ACT relating to education; providing for participation by the State of Nevada in the Compact for Education; creating a Nevada education council; and providing other matters properly relating thereto. Fiscal Note: Yes	NO
AB 167	AN ACT relating to the public schools; including certain pupils enrolled in approved summer school makeup programs in the computation of apportionments from the state distributive school fund; and providing other matters properly relating thereto. Fiscal Note; Yes	NO

*Please do not ask for counsel unless necessary.

58TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

167
[Redacted]

DATE February 11, 1975

SUBJECT AB 39, Provides for participation in Compact on Education

MOTION:

Do Pass XX Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Lowman Seconded By Mr. Vergiels

AMENDMENT:

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	0				

ORIGINAL MOTION: Passed XX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes 2/11/75

58TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

1- 168

DATE February 11, 1975

SUBJECT AB 167, Includes summer school makeup programs in
apportionments from State Distributive School Fund

MOTION:

Do Pass XX Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Weise Seconded By Mr. Polish

AMENDMENT:

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	0				

ORIGINAL MOTION: Passed XX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes 2/11/75

Attachment I

Assembly Bill No. 21

SUMMARY--Establishes rights and duties concerning public school pupil records.

AN ACT relating to public schools; establishing the confidentiality of certain records; providing for access to and correction of such records; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 Section 1. Chapter 392 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 6, inclusive of
3 this act.

4 Section 2. *As used in sections 2 to 3, inclusive, of this act,*
5 *unless the context otherwise requires:*

6 1. *"Pupil behavioral records" are psychological tests, personality*
7 *evaluations and any written transcript of incidents relating*
8 *specifically to pupil behavior.*

9 2. *"Pupil progress records" are transcripts of grades and courses*
10 *taken, records of attendance, tests relating specifically to*
11 *achievement or measurement of ability and health records.*

12 3. *"Pupil records" means all records relating to a pupil main-*
13 *tained by any public elementary or secondary school from which*
14 *the pupil may be personally identified and specifically includes*
15 *pupil behavioral records and pupil progress records.*

16 [Section 3. 1. *All pupil records. . . .*

17 2. *Any pupil records. . .*

18 3. *Any pupil records. . .*

19 4. *Any pupil records. . .*

20 5. *Pupil progress records. . .*

21 6. *The person to whom. . .*

22 7. *The parents, parent or. . .*

23 8. *The disclosure of any. . .parent or legal guardian of the*
24 *pupil.]*

25 Section 3. 1. *The parents, parent having legal custody, or*
26 *legal guardian, as the case may be, of every pupil enrolled in*

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1 a public elementary or secondary school is entitled to inspect
 2 any pupil records which pertain to that pupil, within a reasonable
 3 period which shall not exceed 45 days after the request is made.
 4 Pupil behavioral records shall be so inspected only in the pre-
 5 sence of a person qualified to explain or interpret such records.
 6 2. Every such parent or guardian is entitled to a hearing to
 7 challenge the context of the appropriate pupil records, to insure
 8 that the records are not inaccurate, misleading or otherwise in
 9 violation of the privacy or other rights of the pupil, and to
 10 provide an opportunity for the correction or deletion of any such
 11 inaccurate misleading or otherwise inappropriate data contained
 12 therein.

13 Section 4. The board of trustees of each county school district
 14 in Nevada shall provide by regulation for:

- 15 (a) Reasonable hours, manner and places of conducting inspec-
 16 tions and hearings.
- 17 (b) The selection of persons qualified to explain pupil
 18 behavioral records; and
- 19 (c) The selection and disclosure from pupil records, which
 20 contain information pertaining to more than one pupil, of the
 21 information pertaining only to the pupil whose record is being
 22 inspected.
- 23 (d) All other matters relating to pupil records that is
 24 necessary for compliance with Section 438 of the General Education
 25 Provisions Act (Title IV of P. L. 90-247 as amended) added by
 26 Section 513 of P. L. 93-380 as amended.

27 [Section 5. For the purposes. . .
 28 Section 6. The board of trustees. . .sections 2 to 5, inclusive,
 29 of this act.]