

ASSEMBLY EDUCATION COMMITTEE

FEBRUARY 18, 1975

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

MEMBERS ABSENT: Mr. Weise (excused)

GUESTS: Mrs. Mary Lee Smith, Douglas County School Board
Shirlee Wedow, Nevada PTA
Dick Wright, Washoe County School District
Bob Best, Nevada State School Boards Association
Henry Clayton, Carson City School Board
Assemblyman Eileen Brookman
John Hawkins, Carson City School District
Ken Hansen, Superintendent of Schools
John McSweeney, State Aging Services
Orvis E. Reil, Carson Chapter AARP
Dick Menath, Department of Education
George Archer, Senior Citizen
John Kimball,
Louise Lightner, Area Agency on Aging
Linda Botts, State Aging Services
Judy Murphy, Care & Share
Stanley A. Cornutt, Older American of Lyon Co.
Anita Marquardt, Senior Citizen
Dick Morgan, NSEA
Merlin Anderson, Department of Education
Q. Winters, Washoe County School District

Meeting was called to order by Chairman Wittenberg for the purpose of hearing AB 229 and SB 10.

SB 10, permits more than one trustee from same school district to attend national school board association meetings outside State of Nevada.

Mary Smith, Douglas County School Board stated that they were in favor of increasing the number of members that could attend these meetings. They find these meetings very helpful but there are so many different clinics going on at the same time that no one person could cover them all.

Mr. Wittenberg asked if there was anything in the bill that would prohibit every school member from attending and this could amount to a great deal of money. Mrs. Smith stated that this could be true but they feel that there would be no time when all would be able to go.

Mrs. Wedow, Nevada PTA, stated that they also favored this bill and felt it should pass. She stated that there were no restrictions on other boards in the State and they feel that this discriminates against this particular board.

Bob Best, Nevada State School Boards Association, stated that this was presented to and approved by the Education Coalition. They feel the school boards should have the same freedoms as the other boards have within this State. Leave it up to the individual school boards to decide who and how many will go to these meetings as they would better know who should attend. They feel that very few will go most of the time but at times there are several who can and would like to go. At these meetings there are a lot of different pertinent topics covered and no one person can cover them all and bring the useful information back that is available. (Attachment I)

Mr. Lowman asked just what the Education Coalition was. Mr. Best stated that it was a group of education interested associations which included State Board of Education, State Department of Education, Nevada PTA, Nevada State School Boards Association, Nevada School Administrators Association, Nevada State Education Association, and sometimes some input from the Nevada Taxpayers Association.

Henry Clayton, Carson City School Board, stated that they were in favor of this bill as it would eliminate the awkward situation that they are sometimes put in when more than one member wishes to attend a meeting. They can pay one for his expenses but the other person has to go on his own.

AB 229, Permits school districts to make agreements involving preparation of hot lunches for persons 60 years of age or older. Assemblyman Polish, the prime sponsor of this bill stated that hoped that this bill would move forward as he felt it was a very worthwhile piece of legislation. Mr. Polish went through the bill pointing out that it would not cost any additional expense to the school district nor any inconvenience.

Assemblyman Brookman stated that this same bill was tried last year and did not pass. She felt that it should definitely be given a do pass this year. She implored the committee not to let these senior citizens down as it is getting harder and harder to get along on their incomes. This bill is one of their real wants and desires.

Mr. John McSweeney, Aged Services, stated that they supported this bill. He cited the experience they have gained in Lincoln County where they have a similar program. He stated that they find it very rewarding for the older citizens to partake in this program. The school district does not feel it causes them any problems. They hope to make the program grow throughout the State.

Mr. Lowman asked why they needed this bill. Mr. McSweeney stated that they feel that it would start opening the door. It has been hard to cross over the threshold and this bill would help.

Linda Botts of Mr. McSweeney's office stated that they had tried to work something out in the rural counties and it had not worked. They feel this bill will help them get things started. It would place the burden of implementing on their division. She cited that under Title VII program they are caring for 1300 senior citizens and there are approximately 50,000 in the state. A great many older citizens are not getting the nutritious meals that they need. The Title VII funds are limited. (Attachment II)

Louise Lightner, Area Agency on Aging, stated that she works with the 16 counties of the state excluding Clark County. She stated that in the rural counties they can not get the state funds used because they require a certain number of people involved (50) and in some areas of the state you do not have this minimum number. She also stated that their real concern was the rural areas of the state.

Dr. Ken Hansen, State Superintendent of Schools, stated that he strongly favored this concept but that his department had not been contacted and would have some difficulty with this bill. It would put his department in a position of telling the local school boards that they must do this and this is not in their province to do.

Mr. Menath, Department of Education, stated that they feel they would have some technical problems with this bill. He cited that NRS 277.045 (See attachment III) already provides for everything that this bill provides. He stated that they were a consulting service at the request of the local boards.

Mr. Wittenberg stated that he did not feel that the language of NRS 277.045 covered this as it calls for the agreement with political subdivisions. This bill calls for individual etc. and that is not the same at all.

Orvis E. Reil, Chairman of Legislative Committee, AARP, and a former member of Carson City School District for 12 years stated that he was aware of only one county now doing this. He also stated that when he was a member of a school board they were advised that unless a law is written down, an agency can not do something. If written, regardless of language, school districts could do it. He stated that he felt this was a good piece of legislation.

Dick Wright, Washoe County School District, stated that he does not oppose the bill, only questions the technical language. He cited the situation between lines 5 and lines 12 with the inconsistent language of shall and may. Also questioned whether

line 13 would require a public meeting of the board of trustees for each individual or group or could this power to given to somebody like the director of hot lunch.

Mr. Winters, Director of Food Services for Washoe County School District, gave a brief explanation of the program they have in Washoe County. He stated that it was a very rewarding program which had been very easy on them.

Anita Marquardt, senior citizen, spoke on behalf of the bill ~~citing her own situation but stating that she felt she was not~~ a singular but a common one. She is 68 years old and lives on \$180 Social Security. It is very difficult for her to make ends meet and often sacrifices nutritious food for something else. She felt that if this program were implemented she would be able to walk to the nearest participating school and get a good nourishing meal and besides it would be "fun". She stated that they were not asking for something for nothing, but they would be willing to pay for these lunches.

Stanley Cornutt, Chairman of the Board of Directors of Lyon County Chapter AARP, stated that he also was 68 and wished to address himself to the need of this bill. He stated that elderly people in this country are literally starving to death because they fail to prepare nutritious meals. The outlying districts are not large enough to support the meals on wheels program.

George Archer, interested senior citizen, stated that he felt that it was about time something is done to help the American citizen.

John Hawkins, Carson City School District, stated that he felt the school trustees in his school district would be receptive to this type of program. Especially if it were worked out to be of no expense or inconvenience to the school hot lunch program. He stated that they did hesitate to make this type of agreement even with NRS 277.045. They do have a ski program but this is dealing with a political subdivision.

Mr. Best, Nevada State School Boards Association, stated that he had not gotten information back from all the school districts. He stated that he thought it was a good idea but was not able to speak for the school boards throughout the State.

Mr. Wittenberg then thanked the witnesses for their time and consideration and called a 5 minute recess for the committee.

After calling the meeting back to order, Chairman Wittenberg called upon Vice Chairman Polish to present the recommendations of the subcommittee on AB 24 and 54. (See Attachment IV) See 2-12-75 subcommittee

Mr. Polish went through the amendments which the subcommittee came up with and stated that they had received several letters

from private postsecondary schools in disagreement with the proposed amendments (see copies of letters attached as Attachment V) See 2-12-75 Subcommittee

It was suggested that perhaps the refund policy, page 14, line 20 should be changed to read something to the effect that the refund policy shall be as liberal as that of the University of Nevada.

The other objection was to the composition of the commission. It was suggested that instead of two educators from the public school sector, it be changed to two representatives from other than private postsecondary schools but with expertise in education.

Mr. Vergiels moved that the committee "Do Pass as amended and refer to Ways and Means", AB 24. Mr. Polish seconded the motion. The motion carried unanimously. (See attached Legislation Action Form.) Chairman Wittenberg appointed Mr. Polish to get the approved amendments.

Mr. Wittenberg stated that he would hold AB 54 in committee with no action on it until further action had been taken on AB 24.

SB 10, Mr. Vergiels moved that the committee return SB 10 to the floor of the Assembly with "Do Pass" recommendation. Mr. Lowman second the motion. Motion passed unanimously. (See attached Legislation Action Form.)

AB 229, Mr. Lowman moved to "Do Kill", but this motion died for lack of a second. Mr. Vergiels moved "Do Pass" and Mr. Coulter second his motion. Mr. Lowman moved "Amend and Do Pass" by striking out subsection 1 of the bill. Mr. Wittenberg seconded the motion. Discussion was held after which Mr. Wittenberg rescinded his second. Mr. Lowman's motion died for lack of a second. Mr. Vergiels withdrew his motion of "Do Pass" and made a motion that the committee amend AB 229 by changing the "shall" on line 6 to "may" so that line 6 will read "may prepare hot lunches for persons 60 years of age or older and their", and return AB 229 to the floor of the Assembly with a "Do Pass as amended" recommendation. Mr. Chaney seconded the motion. The motion passed by a 5-1 vote. (See attached Legislation Action Form.)

Mr. Wittenberg presented the members of the committee with copies of SB 13, which has been referred to the committee. SB 13, permits board of trustees of school district to sell real property of value of \$5,000 or less without independent appraisal. A brief discussion of the bill was held. Mr. Lowman moved that the committee "Do Pass" subject to Mr. Wittenberg checking with interested parties on the bill. Mr. Polish seconded the motion. The vote was unanimous.

As there was no further business to discuss, Mr. Wittenberg adjourned the meeting at 5:10 p.m.

ASSEMBLY

191

AGENDA FOR COMMITTEE ON EDUCATION

Date February 18 Time 3:00 Room 336

Bills or Resolutions to be considered	Subject	Counsel requested*
SB 10	Permits more than one trustee from same school district to attend national school board association meetings outside State of Nevada. Fiscal note: NO. (BDR 34-54)	
AB 229	Permits school districts to make agreements involving preparation of hot lunches for persons 60 years of age or older. Fiscal Note: NO. (BDR 34-208)	

*Please do not ask for counsel unless necessary.

58TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

1- 197

DATE February 18, 1975

SUBJECT AB 24, Provides for regulation of all proprietary elementary secondary, and postsecondary educational institutions and their agents that seek to conduct operations in Nevada.

MOTION:

Do Pass XXX Amend XXX Indefinitely Postpone _____ Reconsiderer _____

Moved By Mr. Vergiels Seconded By Mr. Wittenberg

AMENDMENT: Very extensive and included in the attachment IV

See vol. 2 page 386.

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>EXCUSED</u>	_____	_____	_____	_____	_____
WITTENBERG	<u>X</u>	_____	_____	_____	_____	_____

TALLY:

ORIGINAL MOTION: Passed XXXX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes February 18, 1975

58TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

DATE February 18, 1975

SUBJECT SB 10, permits more than one trustee from same school district
to attend national school board association meetings outside
Nevada.

MOTION:

Do Pass XX Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Vergiels Seconded By Mr. Lowman

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>EXCUSED</u>	_____	_____	_____	_____	_____
WITTENBERG	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	<u>6</u>	<u>0</u>				

ORIGINAL MOTION: Passed XXX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes February 18, 1975

58TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

139

DATE February 18, 1975

SUBJECT AB 229, permits school districts to make agreements involving preparation of hot lunches for persons 60 years of age or older

MOTION:

Do Pass XXX Amend XXX Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Vergiels Seconded By Mr. Chaney

AMENDMENT: Change the word "shall" on line 6 to "may".

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>Excused</u>	_____	_____	_____	_____	_____
WITTENBERG	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	5	1				

ORIGINAL MOTION: Passed XXX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes February 18, 1975

58TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

1-200

DATE February 18, 1975

SUBJECT SB 13, permits board of trustees of school districts to sell real property of value of \$5,000 or less without independent appraisal.

MOTION:

Do Pass XX Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Lowman Seconded By Mr. Polish

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>EXCUSED</u>	_____	_____	_____	_____	_____
WITTENBERG	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	6	0				

ORIGINAL MOTION: Passed XXX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes February 18, 1975

NEVADA STATE SCHOOL BOARDS ASSOCIATION

4751-E HIGHWAY 50 EAST - CARSON CITY, NEVADA 89701

PHONE: 883-0443

February 17, 1975

201

OFFICERS

- GLEN C. TAYLOR
President
- ELIZABETH LENZ
First Vice President
- WARREN J. SCOTT
Second Vice President
- HENRY L. CLAYTON
Immediate Past President
- EDWARD L. PINE
Legislative Chairman
Ex-Officio
- ROBERT BEST
~~Executive Secretary~~
Legal Consultant
- ROBERT L. PETRONI
Attorney

MEMBERSHIP

- CARSON CITY
 - Henry L. Clayton, Director
- CHURCHILL
 - Jeanne Lauf, Director
 - Dolores Mussi, Director
- CLARK
 - Earl A. Evans, Jr., Director
- DOUGLAS
 - Dr. Norman Knudson, Director
- ELKO
 - Robley E. Burns, Jr., Director
- ESMERALDA
 - Carol Herring, Director
- EUREKA
 - George Wright, Director
- HUMBOLDT
 - Warren Scott, Director
- LANDER
 - David W. Ramsdell, Director
- LINCOLN
 - Louise O. Aicher, Director
- LYON
 - Grant Anderson, Director
- MINERAL
 - Reuben D. Palmer, Director
- NYE
 - Mary Christensen, Director
- PERSHING
 - James Hamilton, Director
- STATE DEPARTMENT
 - George E. Harris, Director
- STOREY
 - Ben Payne, Director
- WASHOE
 - Elizabeth Lenz, Director
- WHITE PINE
 - Art Anderson, Director

PAST PRESIDENTS

- Fred Barkow
- Orvis E. Reil
- Richard Toothman
- Dell Robison
- Louis Bergevin
- Edward L. Pine
- Bernard F. Carter
- Helen C. Cannon
- Grant T. Anderson
- Gilbert L. Craft
- Henry L. Clayton

Mr. Albert L. Wittenberg, Chairman
 Assembly Education Committee
 Nevada State Legislature
 Carson City, Nevada 89701

Dear Mr. Wittenberg:

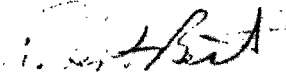
I am submitting with this letter information for you and the Education Committee relating to Senate Bill 10.

The Nevada State School Boards Association is a member of the Educational Legislative Coalition that worked with the State Department of Education and the State Board of Education in proposing certain legislative proposals including S.B. 10.

The attached material provides a brief statement on the merits of the bill and gives a list of the 84 Clinic Topics being offered at the National School Boards convention this year. There is one national meeting each year at which similar clinics and workshops on current school concerns are offered.

Our Association appreciates the careful attention being given the educational bills by the Education Committee and the opportunity to testify. If we can be of assistance in any way please call on us.

Sincerely,



Robert Best
 Executive Secretary

Encl. 2

NEVADA STATE SCHOOL BOARDS ASSOCIATION STATEMENT
IN REGARD TO SENATE BILL 10

Submitted by Robert Best, Executive Secretary.

Existing Condition:

NRS 386.345 provides for school district trustees to be reimbursed for travel and per diem when they attend meetings of the county and state associations, but not more than one trustee of any school district may be reimbursed for attending any meeting of the national association outside of the state.

The annual convention of the National School Boards Association provides a program that gives school board members a choice of 84 clinics and workshops on topics of vital interest to all school boards. These are offered in a four day period and are led by both lay and professional people who have expertise in their fields. There is no other training session for board members in the nation equal to this one and it is provided only once a year.

Proposal:

S. B. 10 is worded so trustees may be reimbursed at the same rate authorized by law for state officers when they attend county, state or national school board association meetings.

This provides the opportunity for the local board to make the determination of whether they wish to send none, one, or more than one member to a national association meeting.

1975 CLINIC TOPICS — BY SESSION

1-203

A

Saturday, April 19, 1975 Miami Beach Convention Center 4:15 p.m.

- A-1 Equal Employment Opportunity Commission (EEOC) and the Schools
- A-2 Coping With the Transient Student
- A-3 Board and Administration: Building the Effective Team
- A-4 Collective Bargaining: What's Negotiable?
- A-5 Using the Budget As a Public Relations Tool
- A-6 What To Do When Your Board Is Sued
- A-7 How To Treat Male and Female Students Equally
- A-8 Evaluation: What Every Board Member Needs To Know
- A-9 Alternatives Within The Public School System
- A-10 How To Handle Your Board's Responsibility For Curriculum Improvement
- A-11 Educational Malpractice: Is The School Legally Accountable For Learning?
- A-12 School Boards: What Makes Them Effective?
- A-13 Lay Control Of Education: Several Challenges In the Wind
- A-14. How To Expand Learning Opportunities In Small Districts

B

Sunday, April 20, 1975 Miami Beach Convention Center 9 a.m.

- B-15 Occupational Safety and Health Act (OSHA) and the Schools
- B-16 Coping With Declining Enrollments and Empty Classrooms
- B-17 Setting Administrator Salaries
- B-18 The Effect Of Collective Bargaining On School Management
- B-19 Winning Your Bond and Budget Elections
- B-20 Discipline, Corporal Punishment and Suspension
- B-21 How To Evaluate Teachers On Performance
- B-22 How To Live With Accountability At The School Board Level
- B-23 A Look At Alternative Elementary Schools
- B-24 Sexism, Racism and Classism in Curriculum Materials
- B-25 Compulsory Education—Keep, Change Or Abolish?
- B-26 How To Conduct Effective School Board Meetings
- B-27 "Policy" and "Administration"—Is There a Difference?
- B-28 Unique Budget Problems Of the Small District

C

Sunday, April 20, 1975 Miami Beach Convention Center 7:30 p.m.

- C-29 Title Nine (Sex Discrimination) and the Schools
- C-30 Coping When Spending Must Be Cut
- C-31 The Care and Feeding Of A New Superintendent
- C-32 Collective Bargaining Strategies of Teacher Groups and School Boards
- C-33 How To Attain Good Public Relations In Your District
- C-34 Developing A Higher Consciousness About Sex Discrimination
- C-35 How To Make Sure Reading Is Learned In Your Schools
- C-36 How To Account To Your Public For What Youngsters Learn
- C-37 A Look At Alternative Secondary Schools
- C-38 What Is "Career Education"?
- C-39 Affirmative Action Programs
- C-40 The Process Of Developing Written School Board Policy
- C-41 Local Control Under Full State Funding
- C-42 Consolidation of Districts: Pro and Con

D

Monday, April 21, 1975 Miami Beach Convention Center 9 a.m.

- D-43 Key Federal Legislation: 1975
- D-44 Coping With the Teenage Parent
- D-45 How To Evaluate Administrative Staff: Recognizing Good Management
- D-46 Board/Community Relations During Collective Bargaining
- D-47 How Newspeople See The Board
- D-48 Legal Liability Of Individual Board Members
- D-49 Effective Student Grading and Progress Reporting
- D-50 Comparing Your Students To the Nation's: National Assessment
- D-51 How To Persuade Staff and Public That Alternatives Are Necessary
- D-52 Here Comes the Metric System
- D-53 Tenure, Professionalism and the Role Of Teachers In School Districts
- D-54 How To Get Full Value From Citizen Committees
- D-55 Should A Board Have Staff Other Than the Superintendent's Staff?
- D-56 How To Attract and Keep Good Staff In A Small District

E

Monday, April 21, 1975 Miami Beach Convention Center 4:15 p.m.

- E-57 How To Get Needed State and Federal Legislation Passed
- E-58 Coping With The Non-English-Speaking Student
- E-59 What Role For the School Principal?
- E-60 Living With Your Negotiated Contract
- E-61 Reaching All Citizens, Not Just Parents
- E-62 Will Your Due Process Procedures Keep You Out Of Court?
- E-63 Uses and Abuses Of Standardized Testing
- E-64 "Management By Objective", "Planned Program Budgeting System" and Other "Systems" Approaches To Schooling
- E-65 How To Staff Alternative Schools
- E-66 Building A Consumer Education Program
- E-67 Privacy In Student Records
- E-68 Using Consultants To the Board Effectively
- E-69 Open Meetings and Executive Sessions—New Ground Rules?
- E-70 Inter-District Cooperation—Salvation Of the Small District?

F

Tuesday, April 22, 1975 Miami Beach Convention Center 9 a.m.

- F-71 Proposed Federal Collective Bargaining Statute—What May Be In Store?
- F-72 Coping With Alcohol—The New Drug Abuse Problem
- F-73 How To Find The Right Superintendent For Your District
- F-74 The Role Of Consultants, Negotiators and State School Boards Associations In Collective Bargaining
- F-75 Managing Community Use Of Schools
- F-76 The Courts As Educational Policy Makers
- F-77 The Gifted, The Handicapped and The Learning Disabled
- F-78 Job Descriptions: Cornerstone Of Accountability
- F-79 Grading and Evaluation in Nontraditional Settings
- F-80 Teaching About the Future and How To Cope With Change
- F-81 Moving Toward Year-Round Schools
- F-82 The Role of the School Board Attorney
- F-83 The Divided Board: A Problem, Or As It Should Be?
- F-84 Collective Bargaining In the Small District

Tuesday, Feb. 4, 1975

Food wasted

EDITOR, the Gazette: Being a retired school custodian and now a senior citizen one thing that stands out into my mind is the tremendous waste of food in our school lunch program. Many of our mothers might think that serving a full tray of food to each child as he lines up in front of the serving table is nice and wonderful.

It is the cruelest thing that can be forced upon him. Has it ever occurred that — many a child's appetite isn't as strong as some of the children next in line? A few children are taught at home to clean up their plates and are disciplined if the food is wasted. At school they do the same, whether they like the food or not. They will not waste food, and I have seen them get very sick to their stomach.

This forced feeding and waste of food that is thrown into the garbage disposal should be stopped at once. A new system should be put into effect, where a child may ask for the different portions as he moves along in line. Then he is satisfied and his appetite will not be impaired, and he will soon learn to enjoy his food. He then must be taught that the amount of food he has chosen must be consumed. It will take about two weeks to get them adjusted to the new setup with proper supervision of the school teachers in charge.

It is true that sometimes the food isn't to the taste or liking, and many children will refuse eating what seems to look good and then lacks taste.

I honestly urge mothers and fathers to spend a few days a month at lunch time at their different schools unannounced, from the beginning to the end of the lunch period, and see for themselves the waste of food, because of forced feeding.

Many senior citizens could be fed with this extra food that is good and thrown away into the garbage disposal. If these children are taught to conserve now, they may save their own hungry days later on. (THINK).

FRED MINETTO SR.

Attachment II

Aged Services
AB 229 / 204

CHAPTER 190 , LAWS OF 1973

17 205

AN ACT to amend 121.07 (6) (a) and 160.01 (3); and to create 20.255 (1) (ff) and 115.345 of the statutes, relating to establishment of a program for nutritional improvement for the elderly, granting rule-making authority and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. LEGISLATIVE INTENT. The legislature finds that many elderly citizens of the state do not eat adequately because: 1) they cannot afford to do so; 2) they lack the skills to select and prepare nourishing and well-balanced meals; 3) they have limited mobility which may impair their capacity to shop and cook for themselves; and 4) they have feelings of rejection and loneliness which obliterate the incentive necessary to prepare and eat a meal alone. These and other psychological, physiological, social and economic changes that occur with aging result in a pattern of living which causes malnutrition and further physical and mental deterioration. This act is designed to provide the opportunity for elderly persons to obtain nourishing meals at reasonable cost under pleasant conditions such that malnutrition and collateral problems among the elderly citizens of the state may be alleviated.

SECTION 2. 20.255 (1) (ff) of the statutes is created to read:

20.255 (1) (ff) Nutritional improvement for elderly. A sum sufficient for the payment of aids to school districts for programs established pursuant to s. 115.345 for nutritional improvement for the elderly.

SECTION 3. 115.345 of the statutes is created to read:

115.345 NUTRITIONAL IMPROVEMENT FOR ELDERLY. (1) Any school district approved by the superintendent may establish a system to provide the opportunity for authorized elderly persons to participate in its school lunch program. If a school board desires to establish such a service, it shall develop a plan for the provision of food services for elderly persons and submit the plan to the superintendent. Upon petition of 5% of the voters in the school district who voted in the last school board election, the school board shall formulate a food services plan, provided that hot food service facilities are available to school children in the district.

(2) Each plan shall provide at least one meal per day for each day that school is in regular session. The school board may provide additional service at other times in its discretion, if the number of eligible persons in the district or adjacent districts is of sufficient size, in the opinion of the superintendent, so that unwarranted production expense is not incurred.

(3) Any school board which operates a food services plan for elderly persons under this section shall make facilities available for service to elderly persons at every high school and junior high school in the district which provides hot food service to its students. Upon application, the superintendent may grant exceptions from compliance with this subsec-

*Section 900.05, Wisconsin Statutes: Laws and acts; time of going into force. "Every law or act which does not expressly prescribe the time it takes effect shall take effect on the day after its publication."

tion for reasons of safety, convenience or insufficient interest in a given neighborhood. The school board may, in addition, provide service at elementary schools if desired.

(4) Meals may be served at schools where they are served to students or at any site more convenient to the majority of authorized elderly persons interested in the service. Food may be transported to authorized elderly persons who are unable to leave their homes or distributed to non-profit organizations for such purposes. However, no state funds under this section may be used for food delivery to individual homes. The superintendent may require consolidation of programs between districts and between schools if such a procedure will be convenient and economical.

(5) Authorized elderly persons may be required to contribute toward the expense of food and production at a rate up to \$.65 per meal. The school board may file a claim with the department for reimbursement for reasonable expenses incurred in excess of this amount, excluding capital equipment costs, but not to exceed \$.20 per meal. Any cost in excess of \$.85 per meal may also be charged to participants. If the department approves the claim, it shall certify that payment is due and the state treasurer shall pay the claim.

(6) All meals served must meet the approval of the superintendent who shall establish minimum nutritional standards not inconsistent with federal standards and reasonable expenditure limits such that the average cost per meal is not excessive. The superintendent shall give special consideration to dietary problems of elderly persons in formulating a nutritional plan. However, no school board shall be required to provide special foods for individual persons with allergies or medical disorders.

(7) Participants in a program under this section may be required to document their Wisconsin residency in a manner approved by the department. The superintendent may issue identification cards to such persons if necessary.

(8) The superintendent shall adopt reasonable rules necessary to implement this section.

(9) In this section, "authorized elderly person" means any resident of the state who is 60 years of age or more, or the spouse of any such person. A school board may admit nonresident persons who would otherwise qualify into its program except that no state funds under this section may be used to subsidize any portion of the meals served to such persons.

SECTION 4. 121.07 (6) (a) of the statutes, as affected by chapter _____, laws of 1973 (budget act), is amended to read:

121.07 (6) (a) "Shared cost" is the cost of operation, minus the operational receipts and amounts received under s. 79.04 (1) (c), plus the principal and interest payments on long-term indebtedness and annual capital outlay, for the current school year. The sum of the principal and interest payments on long-term indebtedness and annual capital outlay included in shared cost shall not exceed \$100 per pupil. Any amounts contributed by the school district to provide food service programs for the elderly shall not be included.

SECTION 5. 160.01 (3) of the statutes is amended to read:

160.01 (3) "Restaurant" means and includes any building, room or place wherein meals or lunches are prepared or served or sold to transients or the general public, and all places used in connection therewith. "Meals or lunches" shall not include soft drinks, ice cream, milk, milk drinks, ices and confections. The serving in taverns of free lunches consisting of popcorn, cheese, crackers, pretzels, cold sausage, cured fish or bread and butter shall not constitute such taverns to be restaurants. The term "restaurant" does not apply to churches, religious, fraternal, youths' or patriotic organizations, service clubs and civic organizations which occasionally prepare or serve or sell meals or lunches to transients

or the general public nor shall it include any public school lunchroom or private individual selling foods from a movable or temporary stand at public farm sales.

SECTION 6. APPLICABILITY. This act shall have no effect upon school districts which are carrying on food services programs for the elderly on the effective date of this act. However, the superintendent shall approve such programs before state aid may be disbursed under this act. No retroactive payments may be made.

1-203

ACTION BY: Regional Offices
State Distributing Agencies
State Educational Agencies

Use of School Feeding Facilities for
the Elderly and Other Community Feeding Programs

I PURPOSE

This Instruction clarifies the Department's policy regarding the use of school feeding facilities as community resources for such activities as feeding programs for the elderly, and provides information on the nutrition program for the elderly authorized by Public Law 92-258.

II BACKGROUND

Frequently, school feeding facilities are used to provide meal service to persons ineligible to participate in child nutrition programs. In recent years such facilities are being used, often on a continuing basis, to serve a variety of community purposes such as feeding programs for the elderly. Further, Public Law 92-258, enacted March 22, 1972, amended the Older Americans Act of 1965 and authorized a nutrition program for the elderly under Title VII of the act. This nutrition program is administered at the Federal level by the Administration on Aging (AOA) of the Department of Health, Education, and Welfare (HEW), and at the State level, normally through the same State Agency that administers other titles of the Older Americans Act, i.e., generally the State Administration on Aging.

The AOA has issued regulations for the nutrition program for the elderly (37 F.R. 16844-50). According to these regulations, project areas for nutrition programs for the elderly are selected by the State Agency based on the number of persons aged 60 or older who have incomes below the poverty line. Once a project area is selected, all persons aged 60 or over in the area, and their spouses, may participate in the program. Public and private nonprofit organizations may be sponsors of project area programs. There is only one sponsor for each project area.

DISTRIBUTION:
AD, F1, FNS-D, FNS-E

MANUAL MAINTENANCE INSTRUCTIONS:
New Instruction. Insert in Manual.

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June 20, 1973

(II)

Each project must serve an average of 100 meals daily except that, where justified, fewer meals may be served in rural areas. The projects must serve one hot meal a day for 5 days or more per week except that, where justified, rural area sites may serve meals less than 5 days a week. The meals are to be served at congregate eating sites or, where necessary, delivered to the home. Each meal must meet one-third of the recommended dietary allowances for elderly persons as established by the Food and Nutrition Board of the National Research Council, National Academy of Sciences.

Participants determine for themselves what they can pay for the meals (sponsors establish suggested fees). Sponsors receive Federal funds, either on an advance or reimbursement basis, to pay up to 90 percent of the cost of administering and operating the programs.

III POLICY

* The Department believes that school feeding facilities can be effectively used for community purposes such as nutrition programs for the elderly without impairing the effectiveness of USDA assisted child nutrition programs. Of course, if school feeding facilities are so used, State and local officials must make sure that the integrity of the child nutrition programs is maintained and that the use of school facilities for other purposes does not result in failure to meet child nutrition program requirements established by the Department.

IV INVOLVEMENT OF CHILD NUTRITION FACILITIES

A Title VII Nutrition Program for the Elderly. The regulations issued by the AOA for the Title VII nutrition program for the elderly indicate that child nutrition program personnel and facilities may be involved in the following ways:

1 Consultation. The AOA regulations provide that State and local personnel involved with nutrition programs for the elderly shall consult with, and utilize as appropriate, the resources of other public and private agencies. Therefore, Regional, State, and local personnel involved in administering and operating the child nutrition programs may be contacted to provide technical and other assistance. The Department encourages Regional, State, and local personnel to provide such consultation and assistance insofar as time and staff permits.

2 Use of School Feeding Facilities. The AOA regulations provide that each project shall have congregate meal sites, preferably within walking distance of older persons. Schools are specifically mentioned as possible sites. The use of school facilities may involve

(IV A 2)

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eating facilities only or full use of all cafeteria facilities for both preparing and serving meals. All Title VII nutrition programs for the elderly are subject to HEW and General Accounting Office audit. Child nutrition program operations are, of course, subject to audit by the Department's Office of the Inspector General and by the General Accounting Office.

When the facilities of schools participating in the National School Lunch, School Breakfast, and/or Special Milk Programs are used for nutrition programs for the elderly, State and local personnel responsible for the child nutrition programs must make sure that the following requirements are met:

a An accounting/recordkeeping system must be established which will permit the costs and revenues associated with the child nutrition programs to be readily distinguished from the costs and revenues associated with the nutrition program for the elderly. The system must also permit a ready distinction of meals (and milk in the case of the ~~Special Milk Program~~) served under the child nutrition programs from meals served under the nutrition program for the elderly. State school food service directors may want to prescribe the type of accounting/recordkeeping system to be used.

b Meals served to the elderly must not be claimed for reimbursement under the child nutrition programs.

c Costs incurred for the nutrition program for the elderly must not be included in cost figures used for child nutrition programs. For example, if a school merges the preparation of lunches for both the National School Lunch Program and the nutrition program for the elderly, and if it then charges the elderly participants and/or the sponsor a set price for the lunches, the set price must cover, at a minimum, a realistic proportionate share of the same type of direct and indirect costs used for establishing the cost of a lunch under the National School Lunch Program.

3 Use of USDA Donated Foods. The AOA regulations provide that projects shall apply for participation in the Department's food donation programs.

(IV A 3)

a Sections 32, 416, and 709 Foods.

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(1) Eligibility. A recipient of a grant or contract under Title VII is eligible to receive foods acquired under Sections 32, 416, and 709 of price support and surplus removal legislation.

(2) Allocations. If the sponsor of a nutrition program for the elderly desires to receive USDA donated foods, he should notify the State Distributing Agency. The quantities to be made available shall be determined in accordance with pertinent legislation and the program objectives of the Department.

(3) Agreements. State Distributing Agencies shall enter into written agreements with sponsors of nutrition programs for the elderly. Such agreements shall incorporate the requirements and provisions described in Section 250(b) of the regulations governing the food distribution program. Whenever practicable, sponsors should consider executing agreements with local school officials to serve as agents with respect to ordering and storing donated foods, inventory control, and recordkeeping.

b Section 6 Foods. By law, Section 6 foods may be used only for programs operated under the National School Lunch and Child Nutrition Acts; therefore, Section 6 foods may not be used for nutrition programs for the elderly. There may be situations where the preparation of meals for both the child nutrition programs and the nutrition program for the elderly is merged and Section 6 foods are used for meals served to the elderly. In such situations, school officials must make sure the Section 6 foods are replaced in kind or, where this is not practicable, with similar foods.

B Other Community Feeding Activities. If school feeding facilities are used for any purposes other than the child nutrition programs, State and local personnel responsible for the child nutrition programs should adapt the provisions of paragraph A, above, to the particular situation in order to make sure the following requirements are met:

(IV B)

1 Child nutrition program costs and revenues must be clearly distinguishable from the costs and revenues of other feeding activities.

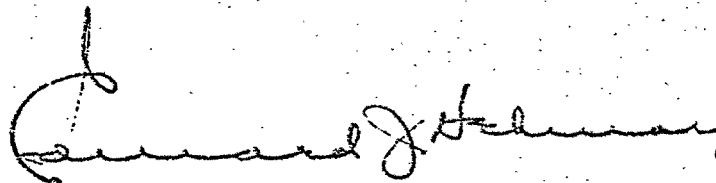
2 Federal child nutrition reimbursement must be claimed only for child nutrition program purposes in accordance with Department regulations.

3 Cost figures used for child nutrition program purposes must not include any costs involved with other feeding activities.

4 ~~The use of USDA donated foods~~ for any purpose must conform with Department regulations and Instructions. Since eligibility of programs for donated foods varies depending upon the nature of the feeding program and the classes of recipient agencies or recipients, local schools considering the use of donated foods for purposes other than child nutrition programs should immediately check with the State Distributing Agency.

V DISASTER FEEDING

The requirements contained herein may be modified to the extent necessary to feed disaster victims, except that any Section 6 foods used must be replaced or an amount equal to the value of the foods used must be paid to the Department.



Administrator

Attachment III
(AB 229) 7-213
Dept. of Education

MISCELLANEOUS COOPERATIVE AGREEMENTS

277.045 Cooperative agreements between political subdivisions for the performance of governmental functions.

1. Any two or more political subdivisions of this state, including without limitation counties, incorporated cities and towns, unincorporated towns, school districts and special districts, may enter into a cooperative agreement for the performance of any governmental function. Such an agreement may include the furnishing or exchange of personnel, equipment, property or facilities of any kind, or the payment of money.

2. Every such agreement shall be by formal resolution or ordinance of the governing body of each political subdivision included, and shall be spread at large upon the minutes, or attached in full thereto as an exhibit, of each governing body.

3. Each participating political subdivision shall provide in its annual budget for any expense to be incurred under any such agreement, the funds for which are not made available through grant, gift or other source.

(Added to NRS by 1965, 651; A 1967, 698)

277.050 Sales, exchanges, leases of real property by one public agency to another public agency: Conditions; procedure.

1. As used in this section, "public agency" includes the United States or a department or agency thereof, the State of Nevada or a department or agency thereof, a county, Carson City, a public corporation and a public district.

2. Without a vote of the electors of a public agency first being had, the governing body thereof is authorized:

(a) To sell or exchange to another public agency any unused real property belonging to it, which, at the time of delivery of title or possession, is no longer required for public use by the selling or exchanging public agency.

(b) To lease to another public agency, for a term not exceeding 99 years, any unused real property belonging to it, which, at the time of delivery of possession, is no longer required for public use by the lessor public agency.

3. A sale or exchange may be:

(a) Negotiated without advertising for public bids.

(b) Made for cash or property, or for part cash and property, or for part cash and terms of deferred payments secured by mortgage or deed of trust, but the purchasing public agency or exchanging public agencies shall pay or convey property worth an amount at least equal to the current appraised value of the real property being conveyed or exchanged. Funds derived from a sale shall be used for capital outlay.

4. A lease may be:

(a) Negotiated without advertising for public bids.

(b) Made for such consideration as may be authorized by action of the governing body of the lessor public agency.