

## SENATE COMMITTEE ON EDUCATION

Minutes of Meeting - March 10, 1975

The eighth meeting of the Committee on Education was held on March 10, 1975 at 3:00 p.m., Room 323.

COMMITTEE MEMBERS PRESENT: Chairman Richard H. Bryan  
 Senator Schofield  
 Senator Blakemore  
 Senator Foote  
 Senator Neal  
 Senator Sheerin  
 Senator Young

S.B. 14 - Permits initial employment of school district superintendent for term of 4 years.

Mr. Bob Best spoke in favor of the bill and advised that the purpose of this bill is to make it possible for the School Board to accomplish one of the chores which it has - to select superintendents and be able to do so without having to offer just a one-year contract. When recruiting, they feel the four-year contract adds more to the offer than a one-year contract.

Senator Bryan asked how many present superintendents would be affected by enactment of this measure; Mr. Best replied that none would be affected. The proposal was submitted by Mr. Petroni, presumably for Clark County. Mr. Best further commented that the Board would still have the right to offer one-year contracts to persons they were not sure of.

Senator Schofield asked how many counties would be affected by the figure of 7,000 (line 4); Mr. Best replied that Washoe and Clark counties would be affected.

Mr. Ken Hansen advised that this bill is part of the State Department's legislative package and came from the Trustees Association. Mr. Hansen feels that it is good administrative practice to employ superintendents of good quality and this bill would give a boost to the local Board. They will support educational bills that seem in the best interest of education in the State even though they do not affect the Department.

Senator Young asked if school teachers as well as superintendents would be included in the provisions of the bill. Mr. Hansen explained that teachers have a different kind of arrangement -- they are covered already by the continuing contract or tenure. Tenure does not guarantee anyone a job; it is a method of giving continuing contracts unless charges are brought against them. A form of tenure is the continuing contract which means that unless a person is notified of charges that would result in dismissal, he can assume that he is under contract for the next year. The terms "tenure" and "continuing contract" are often interchangeable.

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Mr. Dick Morgan, NSEA, stated that there are some advantages in the bill; however, he is torn by the bill. There is some good in long-term contracts, but he is concerned about an aspect of probation that the current law guarantees. Promotion to a level beyond an individual's competence is more manifested in the education business than in any other business in America. There are times and places where you are not going to employ top-notch people on a one-year contract.

Senator Sheerin stated that there is nothing in this bill that demands the Trustees to give four-year contracts. Mr. Morgan feels this is true, but if they are looking at a person for possible employment, this person may use the four-year contract as a bargaining tool in applying. The applicant may say, "You must give me a four-year contract".

Senator Young asked if there is any evidence showing where the School Trustees have suffered by not having the change that is contracted in this bill. Mr. Best replied that he does not have instances to support the request for a change in the law. However, when recruiting, they need this offer in order to give the candidate the stability he is looking for in a position.

Senator Blakemore asked that if a man had a four-year contract and was not suitable, would they have to pick up the remainder of his contract. Mr. Hansen stated that no Board would write a contract that did not give them protection. Senator Young felt that if the contract were vague, it would be hard to determine if the contract should be picked up; this might end up in a law suit.

Senator Young moved "Hold"; seconded by Senator Blakemore; Senator Byran concurred with this motion; Senators Sheerin and Neal voted "No"; Senator Schofield abstained from voting; Senator Foote not present during vote; motion carried.

S.B. 11 - Provides additional exception to rule against employment of related persons within same school district.

Senator Sheerin explained Amendment No. 8014 which has been put together by the sub-committee (Senators Sheerin, Neal & Foote). A copy of Amendment No. 8014 is attached hereto and marked as Exhibit C).

Senator Neal moved adoption of this amendment; seconded by Senator Schofield; unanimously carried.

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Discussion was held on Amendment No. 8013 (attached hereto and marked as Exhibit D). Senator Sheerin commented that "head of department" has been deleted and replaced by "administrator or department head". Senator Bryan felt that possibly the wording "department head" could be deleted; however, Senator Sheerin feels this would be limiting. Senator Young read Chapter 288 of NRS relating to the definition of "Administrative Employee". This definition included department heads. Senator Young feels that line 4 of page 1 is very broad and suggested that "administrative employee" be added before the word "University".

Senator Schofield suggested that more school districts should come in and testify and advise the committee of their problems.

The members agreed that Senator Schofield join the sub-committee in further study of Amendment No. 8013.

Being no further business at this time, the meeting was adjourned at 4:00 p.m.

Respectfully submitted,

  
Sharon W. Maher, Secretary

ROOM # 323  
DAY MONDAY

DATE 3-10-75

<u>NAME</u>	<u>ORGANIZATION</u>	<u>ADDRESS</u>
Richard L Morgan	NSEA	
Nell S. La...	Joint Lytle Comm. AARP/AAA	no
Teri Weaver	Intern for Sen. Reagan	
Lattie Weaver	Guest	
Theresa ...	Guest	

# NEVADA STATE SCHOOL BOARDS ASSOCIATION

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

PHONE: 883-0443

March 10, 1975

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ROBERT L. PETRONI  
Attorney

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Ben Payne, Director  
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WHITE PINE  
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Louis Bergevin  
Edward L. Pine  
Bernard F. Carter  
Helen C. Cannon  
Grant T. Anderson  
Gilbert L. Craft  
Henry L. Clayton

## MEMORANDUM

TO: Senate Committee on Education  
FROM: Robert Best, Executive Secretary  
SUBJECT: Senate Bill 14

The purpose of this bill is to amend NRS 391.110 to make it possible for a board of school trustees when selecting a superintendent, to serve in the school district for the first time, to offer a contract for more than one year and not to exceed four years.

At present a candidate may not be offered more than a one year contract unless he has served two years satisfactorily in the school district as a certificated teacher or administrator. If he has served two years he may be employed for a term of not to exceed four years.

When searching for a Superintendent the board of school trustees hopes to attract the very best candidate possible. In addition to salary a prospective candidate is interested in the position's stability. At present the trustees are limited to an offer of a one year contract unless the candidate has served satisfactorily in the district for two years.

A high caliber candidate who has built a reputation as a successful school administrator and who has proven his worth and ability in another school district would not, if this measure is passed, need to be subjected to a probationary period of two one year contracts.

ASSEMBLY ACTION

SENATE ACTION

ASSEMBLY / SENATE AMENDMENT BLANK

Amendments to Assembly / Senate

Bill / Joint Resolution No. 11 (BDR 23-241)

Proposed by Department of Education

Adopted 
Lost 
Date:
Initial:
Concurred in 
Not concurred in 
Date:
Initial:

Adopted 
Lost 
Date:
Initial:
Concurred in 
Not concurred in 
Date:
Initial:

Amendment No 8014

Consistent with Amendment No. 8013.

Amend section 1, page 2, by deleting lines 14 and 15 and inserting:

5. A public employee shall not be terminated from employment solely on the basis that the employee has a relative within the third degree of consanguinity or affinity who is elected to public office or appointed as a department head or in an administrative position after the employee obtained his position.

6. Any person violating any provisions of this section is guilty of a gross misdemeanor.



Amend the title of the bill to read:

"AN ACT relating to public officers and employees; revising provisions on employment of related persons; and providing other matters properly related thereto."

ASSEMBLY ACTION

SENATE ACTION

ASSEMBLY / SENATE AMENDMENT BLANK

Amendments to Assembly / Senate

Adopted   
Lost   
Date:  
Initial:  
Concurred in   
Not concurred in   
Date:  
Initial:

Adopted   
Lost   
Date:  
Initial:  
Concurred in   
Not concurred in   
Date:  
Initial:

Bill / Joint Resolution No. \_\_\_\_\_ (BDR \_\_\_\_\_)

Proposed by \_\_\_\_\_

Amendment No 8013

Consistent with Amendment No. 814.

Amend section 1, page 1, by deleting line 6 and inserting:

"[head of any department] administrator or department head of any school district or of the state, any town,".

Amend section 1, page 1, line 14, after "trustees" by inserting:

", administrators".

Amend section 1, page 1, by deleting line 16 and inserting:



Amendment No. 8013 to Senate Bill No. 11 (BDR 87-217) Page 2

"[all members of] the entire board of trustees and approval by the state department".

Amend the title of the bill to read:

"AN ACT relating to public officers and employees; revising provisions on employment of related persons; and providing other matters properly relating thereto."