

SENATE EDUCATION COMMITTEE

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Minutes of Meeting - April 7, 1975

The eleventh meeting of the Senate Education Committee was held on April 7, 1975 at 4:15 p.m., Room 323.

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

OTHERS PRESENT: See Exhibit A

S.B. 352 - Expands age range within which special instruction or services to certain handicapped minors are provided.

Mr. Ken Hansen, Nevada Dept. of Education, stated that it is a very important policy statement for the State to expand the age range of those served by our special education units. If the State wants to pick this up, it would be about 27 units, at \$16,000 per unit -- \$432,000. Mr. Hansen further stated that there is not as much enthusiasm for extending the age upwards; therefore, possibly the committee would want to leave off the upward extension and look towards the downward extension. They feel a special need for the mentally retarded which would be assisted by this.

Senator Young advised that the Finance Committee did not seem to have much enthusiasm for going up and down; rather, the question was whether they should expand the executive budget to provide more units. The Finance Committee felt there would be a substantial fiscal impact.

Mr. Hansen referred to Part A of Exhibit B (attached hereto) and advised that this would be for a total of 60 extra units. It would be possible for there not to be a fiscal impact if the law were changed to up and down and then the decision could be made as to whether the State could pick up a part of that.

Senator Bryan asked what this would require as far as State funding. Mr. Hansen replied that, in the school distributive formula, there is included a set aside for a number of special education units - now at 14,500, proposed to go up to 16,000. Those are the ones the State supports. In addition to that, local districts may take the option of supporting additional units to meet identified needs. On the basis of two surveys made last fall, we need 60 units to handle those students already identified within the already stated age brackets. Mr. Hansen further stated that they are proposing to extend this 27 more units if we are talking about the State picking up the extra units needed. It would be possible for this committee to say, as a matter of policy, that we should extend it downward particularly for the

mentally retarded and then leave the financing need - whether the State wants to assume that as their responsibility - or say that the local districts now have an added responsibility.

Senator Bryan referred to line 10 of the bill and feels that this language mandates that these children be admitted; therefore, this is a fiscal impact. Senator Bryan asked what impact this would have on the local school districts. Mr. Hansen replied that it would be possible that this would be an additional impact placed on the local school districts that they would not enjoy at all. The policy is what they are trying to establish first and then have the impact looked at.

Senator Young commented that once you get a mandate in the law, someone may put this in the form of a complaint. Senator Foote advised that perhaps they would be more receptive to not amending line 3 but amending line 10. Senator Foote stated that we have people going to school from age 18-21, but we do not have people going to school at the age of 3. This is a vast departure from anything we have done to date. Senator Foote would oppose this because of the financial problems we have.

Mr. Hansen stated that we now have in effect a national mandate to serve all handicapped children, but it does not say which entity of the government will provide this service. We would not have any grounds for a suit against the State for not picking up a bigger share. It would be much more likely that a suit would be against local districts.

Senator Sheerin asked if this is not passed, would the counties have the option to educate these children from the ages of 3-21. Mr. Smokey Davis replied no, it is not even permissive the way our laws are written now to educate any handicapped or mentally retarded children at age 3 and 4 - it starts at age 5.

Mr. Smokey Davis, Consultant for the State Dept. of Education, said that approximately 5% of the State's population is mentally retarded. This runs in range from the educable mentally retarded, the trainable mentally retarded, and the severe and profoundly retarded. At the present time, we have 49 children between the ages of 3-21 at the Nevada Mental Health Institute who are not receiving any educational benefits. Three of these youngsters are from ages 3-4, 32 are from the age of 5-18, and 14 are from the age of 19-20. In addition, we have 73 mentally retarded children from the ages 3 and 4 and there are receiving no educational benefits. Of these 73 children, 4 are in Hawthorne, 39 in Las Vegas, 14 in Reno, 3 in Elko, 2 in Lincoln, 8 in Carson City and 4 in White Pine. Without early educational intervention the prognosis for these children is a one way ticket to the Nevada Mental Health Institute. The trend across the country is de-institutionalization, and by 93.380 coming out of Congress, we have to write a State

plan to show how we will meet that. Mr. Davis feels that if they do pick up the children at an early age, they can prevent institutionalization. Mr. Davis stated that the basis of his testimony is that it is the responsibility of the State of Nevada to take every precaution possible to be sure we do not institutionalize any youngsters.

Senator Blakemore referred to a meeting they had in Tonopah and the feeling that if we could get at the younger ones, we would not have to worry about them at the upper ages of 18-21 where they could be taken care of under N.I.C. programs. Senator Blakemore said that, after the Tonopah meeting, he was convinced that we should seriously look at the younger ones. Mr. Davis stated that he feels that, in dealing with the younger ones, it will save money in the long run. Senator Blakemore agreed.

Mr. Hansen referred to the arrangement of priorities (Exhibit B). Under Priority 2, which is 12 units at \$16,000, the mentally retarded students of 3 and 4 years of age would be taken care of. This would be their first priority. Senator Young asked if it is true that this doesn't increase the state distributive fund, but they would be telling the counties what to do with the money they have. Mr. Hansen stated that this is basically true. Their preference would be that the State pick up the cost of all of these extra units (27). Their next preference would be that the State pick up the costs of the first 12 units. Could be that the Legislature decides that this is State policy but can't find the money, so would say the responsibility is on the county. Mr. Hansen went on to say that they have never said the the State takes the entire responsibility.

Senator Bryan asked what the definition of a unit is. Mr. Davis advised that it is a certified target area population of whatever handicapped would be. Mr. Gamble provided that it is the number of students when categorized as to handicapped - average for the State is 10 per unit. Mr. Gamble further stated that passing the bill as it stands means lowering the age of all handicapped minors, or the other alternative is amending it to include only the mentally retarded. This would be 12 units at \$16,000 per unit - \$192,000.

Marvin Picollo, Washoe County School District, stated that this is a very difficult bill, and endorses it conceptually since we all are for the handicapped children. However, Mr. Picollo finds it to be on the dangerous side because education is the responsibility of the State and not the local districts. This bill does not establish what we have talked about here. If you open this to the academically talented children, you are opening Pandora's box in a way that could never be closed. Mr. Picollo further stated that the minimum you could get by with is 27 units if you went up and down. We could not accommodate all of the children in Washoe County with these units. Mr. Picollo feels that if this is changed to the retarded only, we

are talking about 12 units. If this is left the way it is now, Washoe County would be inundated - they would have close to 20 units in Washoe County alone. Mr. Picollo feels that we are all conceptually in favor of this; however, it does not come anywhere near what all of us have said.

Senator Neal sees this bill as falling within the rims of necessity. Irrespective of what the Finance Committee has done, some of us will have to say put it out on the floor. Even if we do not have the money, we will have to respond. Mr. Picollo agreed and feels that if we would move in that direction, the bill that was killed in the Senate Finance Committee might have more merit or come closer than this bill.

Mr. Gamble stated that this bill does not effect the gifted or academically talented except in subsections 2, 3 and 4 - takes care of them at age 4 which is the way it is now. Senator Bryan feels that if they are suggesting the academically talented by categorized away from the others, it seems to be in contradiction of testimony taken two years ago, which was that we wanted to keep them all together.

Messrs. Gamble, Hansen, Picollo and Davis agreed that the handicapped child, not including the academically talented, should be taken care of first. Mr. Gamble stated that, from an educational viewpoint, there are lots of ways to provide for the academically talented that are not as excessive as taking care of the handicapped.

Senator Young asked if the units mean the sum of money that Washoe County can use. Mr. Picollo replied that you have to have the units before you can get the money. Mr. Picollo further stated that we have legislated against the retarded - we may admit 4 year old academically talented but we may not admit 4 year old retarded. Mr. Gamble stated that if a child is categorized as a handicap, he falls under the category that must provide for the handicapped.

Jane LoCicero, Nevada Dept. of Education, advised that they have pre-school, 4 year old program in Washoe and Clark County; NRS 395 provides for these children to be placed in schools. They have no pre-school for the aurally handicapped. Ms. LoCicero feels that the mentally retarded should have first priority.

Kay Davis, OARC, stated that in Colorado they have a fantastic program for the academically talented where they take them out of school at the 5th grade and start them in advance classes; they then graduate from high school at 15 or 16.

Shirley Wedow, P.T.A., advised that they would like to go on record as supporting the expanded age for youngsters. Ms. Wedow further stated that they supported the academically talented because they are not recognized and sometimes they get lost in the school system. Ms. Wedow would hate to see us lose what we have in those programs

for the academically talented, but strongly feels that the child at the other end (ages 3-5) should be recognized and educated as soon as possible.

Mr. Davis stated that in order for the State of Nevada to be eligible for the Mathias grant, those funds must be used to served children who are in no educational program. Congress has mandated to the states that that service must extent to the age limits of 3-21. Senator Sheerin asked what kind of a state match is required to be eligible; Mr. Davis replied that Nevada's share would be approximately \$155,000 for FY-75, and roughly \$350,000-\$360,000 for FY-76.

Mr. Hansen asked if it would be possible to consider leaving in the 18-21 year olds, then go to 3 years instead of 5, with the state priority of taking care of the mentally retarded and suggesting that the Finance Committee fund from the State these first 12 units which is called Priority 2 (Exhibit B).

A.B. 389 - Authorizes commissioners of Western Regional Higher Education to contract with educational institutions outside compact regions.

Assemblyman Virgil Getto advised that this is to find spaces for many qualified pre-veterinary students who have not been finding any slots in any of the schools. The three western states under WICHE for verterinarians are California, Washington and Colorado. Of these, California has closed the doors to Nevada residents to accomodate their own state; Washington is forming a shared curriculum with Idaho and Oregon; and Colorado is phasing down their out-of-state acceptances. At the present time, there are 23 qualified applicants and only 2 have been accepted. This bill would allow for the WICHE commissioners to contract out of the compact to other areas of the U.S. if they can find the slots. Mr. Getto further stated that the commissioners would support this bill if it were amended to state "school of veterinary medicine". This would narrow it down just for the veterinarian.

Dean Bohmont, College of Agriculture - UNR, feels that this should be limited to the veterinarians because there is only one school in the west that will take our students. This is not true in the other areas, i.e. there are 16 medical schools in the west who will take our students. Therefore, the WICHE commissioners are very anxious to have space available for the vets. There are about 130 that are eligible to apply and probably only 2 will get into a school. This does not cost any more money.

Senator Bryan asked what financial obligation the State incurs for the WICHE program; Dean Bohmont replied that the legislature appropriates monies every two years for the WICHE compact.

Dean Bohmont believes that the State appropriation for the two year period is 1.8 million dollars for those school-support areas that are not within our educational system. Page 205 of the executive budget identifies how that money was arrived at. No state outside of Nevada will accept students unless they are paying the total cost; therefore there needs to be some contracting mechanism to see that this is accomplished -- that is one of the reasons why the WICHE commission exists. We could not, as a university, go to some university in the mid-west and accept our students, but they would through our WICHE compact. Dean Bohmont stated that they are the only group who has had difficulty in getting spaces for their students.

Senator Young posed a question with respect to spending money to send a person to school and questioned how many would return to Nevada to practice. Senator Young offered the possibility of having students make a commitment that they would return to Nevada for five years and if they chose not to return to Nevada, they would have to repay the money. Senator Young expressed concern that we would be spending money and getting nothing in return. Dean Bohmont advised that Wyoming had their students sign commitments saying that they would return to the state. Dean Bohmont feels the students would come back to Nevada, because of testimony heard in the Assembly.

Senator Schofield moved "Do Pass"; seconded by Senator Blakemore. Discussion was held on the possibility of adding language relative to a commitment that the students return to Nevada; also, language that would limit the commissioners in contracting for out-of-state placement to the same kind of criteria they are limited to in contracting within the compact. Senator Blakemore offered the language "any contracts or agreements would be subject to the rules of the compact". Senator Bryan is to furnish possible amendments to this bill.

S.B. 212 - Adds to enumeration of causes and clarifies procedures for suspension or revocation of teachers' or school administrators' certificates.

On March 24, 1975 the committee amended, passed and re-referred this bill back to the committee in its amended form. Mr. Gamble feels the bill, in its amended form, is very satisfactory.

Senator Blakemore moved "Do Pass" as amended; seconded by Senator Young; motion carried. Senator Neal absent.

The committee agreed to introduce BDR #34-704. Committee members absent: Senators Young, Neal and Foote.

With reference to BDR #34-1491 (Community College bill), Senator Schofield moved for committee introduction and refer to Government Affairs; seconded by Senator Blakemore; motion carried. Committee members absent: Senators Young, Neal and Foote.

Discussion was held among the committee members regarding S.B. 352; no action taken at this time.

Being no further business at this time, the meeting was adjourned at 6:30 p.m.

Respectfully submitted,


Sharon W. Maher, Secretary

ROOM # _____

DAY _____ DATE _____

NAME	ORGANIZATION	ADDRESS
Shirley Wadew	PTA	629 J St Sparks
Marvin P. Scoble	W. C. S. U.	425 E 9th - Reno
DALE BOHMONT	Col of Agr - U of Nev	Reno, Nev
Raye Davis	OARC	Carson
Jane Lo Cicero	Nev. Dept. of Educ.	Carson City
Smockey Davis	Nev. Dept. of Educ.	Carson City
John Gamble	Nev Dept of Educ	Carson City
Sunny M. Hansen	"	" "
Smockey Davis	"	" "



OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Carson City, Nevada 89701

KENNETH H. HANSEN
Superintendent

March 26, 1975

MEMORANDUM

TO: Senate Finance Committee
FROM: *K.H.H.* Kenneth H. Hansen
SUBJECT: Special Education Unit Needs

In accordance with the directive of Senator Floyd Lamb, Chairman, Senate Finance Committee, the Nevada Department of Education has developed the following information regarding the distribution of exceptional pupil education units. These priorities were established during a meeting this morning with Dr. Kenny Guinn, Superintendent, Clark County School District, and Dr. Marvin Picollo, Superintendent, Washoe County School District:

Part A - Continuing Programs

Priority 1 -- 494 units @ \$16,000

Increase the 434 existing exceptional pupil education units to 494 units in order to provide services for students ages 5-18 who have been identified for inclusion in exceptional pupil education programs but must remain within regular education programs until the necessary units are available.

Part B - Extended Age Limits

Priority 2 -- 12 units @ \$16,000

Extend the age range to include 3- and 4-year-old mentally retarded students

<u>Units needed</u>	
Clark County	5
Washoe County	2
Other counties	5
	<u>12</u>

Priority 3 -- 5 units @ \$16,000

Extend the age range to include 3- and 4-year-old speech handicapped students

Clark County	2
Washoe County	1
Other counties	2
	<u>5</u>

Priority 4 -- 10 units @ \$16,000

Extend the age range to include 19- and 20-year-old mentally retarded students

Clark County	5
Washoe County	2
Other counties	3
	<u>10</u>

SUMMARY:

It is essential that 60 additional units be established in order to provide services for identified exceptional pupil education students. An additional 27 units will provide educational services for students ages 3 and 4 and 19 and 20 who also have a critical need for exceptional pupil education.