

MINUTES

EDUCATION COMMITTEE
MARCH 14, 1977
3:05 p.m.

Members Present: Chairman Vergiels
Mrs. Gomes
Mr. Goodman
Mr. Horn
Mr. Kissam
Mr. Rhoads
Mr. Schofield

Guests Present: James P. Costa, State Department of Ed.
Robert Rose, President-elect, NSEA

The Chairman called the meeting to order at 3:05 p.m. and scheduled a hearing on AB 409 and AB 446, SB 165 and SB 118 for Wednesday, March 21. He asked Mr. Goodman to contact Hope Roberts for more information about SB 138, the vocational-education bill.

AB 151 - Mr. Kissam moved to amend AB 151, the school counselor bill, with 161A because it is in conflict with AB 106. Mr. Goodman seconded and the committee unanimously passed the amendment. The bill was then moved for passage as amended by Mr. Kissam and seconded by Mr. Goodman and will be referred to Ways & Means. Mr. Schofield moved that the committee introduce a bill establishing a pilot program if this bill should fail. Mr. Horn seconded and it was unanimously passed.

AB 110 - Mr. Horn moved to indefinitely postpone action on this bill lowering the mandatory attendance age. Mrs. Gomes seconded. Mr. Rhoads and Mr. Schofield voted "no." Since there is a Senate bill on this subject, Mr. Rhoads will inform Senator Schofield.

AB 111 - James P. Costa, deputy superintendent of the State Department of Education, presented amendments to this bill on the handicapped, which are attached as Exhibit A. The amendments were referred to Mr. Schofield for consideration by his subcommittee.

AB 300 - Mr. Schofield moved and Mr. Kissam seconded that this bill be amended as follows and passed. It will now read "Every school district shall set aside a period at the beginning of each school day during which all persons present must be silent for voluntary, individual prayers by pupils." Mr. Goodman voted "no."

Assembly

ASSEMBLY EDUCATION COMMITTEE
MARCH 14, 1977
Page Two

AB 105 - Mr. Schofield moved that the Education Committee concur with the Senate changes which substitute "shall" for "may in Section 1, line and line 19 and pass the bill. Mr. Horn seconded and the committee approved unanimously. Mr. Schofield will handle the bill on the Floor of the Assembly.

Mr. Vergiels appointed a subcommittee headed by Mrs. Gomes and consisting of Mr. Horn and Mr. Goodman to study AB 9, AB 400 and AB 293 and report to the full committee.

Mr. Schofield moved that the meeting be adjourned and Mr. Rhoads seconded. The meeting was adjourned at 3:45 p.m.

Respectfully submitted

Harriet M. Knapp

Assembly Attache

59TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

DATE 3/14/77

SUBJECT AB 105 - Revises licensing procedures under Postsecondary Educational Authorization Act.

MOTION:

Do Pass x Amend x Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Schofield Seconded By Mr. Horn

AMENDMENT Section 1, line 3, substitute "shall" for "may."

Section 1, line 19, substitute "shall" for "may."

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
GOMES	X	_____	_____	_____	_____	_____
GOODMAN	X	_____	_____	_____	_____	_____
HORN	X	_____	_____	_____	_____	_____
KISSAM	X	_____	_____	_____	_____	_____
RHOADS	X	_____	_____	_____	_____	_____
SCHOFIELD	X	_____	_____	_____	_____	_____
VERGIELS	X	_____	_____	_____	_____	_____
TALLY:	7					

ORIGINAL MOTION: Passed _____ Defeated _____ Withdrawn _____

AMENDED & PASSED 3/14/77 AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

59TH NEVADA LEGISLATURE

EDUCATION
LEGISLATION ACTION

DATE 3/14/77

SUBJECT AB 300 Provides silent period for voluntary individual prayer
in public schools.

MOTION:

Do Pass _____ Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By _____ Seconded By _____

AMENDMENT: "period at the beginning of each school day during which
all persons present must be silent for voluntary, individual
prayers by pupils."

Moved By Mr. Schofield Seconded By Mr. Kissam

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>
GOMES	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
GOODMAN	<u>_____</u>	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
HORN	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
KISSAM	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
RHOADS	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
SCHOFIELD	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
VERGIELS	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
TALLY:	6	1				

ORIGINAL MOTION: Passed _____ Defeated _____ Withdrawn _____

AMENDED & PASSED X AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes 3/14/77

ASSEMBLY BILL NO. 111 (with recommended amendments)

February 25, 1977

Section 1. Chapter 395 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act. ---

Section 2. "Care" means room, board, and transportation which the superintendent of public instruction determines to be necessary for a handicapped person while he is being educated pursuant to this chapter.

Section 3. "Handicapped person" for the purpose of this chapter means an aurally or visually handicapped person, or a handicapped person who is mute.

Section 4. Delete

Section 5. "Special education program" means specially designed instruction to meet the unique needs of a handicapped person in accordance with minimum standards prescribed by the state board of education.

Section 6. NRS 395.001 is hereby amended to read as follows:

395.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 395.003 to 395.009, inclusive, and sections 2 to 5, inclusive, of this act have the meanings ascribed to them in those sections.

Section 7. NRS 395.003 is hereby amended to read as follows:

395.003 "Aurally handicapped person" means a person with a loss in hearing of 80 decibels or more in the better ear.

Section 8. NRS 395.010 is hereby amended to read as follows:

395.010 1. The superintendent of public instruction may provide for the education and care of any handicapped person who is eligible for such benefits by:

- (a) Making arrangements with the governing body of any institution for the ~~visually or aurally~~ handicapped in any state having any such institution;
- (b) Placing the handicapped person in a foster home or other residential facility in a county in this state having an appropriate special education program for his particular handicap.

2. The superintendent of public instruction may make all necessary contracts, in accordance with any regulations the state board of education may prescribe, to carry out the provisions of this chapter.

Section 9. NRS 395.020 is hereby amended to read as follows:

395.020 A handicapped person is eligible to receive the benefits provided by this chapter if:

1. He is a resident of the State of Nevada;
2. He is under 21 years of age, but where the enrollment period for the school year is prior to his 21st birthday, he remains eligible to complete that school year irrespective of his age; and
3. A special education program for his particular handicap cannot be provided within his school district; but where he is enrolled in a program under this chapter on July 1, 1977, he remains eligible to complete that program irrespective of the formation after that date of an appropriate special education program within his school district.

Section 10. NRS 395.030 is hereby amended to read as follows:

395.030 1. An adult handicapped person or a parent, guardian or other person having the care, custody or control of an eligible handicapped person, after all appropriate due process, may apply to the board of trustees of the county school district in which the handicapped person is a resident for benefits under this chapter. The application must contain sworn statements confirming that the handicapped person meets the requirements specified in NRS 395.020.

2. The board of trustees must verify the sworn statements of the applicant, certify that all possibilities for local placement have been exhausted and that an appropriate special education program is not available in the school district, and transmit the completed application to the Superintendent of Public Instruction.

Section 11. NRS 395.040 is hereby amended to read as follows:

395.040 1. Upon receipt and review of an application for benefits, the superintendent of public instruction shall make the necessary arrangements for the education and care of the handicapped person pursuant to subsection 1 of NRS 395.010. Before making such arrangements the superintendent of public instruction may cause a medical, psychological or educational examination of the handicapped person to be conducted at state expense to determine the nature and extent of the handicap.

2. The Superintendent of public instruction shall obtain a certificate of approval from the state welfare administrator before placing a handicapped person in any home other than the home of a person related to the handicapped person in the third degree of consanguinity or closer.

3. The superintendent of public instruction has final authority regarding the placement of any handicapped person.

Section 12. NRS 395.050 is hereby amended to read as follows:

395.050 1. When arrangements for the education and care of the handicapped person have been completed by the superintendent of public instruction, he shall advise the board of trustees of the county school district to make provision, at the expense of the school district, for transporting the handicapped person to a place designated by the superintendent. The superintendent shall make necessary arrangements for transporting the handicapped person from the designated place to the institution, foster home or other residential facility and return to the designated place at the expense of the state.

2. Except as provided in subsection 3, the expenses for the education and care of the handicapped person shall be paid by the state.

3. An adult handicapped person or a parent, guardian or other person having the care, custody or control of a handicapped person:

(a) May enter into a contract with the superintendent of public instruction to pay a share of the cost of education and care of such handicapped person.

(b) Is liable for all medical expenses which are incurred while such handicapped person is receiving educational benefits.

Section 13. Deleted

Section 13. NRS 395.005 and 395.055 are hereby repealed.