

COMMITTEE ON EDUCATION, HEALTH,
WELFARE AND STATE INSTITUTIONS

FEBRUARY 22, 1977

The meeting was called to order at 8:08 a.m. in Room 323 on Tuesday, February 22, 1977, with Senator Joe Neal in the Chair.

PRESENT: Vice-Chairman Joe Neal
Senator William Raggio
Senator Richard Blakemore
Senator Wilbur Faiss
Senator William Hernstadt

ABSENT: Chairman Jack Schofield

GUESTS: Senator Clifton Young, S.B. 204, Sponsor
Joyce Woodhouse, Nev. State Teachers Association
Jim Costa, Department of Education
Jim Kiley, Department of Education
Cynthia Cunningham, State Board of Education
Robert Best, Nev. State School Boards Association
Merlin Anderson, Post-Secondary Education Commission

S.B. 204

Senator Clifton Young spoke in behalf of this legislation. The Senator said, there were three bills that had been introduced for periodic competency testing, A.B. 9, A.B. 293 and S.B. 204. Senator Young commented that there is a great deal of skepticism in regards to education, one student out of one-hundred in a senior class can balance a check book ; less than 50% could measure 3 3/8" on a ruler; in writing letters for jobs, 80% didn't include their return addresses and 74% left no way for the employer to get in touch with the applicant. In Washoe County, high school students have been graduating with a third grade reading capacity, and this is shocking when 60% of the taxpayers money goes to education.

S.B. 204, the Senator remarked, provides for periodic testing in the areas of reading, writing, computation, American History and American Government. The Senator remarked that this bill began testing with Grade 6, however, he felt there should be earlier periodic testing in order that a diagnosis can be evaluated and then remedial training provided. The Senator said Virginia, Maryland, California, and Florida have already put this type of testing into effect. The Senator read from Florida's law which said: "The Legislature recognizes that the early years of a pupil's education are crucial to his future. The mastery of the basic skills of communication and computation is essential to the future education and personal success of an individual. The first priority of the public school's of Florida shall be to assure that all Floridians to the extent their individual

physical, mental and emotional capacities permit, shall achieve the mastery of the basic skills. The term basic skills for the purpose of this section, means reading, writing and arithmetic." Senator Young further commented on Florida's law that it began its testing in the earlier grades, and perhaps this could be incorporated into S.B. 204.

Senator Young said the legislature should mandate to the Department of Education to develop certain standards and take steps to provide that diagnosis and remedial training is available for students to achieve these basic skills.

Senator Young gave an example of one classroom in a Reno High School where they were supposed to be learning English, and were being taught about marriage, and even held a mock wedding, and he questioned how anyone could learn to read and write if this is the type of training they are receiving.

Senator Young also stated that perhaps an alternative to a diploma could be given if these standards could not be met, such as a certificate of attendance. Senator Young said if this proficiency is not met by students, it is almost a form of 'consumer fraud' to the parents and prospective employers. The Senator also added that in a poll he and Senator Raggio conducted in Washoe County, with almost nine out of ten participating, 1,000 to 1,200 responses favored some type of periodic testing.

Senator Raggio commented that he noticed that A.B. 9 had a provision for students who are diagnosed with a learning disability, and he felt this would be necessary in the final bill. Senator Hernstadt said that he had requested a bill similar to S.B. 204, but that the testing would be after grades 3, 6, 9, 10, 11 and 12. Senator Hernstadt remarked that in Clark County it was publicized that scores were dropping on aptitude exams, and he wanted to know why. Senator Young answered that perhaps television, or the reluctance to hold back students, and he agreed with Senator Hernstadt that discipline was part of the problem.

Senator Neal asked Senator Young to explain what would happen if the school districts decided not to carry out this testing program? Senator Young said that this might be enforceable merely by public censure, however, in Sec. 1, Line 11, "if a pupil fails to pass any of the examinations, he shall repeat the school work of the previous year.", Senator Young was not sure this could be enforced. Senator Neal then asked what would be the end product if this legislation passed? Senator Young said he hoped the youths would be able to master the basic skills, and achieve a level of intelligence that would allow them to adjust to their environment.

Ms. Joyce Woodhouse, representing the Nevada State Teacher's Association said they did not take a position on S.B. 204 at this time, but they are concerned about the competency problem. Ms. Woodhouse said there is a Committee involved in the question of competency, partially composed of teachers and they ask that a decision be held until the report of this study is released. Ms. Woodhouse said that S.C.R. 14 is more desirable.

Senator Blakemore asked if discipline was part of the problem with learning? Ms. Woodhouse, who teaches first grade, said that these standards are usually set by the principal, but if the parent has a written statement that his/her child cannot be spanked, then there can be no physical or strong verbal discipline. Senator Blakemore asked if the teachers themselves are able to evaluate which students are able to progress to the next grade? Ms. Woodhouse said that she does this mainly through observation, rather than exams.

There was some discussion between Senators Raggio, Hernstadt and Neal as to what the exams actually determine. Ms. Woodhouse commented that they should be able to diagnose the problem areas, as well as, determine minimum abilities. Senator Raggio said that it should be kept in mind that this legislation does not preclude any current aptitude testing.

Mr. Jim Costa read his submitted statement to the Committee, (Exhibit "A"). Senator Hernstadt said that he took exception to Mr. Costa's statement that there weren't any state exams that could measure each of the areas discussed. The Senator said that in the New York State Regional examinations, which are given throughout rural and city areas, they are used as an objective standard which measures statewide the quality of each particular subject matter. Senator Hernstadt also asked if the Department of Education could initiate its own testing program by right of State statute? Mr. Jim Kiley said that the statutes are 'silent' on the subject of testing. Senator Hernstadt asked if something could be done on a cooperative basis now to obtain a suitable statute, rather than wait for another two years? Mr. Costa said they could work to set objective standards, however, they would not wish to move too quickly. Senator Raggio added that there is an immediate problem, or 80% of the parents polled in Washoe County would not express a positive support of this type of testing.

Senator Raggio asked what is the exact purpose of this Committee studying the minimum standards? Mr. Kiley answered that the Committee of thirty-five teachers was

asked to identify the minimum skills. Senator Raggio could not understand what was so difficult and time consuming about determining minimum skills. Mr. Kiley said the complexity comes from trying to identify these skills in a specific enough manner so that they can be measured. Senator Raggio suggested that whatever legislative mandate is passed, could become effective by July, 1977, and this would give time for the Committee study to be included.

Ms. Cynthia Cunningham, member of the State Board of Education, said that she was not officially representing the State Board, however she wanted to express that she wished the Board could achieve credibility in this area without legislation. She also added that she supported the concept of a study as given in S.C.R. 14. Senator Hernstadt asked if the Board needed a law in order to have the authority to conduct testing and dictate to the districts that this will be done. Ms. Cunningham answered that she did not feel it would be appropriate for her to comment on that.

Senators Blakemore and Faiss both said that they felt that an attempt at competency testing must be made in order to satisfy the parents who are requesting the examinations.

Mr. Robert Best of the Nevada State School Boards Association said that the elected school board members are not against tests in order to diagnose problems, however they are concerned about statewide mandates that exclude the individual variables and differences.

Senator Raggio said that the legislative intent is not to dictate that the individual districts cannot continue their own curriculum, this bill will deal only with the basic skills, and should be handled on an advisory level which each district can either accept or reject.

A.B. 109

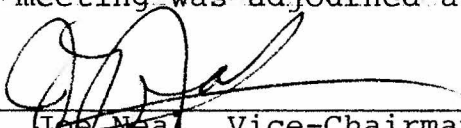
Mr. Jim Costa read his submitted statement on this bill, (Exhibit "B"). Senator Hernstadt questioned Lines 37 through 39 of Page Two, and asked if this meant that schools which do not give degrees, i.e., Education Dynamics Institute could not advertise? Mr. Merlin Anderson of the Post-Secondary Education answered that the awarding of degrees is referenced to solicitation that degrees are given when these degrees are not official. Mr. Anderson said they strongly support that the affidavit be filed with the Commission, since the Commission is dis-jointed with the Department of Education, by statute.

A.B. 105

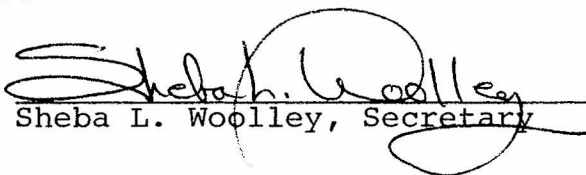
Mr. Merlin Anderson testified that this bill was generated through the members of the Commission which states that schools which have been in operation during the past two years, during which time the Commission has been operational, not be continued to operate without a license. In other words there has been a grace period of two years. Mr. Anderson also said that the Commission would like to have the bracketed out 'shall' in Line 3 and Line 19 of Page One remain, rather than 'may' since the latter seems to imply that it is not mandatory.

Ms. Cynthia Cunningham said that as Chairman of the Commission on Post-Secondary Education she supported the proposed amendments as stated by Mr. Anderson.

The meeting was adjourned at 10:00 a.m.



Sen. Joe Neal, Vice-Chairman
(Acting Chairman)



Sheba L. Woolley, Secretary

STATEMENT OF
THE DEPARTMENT OF EDUCATION
TO THE
SENATE COMMITTEE ON EDUCATION, HEALTH, WELFARE AND STATE INSTITUTIONS

Tuesday, February 22, 1977
Room 323, 8:00 a.m.

S.B. 204 - Amends NRS 389

Requires periodic testing of public school pupils to determine competency in specific subjects.

As a result of recent and continuing expressions of concern by the American public and citizens of Nevada, the State Board of Education and the Department of Education fully understand the motivation behind and the intent of S.B. 204. The effort of the sponsors of this bill is timely and commendable.

While there may be merit in the purpose of S.B. 204, the Department finds that there are several problems which the sponsors may have overlooked or of which they may have been unaware.

The first problem relates to the specificity of the curriculum content and the availability of appropriate tests. Section 1, subsection 1 calls for periodic examinations to determine the competency of pupils in grades 6, 8, 10, and 12 in reading, writing, computation, American Government, and American History. Further, subsection 2 requires that a pupil repeat the grade in which an examination is not completed satisfactorily. Such statements infer that there must be examinations of increasing complexity for each of the grade levels, and that the levels of competency for each grade must be specifically identified. There presently are available standardized, norm-referenced examinations for grades 6 and 8, but not all of these deal specifically with American History and American Government. We are not aware of any standard tests that can now measure all of these areas for grades 10 and 12.

The second problem relates to the requirement that pupils who fail to pass the examinations shall repeat the work of the previous year unless able, by some other means, to pass the examination before entering the next grade. Such a requirement can create two additional problems. The first is a technical problem relating to timing and frequency of testing, and student class scheduling. The second calls attention to the real educational concern over how many times a pupil should be forced to repeat all the work if there is failure in only one area.

The basic consideration of a bill such as S.B. 204 must revolve around whether a full year of school work is worth anything if the sole criterion for promotion is to be the pupil's performance on a single examination. Most assuredly the knowledge of such weight being placed on the examination must have some emotional and unsettling effect on the pupil. The ability of the pupil to control this effect will have a direct bearing on whether the examination will be successfully completed or not.

The Department of Education is currently engaged in an effort to determine the minimum competency levels to be expected of high schools seniors in reading, writing, and arithmetic. Once these minimum levels are established, a testing program, or other method of measurement, may be devised to determine the degree of competency at one or various stages of the pupil's development. Such a plan could permit the initial measurement, based on a set of established minimum skills and concepts, to take place at the late elementary or junior high school levels. Those pupils who do not pass could have the benefit of additional work in the areas of weakness. Subsequent testing could then take place through grade 12 to assure additional opportunities for pupils to demonstrate minimum competency. If the pupil demonstrates proficiency in any of the minimum skills prior to grade 12 there would be no need to be tested again in these areas.

Such a program is not the same as the one proposed by S.B. 204. We find it much more desirable from the standpoint of human development and potential for management. Even our program is not as well developed as we would like at this time. We would request more opportunity to work on it, and therefore, suggest that no action be taken at this time to embody in the statutes a procedure such as the one proposed by S.B. 204.

STATEMENT OF
THE DEPARTMENT OF EDUCATION
TO THE
SENATE COMMITTEE ON EDUCATION, HEALTH, WELFARE AND STATE INSTITUTIONS

Tuesday, February 22, 1977
Room 323, 8:00 A.M.

A. B. 109 -- Amends NRS 394.620

Changes office at which degree-granting institutions are required to file certain information.

Until 1975 the responsibility for licensing and supervising post-secondary and degree-granting institutions was delegated to the Department of Education. The 1975 Legislature created the Commission on Postsecondary Educational Authorization and transferred this responsibility to that agency.

The 1975 legislation erroneously retained a reference to the superintendent of public instruction who no longer has responsibility in this area.

In the two year operation of the Commission, there have been some instances of conflict with definition of "degree-granting" institutions as compared with persons, firms, partnerships, associations and corporations.

A. B. 109 seeks to correct both of these conditions by:

- 1) Deleting the reference to Superintendent of Public Instruction, and
- 2) By combining within a separate section the authority to confer degrees, designating the qualifications of institutions which may do so, and deleting reference to the phrase "degree-granting".

JPC:maj
2-2-77