

MEMBERS PRESENT

Chairman Vergiels
Vice Chairman Craddock
Mr. Banner
Mrs. Hayes
Mrs. Wagner
Mrs. Westall
Mr. Stewart
Mr. Malone
Mr. Webb

GUESTS PRESENT

See Guest List attached

Chairman Vergiels called the meeting to order at 3:00 p.m.

The Chairman opened the meeting by calling for testimony on A.B. 122.

ASSEMBLY BILL 122

Don Rhodes, who was on the staff of the Interim Subcommittee studying the structures and functions of the State Department of Education and A.B. 122 is the result of one of the recommendations that came out of that study. He pointed out that in the master plan for education, certain local Superintendents of Schools and the leadership in the State Department of Education expressed the need to either remove all the personnel in the State Department from the provisions of the State Personnel System or to place the professional staff of the Department in unclassified service. These opinions were expressed at the time of the study. One of the opinions put forth at that time was that there was a need for flexibility of operations within the agency to recoup, reassign and rebudget as the need arises, referring to the professional staff in the State Department of Education. Many other branches of the state government have their professional staffs in the unclassified service, and this should apply also to the State Department of Education. The Department must have the flexibility to meet the rapidly changing needs of primary, elementary and secondary education in Nevada. According to the previous Superintendent, under existing practice, any change in the Department's organization structure or in the job assignments of the Department's professional staff must be approved by the personnel division and any reduction in staff must be done on a seniority basis. This created the subcommittee thought of the untenable situation where unqualified or unmotivated persons are performing jobs of great importance to Nevada's educational system. This is all set forth in the report on Pages 41 and 42, a copy of which is attached hereto and marked Exhibit A.

Mr. Rhodes gave the committee a chart showing a fifty state survey showing which states do and which do not include the professional staffs of the their State Departments of Education within the

state's general civil service or personnel system. Sixteen states have excluded their professional staffs from civil service requirements. A copy of the chart is attached hereto and marked Exhibit B. A copy of a memorandum to Chairman Vergiels dated February 22, 1979, detailing the results of the survey is attached hereto and marked Exhibit C.

Mrs. Wagner asked what the vote on the subcommittee was on this issue. Mr. Rhodes answered that the vote was unanimous.

Mrs. Wagner pointed out that a resolution has been introduced in the Assembly to look at the whole question of classified and unclassified employees to try and develop some kind of policy. She asked what the motivation of the Subcommittee was in their recommendation. Mr. Rhodes answered that they decided that the professional staff of the Department is unique, most of them having advanced degrees and are highly motivated in their own fields.

Robert Gagnier, Executive Director, State of Nevada Employees Association, spoke in opposition to A.B. 122. He said this is not the first time this type of bill has been introduced in the legislature. He said that since he has been here for eight years there has been five different Superintendents of Public Instruction, each one with his own idea on re-organization and each attempting to re-organize the Department. This created quite a hassle within the Personnel Division and the Personnel Advisory Commission as to whether it was done in a proper and legal manner because of the reclassification within the Department. The reason for having positions classified is continuity so there would not be so much drastic change under each new Superintendent. He stated that it is not true that the professional employees of the Department of Education favor A.B. 122, and presented a petition signed by a number of those employees, a copy of which is attached here to and marked Exhibit D, which indicates opposition. He stated that layoffs, for example, were based on seniority, which is not totally true. It is based on seniority, all other issues being equal. If an employee has consistently received standard or better performance evaluations it is seniority. If he has been a marginal or below standard employee, that period of time does not count toward seniority. Layoffs are not just within seniority but seniority within class and class option which gives the Department of Education a great deal of latitude in layoffs. They do not feel that this bill is necessary and the Department of Education is no more unique than any other agency of state government. His agency supports Mrs. Wagners bill for an interim study.

Mrs. Wagner asked what Mr. Gagnier's opinion was on an administrator of any agency having the prerogative of restructuring the organizing of individual departments or divisions. Mr. Gagnier answered that that is right if it is within the parameters set up by the Legislature. The current system provides freedom of re-organization.

Mr. Stewart asked if any state employees should be unclassified, and, if so, on what basis.

Mr. Gagnier stated that his organization's position is that the classified positions that are currently in policy making positions should be unclassified. The interim study would give them a chance to look into all reasons for unclassification. He said that no alternatives are being proposed by the bill. University professors have tenure, school district employees have collective bargaining. The state employees have neither.

George Earnhart, Vice President of the State Board of Education, testified in opposition to A.B. 122. He presented a prepared statement, a copy of which is attached hereto and marked Exhibit E. He stated that there is a difference between a professional manager who knows how to use progressively responsible discipline and one who does not know how. You do not wait until a layoff to take care of day to day management problems which should have been addressed all along, but it is an easy cop-out. Those people should have been dealt with a long time ago. Two years ago the Board was given a mandate to deal with the Department due to dissatisfaction by the Legislature but before they could act it was decided that certain positions would be cut from the Department for them. Had they had the opportunity with new Board members and people who know what professional management is all about they would not have had so many problems. He feels that the present system is good if properly managed.

Testimony was concluded on A.B. 122.

ASSEMBLY BILL 121

Don Rhodes stated that the subcommittee went through and compared the Superintendent of Public Instruction's salary with those of other states and the local superintendent's salaries and looked at several other factors and on comparison with other states and the local school districts our Superintendent's salary was not favorable. The average in other states is around \$40,000 a year while our Superintendent's salary is around \$31,000 to \$38,000. There were no applicants from local superintendents for the state job as the salary and benefits were not as good as they currently were receiving. The Subcommittee felt that the State Board of Education should be able to fix the salary of the Superintendent within the range of no more than 15 percent of the average of the two superintendents of schools in the state having the highest salaries or 15 percent below that range, depending on his qualifications, background and expertise. They also thought that if the legislature acted on this bill they should also consider removing the Deputy and the Associate Superintendents from the provisions of the unclassified salary bill so that provisions of NRS 284.182 could apply to them. The Legislature would be setting the guidelines for the Superintendent's salary and the others would fall into line based on the service needs and the staffing requirements of the Board as they saw fit.

George Earnhart, Vice President of the State Board of Education, presented a prepared statement on A.B. 121, a copy of which is attached hereto and marked Exhibit F, plus attachments.

The thrust of the bill is to give the State Board of Education the power to set the salary of the Superintendent of Public Instruction. It provides for an increase in the Superintendent's salary and also gives more leeway to the Board in deciding how to pay the top people when recruitment needs required or when they deal with administrative performance. Education is no longer under the governor but is an entity unto itself under elected boards and has primary responsibility for operation of the department so should have some latitude in setting salary ranges. The salary of the Superintendent at this time is an embarrassment to the Board in their recruitment of a Superintendent.

Preston Price, Superintendent of the Esmeralda County Schools, stated that the important thing is to get the best qualified person for the job of Superintendent of Public Instruction, and that is not possible if he is not paid commensurate with the duties and responsibilities of the position.

Testimony was concluded on A.B. 121.

ASSEMBLY BILL 435

Don Rhodes explained that A.B. 435 came out of the study committee to the study the conditions in the state prison. The subcommittee found problems associated with inmate idleness and the lack of adequate education and training programs. The maximum security prison and the women's institution appear to have the greatest problems. The northern Nevada correctional had better programs and correspondingly better inmate response to them. Since the subcommittee study, the inmate population of the Northern Nevada Correctional Center has increased dramatically and this may have affected the institution's inmate training and educational efforts. This bill tries to require the Board of Prison Commissioners to assess and develop regulations for their educational and training programs. Now most of that authority and responsibility lies with the Director. This would transfer that to the Board and would also mandate certain things that the Board of Prison Commissioners must consider when developing or thinking about these educational programs. These include the educational level and needs of offenders, opportunities for employment in free society, interests of offenders, and the number of offenders desiring to participate in such a program. A.B. 435 also calls on the Board to bring in outside expertise when making these evaluations. The Board must provide for the assessment of the prison's educational programs at least every three years by qualified persons, professional groups or trade associations and the Director of Prisons must administer the programs established by the Board.

Assemblyman Lloyd Mann said that basically what they want to do is recognize that the prison is in a growing state and that the Director can no longer be all things to all people. The Board, under the Constitution, is really the authority in the prison system and the Director works for them, so they want to establish some continuity in terms of developing programs for meaningful vocational education and putting it at the source of power, the Prison Board. One of the present deficiencies found was that there

was not a good, strong organized administrative process all the way up through the chain of command in terms of doing things. In the press of necessary administration the easiest things to let go are the vocational programs.

Charles Wolff, Jr., Department of Prisons, stated that the bill supports a mechanism to be developed that will require that the program be assessed and on that basis, they will probably come back to the next Legislature and ask for a greater expansion program to meet the growing population needs of the prison.

Mrs. Wagner asked if the Board, made up of the Governor, the Attorney General and the Secretary of State, would have the time to administer this program. Mr. Mann said that he felt that they probably would not, but, hopefully, it can be expanded to an independent board at a later date, and at this time, the Board feels that they can handle it.

Mr. Vergiels asked that a member of the Prison Board appear at the next meeting with their feelings regarding A.B. 435, or send a representative.

In response to a question by Mrs. Westall, Mr. Mann said that people have to make up their mind whether they want to "warehouse" people or if you want to offer some meaningful opportunities of educating them and giving them job skills and sending them back out to society and making them meaningful people within that society, hopefully.

Attached hereto and marked Exhibit G, is a copy of a memorandum from Don Rhodes explaining the rationale of the subcommittee in recommending A.B. 435.

Testimony was concluded on A.B. 435.

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,



Ruth Olguin
Committee Secretary

The subcommittee believes that the unique nature of the state department of education's responsibilities dictate that the department's professional staff should be in unclassified service. The department must have the flexibility to meet the rapidly changing service needs of primary, elementary and secondary education in Nevada. According to the state superintendent of public instruction, under existing practice any change in the state department of education's organization structure or in the job assignments of the department's professional staff must be approved by the personnel division. Furthermore, any reduction in staff must be done on a seniority basis. This creates the untenable situation where unqualified or unmotivated persons are performing jobs of great importance to Nevada's educational system. One local superintendent of schools wrote to the subcommittee about this problem. He stated:

The state department of education personnel should be removed from the state personnel system. A recent cutback in positions mandated by the legislature might have been more acceptable to the school districts if personnel cuts could have been made other than on the basis of seniority. Because of the seniority system some excellent staff members were lost or assigned out of their areas of expertise and some members of marginal ability were retained.*

The subcommittee believes the state department of education should not be in the position of retaining "marginal" employees just because of the employee's seniority. The services of the department are too important for seniority alone to be a criterion to retain employees.

The professional staff in the state department of education must be of the highest calibre possible. Moreover, because the state board of education holds the state superintendent of public instruction responsible for the effective operation of the department, the superintendent should be allowed to determine who shall be employed as a staff member in the department. According to the master plan for education, "Personnel policies under which the state department of education operates and through which recruitment and selection of personnel is mandated cause considerable problems in the operation of an

*See November 7, 1977, letter from Clifford J. Lawrence, superintendent of the Carson City school district to Donald A. Rhodes, chief deputy research director, on file in the research library of the legislative counsel bureau.

educational agency" (16:10). The subcommittee believes the superintendent of public instruction should be given the freedom necessary to staff the state department of education with high quality professional-level staff. He should not be encumbered in the selection of persons to fill openings in the department's professional-level staff positions by the provisions in the NRS, or in the personnel division regulations, which relate to classified employment. For these and the reasons noted above, the subcommittee recommends that:

All personnel, except for clerical personnel, in the state department of education be in the unclassified service of the state. (BDR 34-43)

G. REMOVAL OF STATUTORY REFERENCES TO THE APPOINTMENT OF THE SPECIAL CONSULTANT ON INDIAN EDUCATION AND THE APPOINTMENT OF THE ENVIRONMENTAL EDUCATION CONSULTANT

Earlier this report emphasized the subcommittee's view that the services the state department of education performs for the county school districts should be based on the well thought out and identified needs of the county school districts. The report also notes the subcommittee's opinion that assignment of duties within the department should be based on such service needs and that job assignments should not be restricted by outmoded statutory provisions. Based on this opinion, the subcommittee has recommended, under the heading "Qualifications and Duties of the Associate Superintendent," that the statutes be amended to give the existing statutory duties of the associate superintendent to the superintendent of public instruction. As noted, after this is done, the superintendent will have the discretion to allocate such duties to persons in the state department of education in a manner consistent with sound administrative practice.

The subcommittee believes the statutes should also be amended to remove specific reference to the special consultant on Indian education and the environmental education consultant. This does not mean that the subcommittee believes that abolishment of the duties assigned to these positions is in order. It does mean, however, that the subcommittee feels the superintendent of public instruction should have the authority to assign tasks to the members of his staff in a manner consistent with the work load demands placed on the department. Thus, perhaps on occasion more than 1 consultant might be assigned to each of the environmental education and Indian affairs functions. Conversely, if the situation warrants, a single consultant might only spend a portion of his time on both these activities. The statutes now mandate that the state department of education perform certain functions relating to special

COVERAGE OF PROFESSIONAL STAFFS OF STATE
DEPARTMENTS OF EDUCATION UNDER THE
STATES' GENERAL PERSONNEL
(CIVIL SERVICE) SYSTEMS

	<u>Exempt From Civil Service</u>	<u>Not Exempt From Civil Service</u>
Alabama ¹		*
Alaska ²		*
Arizona ³		*
Arkansas ⁴		*
California ⁵		*
Colorado	*	
Connecticut ⁶		*
Delaware	*	
Florida ⁷		*
Georgia ⁸		*
Hawaii	*	
Idaho	*	
Illinois	*	
Indiana ⁹	*	
Iowa ¹⁰	*	
Kansas ¹¹		*
Kentucky ¹²		*
Louisiana	*	
Maine ¹³		*
Maryland ¹⁴		*
Massachusetts ¹⁵	*	
Michigan ¹⁶		*
Minnesota ¹⁷		*
Mississippi ¹⁸		*
Missouri	*	
Montana ¹⁹		*
Nebraska	*	
Nevada ²⁰		*
New Hampshire ²¹		*
New Jersey ²²	*	
New Mexico ²³		*
New York ²⁴		*
North Carolina ²⁵		*
North Dakota ²⁶		*
Ohio	*	
Oklahoma	*	
Oregon ²⁷		*
Pennsylvania ²⁸		*
Rhode Island	*	
South Carolina ²⁹		*
South Dakota ³⁰		*
Tennessee ³¹		*
Texas ³²		*
Utah ³³		*
Vermont ³⁴		*
Virginia ³⁵		*
Washington ³⁶		*
West Virginia	*	
Wisconsin ³⁷		*
Wyoming ³⁸		*
TOTALS:	16	34

NOTES:

1. Superintendent, deputy state superintendent, assistant superintendents and division chiefs are exempt.
2. Commissioner is exempt. Deputy commissioners, division directors, special assistants to commissioner and the commissioner's special support staff are "partially exempt." Partially exempt means a position which has been established through regular personnel channels but, once created, the person chosen for the position need not be selected from the state personnel system.
3. Superintendent, two special assistants, the director of school/community communications, and a confidential secretary are exempt.
4. Director is exempt.
5. Superintendent elected. Five executive positions of associate and deputy superintendent, one special assistant to the state board of education and one aide to the superintendent are exempt. Also exempt are the staff of six residential and diagnostic schools for handicapped children operated directly by the department. Academic staff of California Maritime Academy, state librarian and assistant state librarian are exempt. These agencies legally related to department of education.
6. The unclassified staff in the department are partially exempt from the civil service provisions or classified personnel rules and regulations. The selection and appointment procedures are within the authority of the state board of education. However, most other conditions of employment are governed by personnel statutes or collective bargaining agreements.
7. The commissioner, three deputy commissioners, an executive assistant, four division directors and the secretaries to these positions are exempt. The department selects personnel for professional classifications without examination or processing by the state personnel division.
8. The state superintendent of schools and twenty administrative and staff personnel in the first two organizational levels directly under the superintendent are exempt.
9. Salaries must be approved by state budget agency. Also, state laws spelling out holidays and setting working hours must be followed.
10. The superintendent of public instruction and members of the professional staff of the department of public instruction who possess a current, valid teacher's certificate or who are assigned to vocational activities or programs are exempt.
11. Administrative officers, directors and teaching personnel of the state board of education and the state department of education and of any institution under the supervision and control of the state board of education are exempt.
12. Division directors or above involved in policymaking decisions are exempt.
13. The commissioner, deputy commissioner, assistant to the commissioner, associate commissioner-Bureau of Instruction, associate commissioner-Bureau of School Management, associate commissioner-Bureau of Vocational Education are exempt.
14. Professional employees are partially exempt from the state merit system. The professional staff work under almost all of the merit system rules and regulations with the notable exceptions of employment, discharge, and educational leave. Professional positions are filled without examination although there is formalized internal recruitment and screening process. The authority for the discharge

NOTES: (continued)

- of a professional employee is vested in the state board of education rather than the state secretary of personnel and the authority to grant educational leave is vested in the state superintendent of schools rather than the state secretary of personnel.
15. Veteran staff who have held unclassified positions for three years or more are granted tenura. Tenured employees have the right to certain administrative review processes before involuntary separation.
 16. Superintendent of public instruction and deputy superintendent of public instruction are exempt.
 17. The commissioner, two deputy commissioners, and the assistant to the commissioner are exempt.
 18. The superintendent is exempt.
 19. The superintendent, chief deputy, executive secretary and 10 staff are exempt. Nine of the 10 are professional employees.
 20. The superintendent of public instruction, deputy superintendent of public instruction and associate superintendent of public instruction are exempt.
 21. The commissioner and deputy commissioner are exempt.
 22. All educationally related professional staff are exempt. Most of the non-educationally related professional staff (such as accountants) are also exempt.
 23. The superintendent of public instruction, deputy superintendent of public instruction, three assistant superintendents are exempt.
 24. The commissioner of education, executive deputy commissioner of education, four deputy commissioners and several assistant commissioners are exempt.
 25. The state superintendent of public instruction is exempt.
 26. The superintendent of public instruction, deputy superintendent of public instruction and the administrative assistant to the superintendent are exempt.
 27. The state superintendent of public instruction, deputy superintendent of public instruction, five associate superintendents, superintendent's secretary, an executive assistant and the coordinator of communications and government relations are exempt.
 28. The secretary of education, deputy secretaries and certain bureau directors are exempt.
 29. State superintendent of education is exempt.
 30. State superintendent of public instruction, deputy superintendent of public instruction and the superintendent's executive secretary are exempt.
 31. The commissioner, 12 assistant commissioners, an executive secretary and several positions reporting directly to assistant commissioners are exempt.
 32. The commissioner of education, general counsel, two deputy commissioners, 11 associate commissioners, two assistant deputy commissioners, director of deaf education and five regional superintendents for deaf children are exempt.
 33. The state superintendent of public instruction, three associate superintendents and educational program specialists are exempt.
 34. The commissioner, deputy commissioner and legal counsel are exempt.
 35. The superintendent is exempt.
 36. The superintendent, deputy superintendent, assistant superintendent for financial services, assistant superintendent for instructional and professional services, assistant superintendent for special and equal education programs, assistant superintendent for special services, assistant superintendent for vocational technical and adult education services, administrative assistant, legislative liaison, administrative assistant, budget liaison, administrative assistant, federal liaison, general administrative assistant, administrative assistant to the deputy superintendent, secretary, state board of education and confidential secretaries (12) are exempt.

NOTES: (continued)

37. The state superintendent, deputy state superintendent, unclassified secretary to the state superintendent and administrators for the divisions of curriculum instruction, handicapped services, state aids, and management, planning and federal services are exempt.
38. The superintendent of public instruction and the deputy superintendent of public instruction are exempt.

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February 22, 1979

TO: Assemblyman Jack Vergiels
FROM: Donald A. Rhodes, *Chief Deputy Research Director*
SUBJECT: States Which Exempt the Professional Staff of the
State Department of Education from Civil Service
Provisions

Based on responses to my survey letter (a copy was included in my January 24, 1979, memorandum to you) and numerous followup telephone calls, I have put together the enclosed chart detailing which states cover, or do not cover, their department of education professional staff under the states' personnel, or civil service systems.

Because the states' personnel systems vary considerably, I had to make several judgment calls. It appears, however, that 16 states (Colorado, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Louisiana, Massachusetts, Missouri, Nebraska, New Jersey, Ohio, Oklahoma, Rhode Island and West Virginia) exempt most, or all, of their professional staff from civil service. All states exempt certain of their state department of educations' top management level staff.

Certain responses we received reflect the senders' views that department of education professional staff should be exempt from civil service or that there should be more latitude available to the department in handling its personnel matters. Violet G. Keef, personnel director for the Oklahoma State Department of Education, said:

From August 1, 1968 until July 1, 1971 all of the staff for the Oklahoma State Department of Education were under the Oklahoma Merit System.

In 1971 a State law was enacted placing the top level administrators and certain other positions in the unclassified service of the State. Today, all professional educational positions are unclassified. However, we are required to notify the Oklahoma Merit System, on a certain form, of any changes affecting our payroll because technicians and clerical (all support staff) are classified.

We found educational programs to be seriously hampered or prolonged because of the rigidity and details of the system. Recruitment, tests, and employment were so time-consuming that sometimes it was months before we could actually place someone on the staff.

And, Robert G. Scanlon, acting secretary of the Commonwealth for Pennsylvania's Department of Education, advised:

I wish to point out that I recently took office in January of this year, and I am sincerely concerned about our personnel structure. I am hopeful that significant changes can be made which would include a separate personnel system for managers, one which would exempt them from the traditional merit practices. I am also hopeful that the current civil service system will be revised to reflect the more current, modern personnel practices.

I hope this helps.

DAR/llp
Enc.

As a professional employee of the Nevada State Department of Education,
this signature indicates my desire to remain in the classified service.

- 1 Charles H. Pochlman
- 2 Ed Cordix
- 3 Nancy Peice
- 4 Helen Hallman
- 5 Ernie Sast
- 6 R. W. Mathers
- 7 John H. Madson
- 8 John E. Swain
- 9 Arthur F. Tallman
- 10 Douglas G. Gunn
- 11 Anna O. Graham
- 12 Margaret E. Bast
- 13 E. Patricia Miller
- 14 Rebecca A. Buckley
- 15 Wynona Bigg
- 16 Catherine D. Fowler
- 17 Gloria P. Dopy
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As a professional employee of the Nevada State Department of Education, this signature indicates my desire to remain in the classified service.

- 1 *Frank R. Brown*
- 2 *F. B. Taylor*
- 3 *George A. Jackson*
- 4 *Jack D. O'Leary*
- 5 *Charles Greenman*
- 6 *Walter M. Taylor*
- 7 *Richard W. Gentry*
- 8 *Justin E. Haddock*
- 9 *H. J. Arnsdorf*
- 10 *John H. Bean*

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STATEMENT OF
Nevada Department of Education
To the
ASSEMBLY COMMITTEE ON EDUCATION

March 7, 1979
3:00 P.M., Room 214

A. B. 122 Places all employees of State Department of Education, other than clerical employees, in unclassified service of state.

Chairman Vergiels, Members of the Assembly Committee on Education:

Two years ago the Superintendent of Public Instruction and the State Board of Education endorsed this type of legislation. Since then, the membership on the State Board has changed and a new superintendent has been hired and resigned and another superintendent hired.

Originally the Department administration and State Board support was based upon the following reasons:

1. Recruitment of staff would be easier.
2. The Board could set salaries thereby making them more competitive.
3. Ease in termination of non-productive employees.

The current Superintendent has examined the rules and regulations regarding personnel in the State Administrative Manual and feels that personnel should be afforded the due process rights available under such a system. He further feels that the provisions for terminating non-productive employees is adequate if used by managers. Therefore, he requested the Board to alter their position on A. B. 122 and the Board agreed to do so.

STATEMENT OF
Nevada Department of Education
to the
ASSEMBLY COMMITTEE ON EDUCATION

March 7, 1979
3:00 P.M., Room 214

*A. B. 121 Revises method for fixing salary of
Superintendent of Public Instruction.*

Chairman Vergiels, Members of the Assembly Committee on
Education:

The State Board of Education feels that A. B. 121 is a vital
piece of legislation and endorses it totally.

We feel that the latitude built into this bill gives the State
Board of Education the flexibility to reward outstanding performance and
to attract sound educational administrators.

If the current salaries of local superintendents of the two
highest paid districts averaged \$38,000 as exists (Carson City and Clark
County), the range of salary for the superintendent would be \$43,700 to
\$32,300. This range would permit the State Board of Education to offer
a competitive salary to keep and/or attract outstanding personnel.

We have provided several attachments for your added information.
Please turn to Attachment 1.

Attachment 1: This attachment shows the existing salaries
of the county superintendents in Nevada. This does not
include benefit packages that may include housing, car,
paid insurance and other allowances. Please note that the
Superintendent of Public Instruction is paid \$31,622 (marked
in red on your handout).

Please refer to Attachment 2.

Attachment 2: This shows the Chief State School Officers
of the 50 states and Trust Territories, Guam and Puerto
Rico, American Samoa, Canal Zone and Virgin Islands.

The following analysis of this information provides several
noteworthy facts.

1. In states where the chief state school officer is
elected by popular vote, the average salary is \$36,982.
This is \$5,320 greater than the Nevada chief makes.

2. In states where the chief state school officer is appointed by the Governor, the average salary is \$43,696. This is \$12,034 more than the Nevada chief makes.

3. In states where the chief is state board appointed, as is the case in Nevada, the average salary is \$43,865. This is \$12,203 greater than the Nevada chief's salary and ranks 26th of the 27 states that operate in this type of a system.

Please note Attachment 3.

Attachment 3: This is provided to show a comparative analysis of educational administrators in the Washoe and Clark County School Districts that have comparable to or larger salaries than the Nevada Superintendent of Public Instruction.

Item A shows select Clark County administration. Note the five positions make on or about the \$38,000 salary that the Board has requested in its Educational Administration budget for the Superintendent.

Item B shows that there are a minimum of 12 administrators in Washoe and a minimum of 32 in Clark County that have salaries of \$31,000 a year. Washoe's range is \$31,826 to \$36,075, and Clark's range is \$31,272 to \$38,000.

The average in Washoe County is \$33,750 and the average in Clark County is \$33,159.

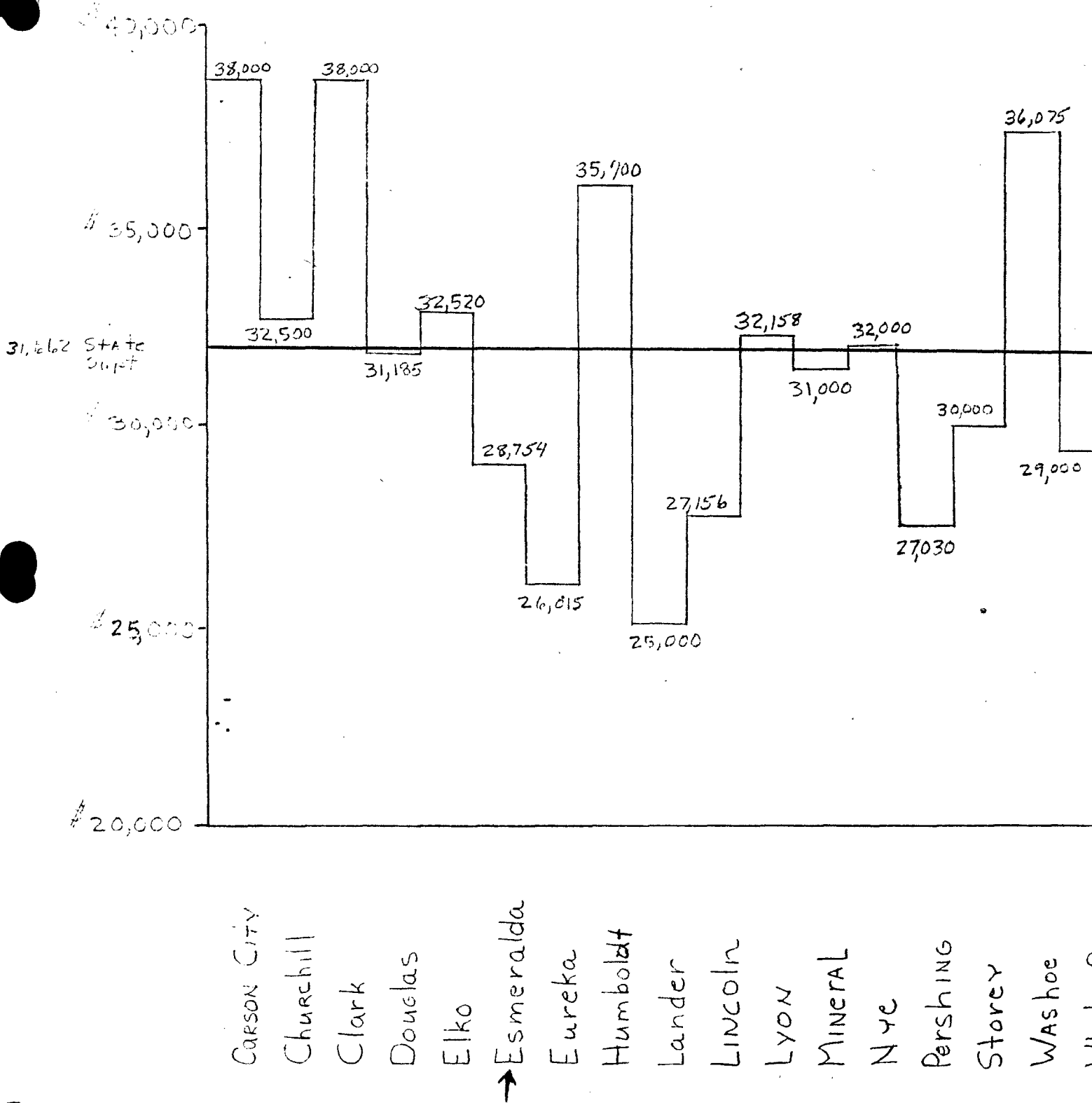
Please refer to Attachment 4.

Attachment 4: This shows the salaries at various high schools in Clark and Washoe Counties.

The average salary in Las Vegas is \$33,013.
The average salary in Reno is \$32,235.

Please note that with the projected 5 percent and 6 percent raises over the biennium, the average Reno principal's salary will be \$33,847 and \$35,878, respectively, and the average Las Vegas principal's salary will be \$34,664 and \$36,744, respectively.

Obviously, Mr. Chairman, we could continue with data, but we feel the point is clearly made that something must be done. We commend the Chief Deputy of the Legislative Counsel Bureau and members of your study commission for identifying this inequity, and ask that unanimous support be given to this measure by this committee. We also ask that the salaries of the Deputy Superintendent and the Associate Superintendent be raised comparably. Thank you for your time and support for A. B. 121.



COMPARISON
County Supts / State Supt

COSSO SALARY SURVEY
NOVEMBER 1978

State/Territory	Salary as of July 1, 1978	Known Change in Salary	Effective Date of Change	Other Change
2 Alabama	\$43,000	---	---	Auto Provic \$4,000 hous
2 Alaska	48,576	---	---	
3 American Samoa	██████████	\$29,000	7/23/78	
1 Arizona	██████████	36,000	1/01/79	
2 Arkansas	33,043	---	---	
1 California	██████████	42,500	1/01/79	
3 Canal Zone	██████████	47,500	10/01/78	
4 Colorado	51,000	---	---	
2 Connecticut	38,900	---	---	
Delaware	58,025	---	---	
Florida	██████████	42,000	9/01/78	
1 Georgia	43,200	---	---	
3 Guam	36,000	---	---	
2 Hawaii	42,500	---	---	
1 Idaho	23,000	---	---	
2 Illinois	53,000	---	---	
3 Indiana	34,000	---	---	
2 Iowa	39,000	---	---	
2 Kansas	46,545	---	---	
1 Kentucky	31,272	---	---	
1 Louisiana	35,000	---	---	
3 Maine	33,072	---	---	
2 Maryland	49,800	---	---	
2 Massachusetts	██████████	40,934	10/01/78	
2 Michigan	46,400	(includes \$600 annual longevity plus paid retirement of \$2,400)		
Minnesota	41,800	---	---	
Mississippi	34,000	---	---	

CCSSO SALARY SURVEY (cont.)

NOVEMBER 1979

State/Territory	Salary as of July 1, 1978	Known Change in Salary	Effective Date of Change	Other Changes
2 Missouri	\$44,808	---	---	
1 Montana	25,500	---	---	
2 Nebraska	36,295	---	---	
2 Nevada	32,000	---	---	
2 New Hampshire	██████████	35,000	9/01/78	
3 New Jersey	49,000	---	---	
2 New Mexico	40,000	---	---	
2 New York	57,650	---	---	
1 North Carolina	44,500	---	---	
1 North Dakota	29,500	---	---	
2 Ohio	50,000	---	---	
2 Oklahoma	35,000	---	---	
2 Oregon	██████████	41,475	12/01/78	
3 Pennsylvania	44,000	---	---	
3 Puerto Rico	32,000	---	---	
2 Rhode Island	49,613	---	---	
1 South Carolina	██████████	45,000	1/10/79	
2 South Dakota	30,000	---	---	
3 Tennessee	51,504	---	---	
2 Texas	██████████	45,300	9/01/78	Social Security paid by state
3 Trust Territory	24,000	---	---	
2 Utah	49,572	---	---	
2 Vermont	34,400	---	---	
3 Virginia	50,600	---	---	
3 Virgin Islands	32,500	---	---	
1 Washington	37,400	---	---	
2 West Virginia	47,250	---	---	
2 Wisconsin	45,840	---	---	
2 Wyoming	██████████	37,500	1/01/79	

1. Elected by popular vote
2. Appointed by the State Board
3. Appointed by the Governor

# **	TYPE OF Selection	# AVE
17	Elected	36,982
6	Governor Appointed	43,696
27*	Appointed by State Board	43,865
6	Territories - Gov Appointed	33,500

* NEVADA RANKS 26 OF 27 IN
STATE Bd APPOINTED

** NEVADA RANKS 45 OF THE 50 STATES

CLARK COUNTY

<u>TITLE</u>	<u>SALARY</u>
Superintendent	38,000
EX. MANAGEMENT ANALY	38,000
ASSOC Supt Sec Ed	34,400
" " Personnel	38,000
" " Ele Ed	37,903
" " Sch. Facilities	38,000

Item A

WASHOE Co

Item B

12 Adm RANGE 31,826 — 34,669
AVERAGE — 33,750

CLARK Co

32 Adm RANGE 31,272 — 38,000
AVERAGE — 33,159

PRINCIPALS

SCHOOLS

LV	BASIC	32832				
LV	BONANZA	32832				
LV	S.N. VOC.	32832				
LV	CHAPARRAL	32832				
LV	CLARK HS	32832				
LV	ELDORADO	32832				
LV	LAS VEGAS HS	32832				
LV	RANCHO	32832				
LV	WESTERN	36204				
LV	VALLEY	31272				
		33013	AVERAGE LAS VEGAS			
W	HUG HS	31826				
W	INCLINE	30598				
W	RENO	32235				
W	SPARKS	32645				
W	WOOSTER	32645				
					<u>PROJECTED RAISE</u>	
					<u>5%</u>	<u>7%</u>
					(+6% FY81)	
		31990	AVERAGE WASHOE	33589	(35604)	35940 (38096)
		32235	AVERAGE RENO	33847	(35878)	36216 (38389)
		32624	AVERAGE RENO/ LAS VEGAS	34255	(36310)	36653 (38852)
		34425	AVERAGE (HIGHEST) LAS VEGAS/RENO	36146	(38315)	38676 (40997)

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CARSON CITY, NEVADA 89710



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March 5, 1979

TO: Assemblyman Jack Vergiels
FROM: Donald A. Rhodes, *Chief Deputy Research Director*
SUBJECT: A. B. 435

This is in response to your request for background information on A.B. 435 (BDR 16-66).

A.B. 435 reflects one of the Subcommittee to Study the Condition of the State Prison recommendations. The subcommittee was told of the importance of inmate education and training in combating the problems associated with inmate idleness and in preparing inmates for a successful reentry into society. Corrections literature and standards also stress the importance of such education and training.

The subcommittee found problems associated with severe inmate idleness and the lack of adequate education and training programs at the department's institutions. The maximum security prison and the women's institution appeared to have the greatest problems. The Northern Nevada Correctional Center seemed to have better programs and, correspondingly, better inmate response to them. Since the subcommittee's study, however, the inmate population at the Northern Nevada Correctional Center has increased dramatically and this may have affected the institution's inmate training and educational efforts.

In response to questions from the subcommittee, the department gave the following descriptions, which are now somewhat dated, of its educational and vocational training programs:

Maximum Security Prison. Treatment programs at the maximum security prison include an education program provided by two academic teachers and utilization of inmate aides to teach education programs from basic education for illiterates through the high school diploma and G.E.D. level. Vocational training does not exist at the maximum security prison except for on-the-job training in maintenance and the skills which can be learned by inmates who are assigned to industries.

Page 2

Northern Nevada Correctional Center. The institution provides several treatment programs for the inmate population. The academic education program provides inmates with adult basic and secondary education. The program is affiliated with Carson High School and diplomas are awarded by that institution. Occasionally, postsecondary education programs are provided through Western Nevada Community College and the University of Nevada.

The vocational education program provides inmates with training in six areas: auto mechanics, auto body and paint, welding, landscaping, dry cleaning and upholstery.

Women's Prison. Education programs at the women's prison are provided by a single teacher and inmate aides who teach adult basic education through G.E.D. preparation. No high school diploma courses are provided at this institution.

Vocational programs are not generally available at the women's prison except for one program in office occupations and another program in keypunch operation. These two training programs are provided for the purpose of teaching job skills in preparation for assignment to state agencies while incarcerated or upon release.

It is my understanding that certain community college courses, a high school diploma program, a dental assistant program and certain other programs have been started at the women's institution since the department provided this information to the subcommittee. The women's institution was also using, the last time I checked, an additional teacher who was on loan from the maximum security prison.

The Southern Nevada Correctional Center's educational and vocational training programs were not in operation when the subcommittee's report was written. Planned activities at that time included: a high school program, certain vocational education training and college level courses offered through the Clark County Community College.

The subcommittee noted the concerns by many about expensive but ineffective prison rehabilitation programs. The subcommittee shared these concerns and that it why it believed more careful assessment and planning for education and training programs is necessary by the department of prisons. The subcommittee therefore recommended that:

Page 3

The state prison board adopt regulations necessary to establish general education and vocational training programs for inmates. Such regulations should consider the education levels and needs of the inmates, employment opportunities in free society, inmate interests and the number of inmates desiring to participate in training or educational programs. The subcommittee recommended further that such regulations establish a system whereby the education and vocational training programs be assessed at least every three years by qualified persons, professional groups and trade associations.

Under existing law, the director of the department of prisons is required to establish educational and vocational programs and training directed toward the eventual release of offenders to the community as productive, law-abiding citizens. I think A.B. 435 clarifies and expands upon the department's role in this regard.

A.B. 435 would require the prison board, instead of the director, to establish by regulation programs of general education and vocational training for offenders and provide that the regulations take appropriate account of (a) the educational level and needs of offenders; (b) opportunities for employment in free society; (c) interests of offenders; and (d) the number of offenders desiring to participate in such programs.

A.B. 435 requires that (1) the board's regulations must provide for an assessment of the prisons' educational programs at least every three years by qualified persons, professional groups or trade associations; and (2) the director of prisons administer the educational and vocational programs established by the board.

The bill, in effect, transfers the ultimate responsibility for inmate training and education to the board of prison commissioners which, under NRS 209.111 is responsible for the operation of the department including the duty to, "prescribe regulations for carrying on the business of the board and the department."

DAR/llp