

Committee in Session at 8:33 am on Wednesday, February 28, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth
Vice-Chairman Joe Neal
Senator Clifton Young
Senator Rick Blakemore
Senator Wilbur Faiss
Senator Jim Kosinski

GUESTS: Assemblyman Mike Malone, District 4
Assemblyman John Vergiels, District 10
Mr. Ted Sanders, Superintendent of Public Instruction,
Department of Education
Mr. Donald A. Rhodes, Chief Deputy Research Director,
Legislative Counsel Bureau
Ms. Shirlee Wedow, State Board of Education

Chairman Ashworth opened the hearing on A.B. 132 and A.B. 133.

Assemblyman Mike Malone, prime introducer of A.B. 132 and A.B. 133, presented Exhibit "A" and Exhibit "B" to the committee.

Senator Young asked if A.B. 133 brought Nevada into conformity with the practices in other states. Mr. Malone stated that it would. Mr. Donald Rhodes, Chief Deputy Research Director, Legislative Counsel Bureau, stated that A.B. 133 basically is to open the position of Superintendent to a wider variety of applicants.

Senator Young expressed concern as to prior problems of the State Board of Education and questioned if these conditions still exist. Assemblyman Vergiels stated that the activities of the Board have greatly improved.

Dr. Vergiels stated that many of the education bills from the Assembly Education Committee would be bills indicative of "intent" but not necessarily mandating action.

Chairman Ashworth asked if there would be sufficient money in the budget to provide for the extra meetings requested in A.B. 132. Dr. Vergiels stated that there are sufficient funds.

Mr. Ted Sanders, Superintendent of Public Instruction, Department of Education, spoke in support of A.B. 132 and A.B. 133.

Senator Young expressed concern as to the possibility of administrative problems with increased number of meetings by the State Board of Education. Mr. Rhodes stated that the package of education bills, he felt, would address many of the concerns expressed by Senator Young.

Mr. Rhodes further stated that an increase in number of meetings will put the State Board of Education under the same guidelines as other boards and commissions with respect to the number of meetings allowed by law.

There being no further testimony, Chairman Ashworth closed the hearing on A.B. 132 and A.B. 133.

The hearing was opened on A.C.R. 7.

Dr. Vergiels stated that he is listed as a prime introducer of A.C.R. 7 and wished the record to reflect his withdrawal from the bill.

Chairman Ashworth stated that A.C.R. 7 is moot because his name was not selected for consideration.

There being no further testimony, Chairman Ashworth closed the hearing on A.C.R. 7.

The hearing was opened on A.B. 125.

Dr. Vergiels stated that A.B. 125 was a recommendation by the subcommittee on Education. He stated they wished to leave it to the discretion of the Board for approval for the superintendent to engage in activities for financial gain.

Dr. Vergiels stated the existing law has never been challenged; however, with this legislation, there would be no problem as the Board must give approval or disapproval.

Senator Young expressed concern as there was no limitation as to what the Board could approve or disapprove. He questioned the necessity of the legislation. Dr. Vergiels cited the example of the Superintendent assisting other states in the capacity of consultant but the legality question arises under existing statute.

Senator Faiss stated he believed the bill would give the authority to the State Board of Education as it rightfully belongs.

Mr. Rhodes stated that he believed the bill would help avoid questionable situations by allowing the Board to make the decision.

Mr. Ted Sanders, Superintendent of Public Instruction, Department of Education, stated the State Board of Education is supportive of A.B. 125.

Senator Young questioned the problems A.B. 125 is addressing. Mr. Sanders stated that, from a personal standpoint, he is involved in real estate investments and with approval by the Board, his activities would not be subject to question. He stated that

consulting possibilities would be the prevalent problems that A.B. 125 is addressing.

Ms. Shirlee Wedow, member, State Board of Education, stated there has been some problem in the past. She said the State Board of Education has taken an adverse position regarding consulting jobs by the Superintendent of Public Instruction; however, there were some instances when the Board felt these consulting positions were justified. The proposed legislation would allow the Board the option.

Senator Young questioned if the rule should also apply at the district level. Mr. Sanders stated that it should. Ms. Wedow stated that the board of trustees on the local level would make those decisions.

There being no further testimony, Chairman Ashworth closed the hearing on A.B. 125.

The hearing was opened on A.B. 120.

Mr. Don Rhodes, Chief Deputy Research Director, Legislative Counsel Bureau, stated the bill basically changes the qualifications of the Deputy Superintendent of Public Instruction to conform with the Superintendent's qualifications. It also removes the qualifications of the Associate Superintendent of Public Instruction. The bill gives the Superintendent the authority to assign duties to members of the staff based on the workload and demands placed on the department.

Senator Kosinski questioned the repealer in the bill. Mr. Rhodes stated that none of the duties have been removed but rather placed with the Superintendent of Public Instruction.

Mr. Ted Sanders, Superintendent of Public Instruction, Department of Education, spoke in support of A.B. 120. He stated that assigning responsibilities to the Superintendent strengthens the potential management of the Department of Education. He stated the Department had requested the repeal of NRS 385.460 to make the Department's operation and the operation of the Attorney General more efficient. He said it will not deny staff the right to legal opinions but funnel requests through the office of the Superintendent.

Senator Young questioned the differences between the Deputy Superintendent of Public Instruction and the Associate Superintendent of Public Instruction. Mr. Sanders stated the Deputy handles the supervisory responsibilities for staff responsible for instruction; the Associate handles the financial aspects of the administration staff.

Senator Kosinski questioned the need for enumerating responsibilities of Deputy and Associate in the statute. Mr. Sanders

stated he would have no objection to eliminating the enumeration of duties and leaving it to the policy of the Department. Senator Young expressed concern as to the elimination of the enumeration of duties.

There being no further testimony, Chairman Ashworth closed the hearing on A.B. 120.

The hearing was opened on A.C.R. 1.

Mr. Don Rhodes, Chief Deputy Research Director, Legislative Counsel Bureau, stated that A.C.R. 1 was a resolution resulting from the subcommittee to study pupil achievement in Nevada.

Mr. Ted Sanders, Superintendent of Public Instruction, Department of Education, stated the State Board of Education has no position on the bill. He stated that he believed this is the type of information the local school boards should be collecting regardless of direction by the legislature.

Senator Kosinski questioned if the Department of Education has the power to request this type of information. Mr. Sanders responded that the statute is unclear; however, it will probably be tested in the next few years and a determination made at that time. He stated that the districts have indicated their cooperation in this regard. Mr. Rhodes stated it was a concern of the subcommittee because sufficient data was not available for the study of pupil achievement.

There being no further testimony, Chairman Ashworth closed the hearing on A.C.R. 1.

A.C.R. 7 (Exhibit "C")

Senator Young moved to "Indefinitely Postpone" A.C.R. 7.

Seconded by Senator Blakemore.

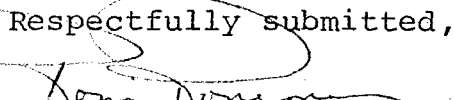
Motion carried.

Yeas -- 5
Nays -- Senator Neal

There being no further business, Chairman Ashworth adjourned the meeting at 9:53 am.

Respectfully submitted,

Approved:



Roni Ronemus
Committee Secretary

Chairman
Senator Keith Ashworth

FLOOR STATEMENT ON A.B. 132

THIS BILL WAS RECOMMENDED BY THE LEGISLATIVE COMMISSION'S SUBCOMMITTEE TO STUDY THE STRUCTURES AND FUNCTIONS OF THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION.

UNDER EXISTING LAW, THE MEMBERS OF THE STATE BOARD OF EDUCATION RECEIVE A SALARY OF \$40 PER DAY PLUS TRAVELING AND SUBSISTENCE EXPENSES FOR ATTENDING BOARD MEETINGS. HOWEVER, THE LAW RESTRICTS SALARY PAYMENTS FOR BOARD MEMBERS TO A MAXIMUM OF EIGHT MEETINGS IN A CALENDAR YEAR. DURING THE PAST YEAR, THE STATE BOARD OF EDUCATION HAS FOUND IT NECESSARY TO HOLD SEVERAL MORE MEETINGS THAN THE EIGHT FOR WHICH IT IS PAID. THEREFORE, BOARD MEMBERS HAVE HAD TO SERVE, ON SEVERAL OCCASIONS, WITHOUT BENEFIT OF SALARY FOR PERFORMING THEIR STATUTORY DUTIES. THE INTERIM SUBCOMMITTEE BELIEVED THAT THE MEMBERS OF THE STATE BOARD OF EDUCATION SHOULD BE COMPENSATED FOR AT LEAST 12 MEETINGS A YEAR. THE ASSEMBLY COMMITTEE ON EDUCATION CONCURS. OTHER STATE BOARDS, SIMILAR IN IMPORTANCE TO THE STATE BOARD OF EDUCATION, ARE NOT RESTRICTED IN THE NUMBER OF MEETINGS FOR WHICH THEIR MEMBERS MAY BE COMPENSATED. EXAMPLES ARE THE STATE FISH AND GAME COMMISSIONERS, THE NEVADA GAMING COMMISSION, THE PUBLIC EMPLOYEES RETIREMENT BOARD AND THE STATE WELFARE BOARD.

A.B. 132 CONSIDERS THE IMPORTANCE OF AN ACTIVE, WELL-INFORMED POLICY BOARD FOR NEVADA'S PUBLIC SCHOOLS. IT PROVIDES THAT THE NUMBER OF MEETINGS FOR WHICH EACH MEMBER OF THE STATE BOARD OF

EDUCATION MAY BE COMPENSATED FOR ATTENDING BE INCREASED FROM EIGHT
TO 12 MEETINGS IN ANY CALENDAR YEAR.

I ASK FOR YOUR YEA VOTE.

FLOOR STATEMENT ON A.B. 133

A.B. 133 GENERATES FROM ONE OF THE RECOMMENDATIONS OF THE LEGISLATIVE COMMISSION'S SUBCOMMITTEE TO STUDY THE STRUCTURES AND FUNCTIONS OF THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION.

UNDER EXISTING LAW, THE SUPERINTENDENT OF PUBLIC INSTRUCTION MUST HOLD A MASTER'S DEGREE IN THE FIELD OF EDUCATION OR SCHOOL ADMINISTRATION. THE INTERIM SUBCOMMITTEE THOUGHT THAT THE STATUTES SHOULD BE AMENDED TO ALLOW A GREATER RANGE OF APPLICANTS TO BE CONSIDERED FOR THE POSITION. THE STATE BOARD OF EDUCATION CONCURRED WITH THE SUBCOMMITTEE'S OPINION AND SUGGESTED THAT THE STATUTE WHICH SPECIFIES THE QUALIFICATIONS FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION BE MODIFIED TO INDICATE THAT THE SUPERINTENDENT SHOULD HAVE A MASTER'S DEGREE AND BE ELIGIBLE FOR CERTIFICATION AS A TEACHER.

A.B. 133 REFLECTS BOTH THE INTERIM SUBCOMMITTEE'S AND STATE BOARD OF EDUCATION'S SUGGESTIONS. IT RECOGNIZES THE NEED FOR THE BOARD TO BE ABLE TO SELECT A PERSON TO FILL THE SENSITIVE AND DIFFICULT OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION FROM A LARGE RANGE OF APPLICANTS. A.B. 133 IS A NECESSARY AND IMPORTANT BILL. I ASK FOR YOUR YEA VOTE.

A. C. R. 7

ASSEMBLY CONCURRENT RESOLUTION NO. 7—ASSEMBLY—
MEN WEISE, MELLO, BANNER, BARENGO, BEDROSIAN,
BENNETT, BERGEVIN, BRADY, BREMNER, CAVNAR,
CHANEY, COULTER, CRADDOCK, DINI, FIELDING, FITZ-
PATRICK, GETTO, GLOVER, HARMON, HAYES, HICKEY,
HORN, JEFFREY, MALONE, MANN, MARVEL, POLISH,
PRENGAMAN, PRICE, RHOADS, ROBINSON, RUSK, SENA,
TANNER, VERGIELS, WAGNER, WEBB AND MAY

FEBRUARY 8, 1979

Read and adopted

SUMMARY—Requests consideration of Joseph Crowley for president of
University of Nevada, Reno. (BDR 1484)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

ASSEMBLY CONCURRENT RESOLUTION—Requesting consideration of
Joseph Crowley for president of the University of Nevada, Reno.

- 1 *Resolved by the Assembly of the State of Nevada, the Senate concur-*
- 2 *ring, That Joseph Crowley, acting president of the University of Nevada,*
- 3 *Reno, be considered among the final candidates for president of that uni-*
- 4 *versity.*

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