

Committee in Session at 8:32 A.M. on Thursday, March 8, 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: Mr. Bill Wunderlick, Elko, Nevada
Senator Eugene V. Echols, Clark County Senatorial
District No. 2
Mr. Paul Sawyer, self-employed automobile dealer,
Elko, Nevada
Dr. Marvin Sedway, University System, Las Vegas, Nevada
Mr. Ray Shenk, University System, Carson City, Nevada
Mr. Fred Weldon, Research Division, Reno, Nevada
Mr. John D. Winters, Western Nevada Community College
Advisory Board
Ms. Marie Louise Raymond, Community College Board,
Carson City, Nevada
Mr. Grant Anderson, Advisory Counsel, Western Nevada
Community College
Ms. Susan M. Haase, Nevada Association for Retarded
Citizens

Chairman Ashworth opened the hearing of S.J.R. 12. S.J.R. 13, S.B. 202. S.B. 284.

Chairman Ashworth stated this is the continuation pertaining to the recessed hearing of the University and Community College area of Education. As all these bills are related the matter will be addressed as a whole.

Mr. Bill Wunderlich, Elko, Nevada read a letter recommending separation of the two systems. (See exhibit "D" minutes 3/5/79). Senator Young asked if he is recommending a change in the status quo and what changes could have been made or achieved. Mr. Wunderlich responded that with a person to recommend guidance to the community college, the community college could hold their own in the educational system. He stated they want people who are dedicated to the philosophy of the community college system.

Senator Eugene V. Echols spoke in support of the separation of the community colleges. He does not feel that the Regents can fairly represent these two concepts of education. He stated there is a great need for citizen involvement. It may well be, at this point in time, to set up a 2 year board to try these transitions.

Mr. Paul Sawyer, self-employed automobile dealer, Elko, Nevada stated that Nevada is the last state in the nation to have a community college and that he felt we should join the ranks. He stated the community college should be a separate board, a separate entity.

Senator Young questioned Mr. Berg's testimony stating the present system is satisfactory until the community college students become more interested.

Dr. Marvin Sedway, University System, Las Vegas, Nevada stated he wished to speak as an independent citizen. He read the conclusion of the first study as to the role and function of the community college system as a separate board. He stated our sister states, all around Nevada, have separate community college boards and they are all very successful. He stated the community college would offer the opportunity for a citizen to change his status in life. See Tadlock Report (EXHIBIT "B") minutes 3/5/79.

Chairman Ashworth asked if Dr. Sedway felt the Board of Regents are suppressing the community college system. Dr. Sedway stated that he felt the Board of Regents are suppressing the community college system by throwing in road-blocks in the way of funds given to the community college through competition with the University.

Chairman Ashworth asked if the present Board of Regents for the community colleges, instead of being work-oriented, would be more programmed with university required credit courses in English, etc. Dr. Sedway stated this was not the case. It has always been the policy that the community colleges have a definite ratio of traditional package academic courses.

Senator Kosinski noted that community colleges are trying to attract the student by offering a variety of courses and elements of competition resulting in the lowest cost per course for the taxpayer's dollar.

Mr. Ray Shenk, United Students of the University of Nevada System stated the bills presented were very good and can be rewarding to the community colleges, but at this time he feels the bills are a little premature for them to pass through the Legislature. He stated he is representing the students who feel these bills at this time could damage or hurt them because of lack or need for more structure.

Chairman Ashworth stated these bills could now be passed and placed in a holding pattern and be taken up in 2 years. Mr. Shenk stated he would like to see these bills die.



Chairman Ashworth stated that after the last meeting the question was raised as to the administration of the various community colleges in the state. Mr. Fred Weldon had been asked to do some research to present to the committee. Mr. Fred Weldon, Research Division, reported that there are five different types of government bodies for community colleges. He presented a paper Governing Structures for Community Colleges. See (Exhibit "A"). Chairman Ashworth felt it was important to have this information to ascertain whether Nevada is normal, below normal, or above normal on the rational scale.

Mr. John D. Winters, Western Nevada Community College Advisory Board, stated he felt it was premature at this time to form two separate boards. He stated he did not feel that these bills address matters to be explored if the community college is going to be separated. However, it was his belief that the Board of Regents was not compatible with the community college. He personally felt that these bills should be killed. He stated they did not want the community college and university to teach parallel courses. Chairman Ashworth felt there is a willingness now of the Board of Regents to work more closely with the community colleges.

Mr. Winters concurred with shortening the term of appointment. He stated that he prefers the elective, rather than the appointive process.

Ms. Marie Louise Raymond, Member of the Board for Community Colleges of Carson City stated the community college has a definite goal apart from the university. She felt that if it remains tied to the university system it will not be free to realize its goals.

Mr. Grant Anderson, Advisory Counsel, Western Nevada Community College, questioned whether the Board of Regents could function fairly unless some who were elected were in sympathy with the community colleges. Senator Young stated that was one of the hazards favoring the University over the Community College.

There being no further testimony, Chairman Ashworth closed the hearing on S.J.R. 12, S.J.R. 13, S.B. 199, S.B. 202, S.B. 284.

Ms. Susan Haase, Executive Director, Nevada Association for Retarded Citizens requested committee introduction of a change to their statues. See (Exhibit "B"). They would like to eliminate sections 1 through 5. All of the directors of the 14 centers would like this change because existing law does not allow them the flexibility they would like that is necessary to run their programs. She stated the second change would be Section 435.240 (4) eliminating the \$300 figure and replacing it with \$400 which has been the minimum support per client since the 1977 Legislature.

(Exhibit "B") Senator Blakemore moved to have a committee *
introduction of the information presented by
the Nevada Association for Retarded Citizens

Seconded by Senator Young.

Discussion: Chairman Ashworth directed Senator
Kosinski request appropriate legislation from the
bill drafters' office.

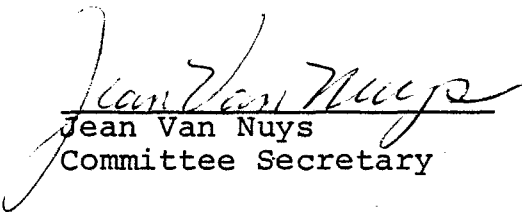
Motion carried.

Yeas -- 6

Nays -- 0

There being no further business, Chairman Ashworth adjourned the
meeting at 10:17 A.M.

Respectfully submitted,


Jean Van Nuys
Committee Secretary

Approved:

Chairman
Senator Keith Ashworth

*SB554

GOVERNING STRUCTURES FOR COMMUNITY COLLEGES

Fred W. Welden
March 8, 1979

I HAVE COMPILED INFORMATION RELATIVE TO THE GOVERNING STRUCTURES FOR COMMUNITY COLLEGES IN THE 50 STATES. BASICALLY, THESE GOVERNING STRUCTURES ARE OF FIVE TYPES --

- (1) BY A STATE BOARD OF EDUCATION,
- (2) BY A BOARD OF HIGHER EDUCATION,
- (3) BY A BOARD OF REGENTS OR TRUSTEES,
- (4) BY A STATE BOARD OF DIRECTORS OR GOVERNORS STRICTLY FOR COMMUNITY COLLEGES, AND
- (5) BY SEPARATE BOARDS FOR EACH INSTITUTION.

I HAVE PREPARED A CHART LISTING EACH OF THE 50 STATES, WHETHER A BOARD OF REGENTS OR TRUSTEES EXISTS IN THAT STATE, AND THE WAY THAT THE STATE'S COMMUNITY COLLEGES AND JUNIOR COLLEGES ARE GOVERNED.

AMONG THE 30 STATES THAT SPECIFICALLY LIST "COMMUNITY COLLEGES" ON THE ENCLOSED CHART, THE GOVERNANCE OF THESE INSTITUTIONS IS AS FOLLOWS:

- 1. THREE INDICATE GOVERNANCE BY A STATE BOARD OF EDUCATION.
- 2. TWO INDICATE GOVERNANCE BY A BOARD OF HIGHER EDUCATION.

3. EIGHT INDICATE GOVERNANCE BY BOARD OF REGENTS/TRUSTEES.
4. FIVE INDICATE GOVERNANCE BY A STATE BOARD OF DIRECTORS/GOVERNORS STRICTLY FOR COMMUNITY COLLEGES.
5. TWELVE INDICATE GOVERNANCE BY SEPARATE BOARDS FOR EACH INSTITUTION.

TEN STATES CONSIDER COMMUNITY COLLEGES OR 2-YEAR COLLEGES TO BE UNDER THE SECONDARY EDUCATION SYSTEM. TWENTY-FOUR OTHER STATES SPECIFICALLY LIST COMMUNITY COLLEGES WHICH ARE TIED TO THE POST-SECONDARY EDUCATION SYSTEM. THIS DISTINCTION IS SIGNIFICANT WHEN DISCUSSING THE CRITERIA OR FACTORS THAT AFFECT HOW COMMUNITY COLLEGES ARE GOVERNED.

SOME OF THE FACTORS THAT AFFECT WHETHER OR NOT THE COMMUNITY COLLEGES ARE GOVERNED BY THE STATE BOARD OF REGENTS INCLUDE:

1. SIMILARITIES OR DISSIMILARITIES OF BASIC EDUCATIONAL OBJECTIVES,
2. CURRICULUM OR "LEVEL" OF EDUCATIONAL PROGRAMS,
3. TWO-YEAR VERSUS 4-YEAR PROGRAMS,
4. SOURCE OF FUNDING--STATE OR LOCAL FINANCING, AND
5. TRADITION AND PAST HISTORY.

GOVERNANCE OF COMMUNITY COLLEGES IN THE STATES*

States	Boards of Regents or Trustees	Community Colleges Under Bd. of Regents or Trustees	Community Colleges Under Bd. of Higher Education	Community Colleges Under Bd. of Education	Community Colleges Under State Bd. of Directors of Governors	Community Colleges Under Separate Boards
Alabama	Multiple			Alabama (JC) (TECH)		
Alaska	Single	Alaska (G)				Alaska
Arizona	Single				Arizona (2YC) (G)	Arizona
Arkansas	None		Arkansas (G)			Arkansas
California	Two				California (G)	California
Connecticut	Multiple				Connecticut (G)	
Delaware	Multiple				Delaware (G)	
Florida	Single					Florida (G)
Georgia	Single	Georgia (2YC) (G)				
Hawaii	Single	Hawaii (G)				
Idaho	None			Idaho		Idaho (G)
Illinois	Multiple		Illinois (2YC)			Illinois (G) (2YC)
Indiana	Two	Indiana (G)				Indiana
Iowa	Single			Iowa (2YC)		Iowa (G) (2YC)
Kansas	Single			Kansas		Kansas (G)
Kentucky	Multiple	Kentucky (G)				
Louisiana	Single	Louisiana (G)				
Maine	Two	Maine (G) (2YC)				
Maryland	Multiple				Maryland	Maryland (G)
Massachusetts	Multiple				Massachusetts (G)	
Michigan	Multiple			Michigan	Michigan	Michigan (G)
Minnesota	Two				Minnesota (JC) (G)	
Mississippi	Single				Mississippi (JC)	Mississippi (G) (JC)
Missouri	Multiple					Missouri (G)
Montana	Single	Montana		Montana		Montana (G)
Nebraska	Two			Nebraska		Nebraska (G)
Nevada	Single	Nevada (G)				
New Hampshire	Single			New Hampshire (G) (VOC TECH)		
New Jersey	Multiple		New Jersey		New Jersey (G)	
New Mexico	Multiple	New Mexico (2YC) (G)				
New York	Two			New York (G) (New York City)		
North Carolina	Single				North Carolina (G)	
North Dakota	None		North Dakota (2YC)			North Dakota (G) (2YC)
Ohio	Single	Ohio (2YC)				Ohio (G) (2YC)
Oklahoma	Multiple	Oklahoma (G) (2YC)				Oklahoma (G) (2YC)
Oregon	None			Oregon (G)		
Pennsylvania	None			Pennsylvania	Pennsylvania (G)	
Rhode Island	Single	Rhode Island (G)		Rhode Island		
South Carolina	Multiple	South Carolina (G) (2YC)				
South Dakota	Single					
Tennessee	Two	Tennessee (G)				
Texas	Multiple					Texas (G)
Utah	None		Utah (2YC) (G)	Utah (TECH COL) (G)		
Vermont	Two	Vermont (2YC) (G)				
Virginia	Multiple				Virginia	Virginia (G)
Washington	None				Washington	Washington (G)
Wisconsin					Wisconsin (VOC, TECH, ADULT ED) (G)	
West Virginia	Single	West Virginia (2YC) (G)				
Wyoming					Wyoming	Wyoming (G)

*This information is abstracted from "Educational Structures of the 50 States," 1974, prepared by the Maryland State Department of Education. Due to the variety of titles and structures, certain judgments were made in categorization. For specifics, one should consult the original document.

Key: G - Governing Body
 2YC - Two-Year Colleges
 JC - Junior Colleges

No letter designation beside a state's name indicates that the body does not have governing authority but is in the line of coordination.

435.230 Requirements of training centers to receive aid; applications for, renewals of certificates of qualification. In order to qualify for the aid provided for by NRS 435.130 to 435.320, inclusive, a center must:

1. File an application with the division for a certificate of qualification, which shall include:
 - (a) The name and address of the center.
 - (b) The names, addresses and qualifications of the administrative personnel of the center.
 - (c) An outline of the educational, vocational and care program to be offered.
 - (d) The number of enrollees or expected enrollees.
 - (e) An affidavit that the center is nonsectarian and a non-profit organization under the Internal Revenue Code of 1954 as amended (26 U.S.C. 501(c)(3)).
 - (f) The number and qualifications of staff personnel.
 - (g) A complete and detailed proposed financial statement for the operations for the coming year.
 - (h) Any other information which the division may, in its discretion, require.
 2. Each year after the original application is made under subsection 1, file an application for renewal of certificate of qualification, which shall contain:
 - (a) The information required by subsection 1.
 - (b) The total number of staff members, enrollees and days of care and training that the center provided during the previous year.
 - (c) The number of enrollees and days of care and training that the center provided during the previous year to such enrollees who qualify for aid under the terms of NRS 435.130 to 435.320, inclusive, and the standards established by the division.
 - (d) A financial statement clearly showing all income received by the center during the previous year and the sources thereof.
 - (e) Any other information that the division may, in its discretion, require.
 3. Have a minimum staff of one person for each group of five retarded persons or major fraction thereof.
 4. Be inspected by a member or authorized agent of the division to determine if the center's facilities are proper and adequate.
 5. Keep accurate daily attendance records and establish uniform financial statements and bookkeeping procedures as prescribed by the division.]
 6. Maintain standards not inconsistent with those required by NRS 435.130 to 435.320, inclusive, or established by the division to qualify for funds from other sources, such as United Fund and United States Government programs.
 7. Before certifying an enrollee as mentally retarded, require;
 - (a) A documentary history of retarded overall functioning; and
 - (b) Substantiation, through evaluation by a qualified diagnostic team.
 8. Meet all other standards set by the division.
- (Added to NRS by 1969, 1008; A 1971, 678; 1975, 1622)

435.240 Applications for certificates of qualification: Review, rejection by administrator; appeal to, decision by board.

1. All applications for a certificate of qualification which have been approved by the administrator shall be reviewed by the board for approval or rejection.
2. If an application is rejected by the administrator, he shall notify the applicant in writing of such rejection, setting out the reasons therefor.
3. Within 30 days after the administrator mails the notice of rejection of the application, the applicant may appeal such rejection to the board. The board shall review the application and the reasons for its denial and may receive evidence, documentary or testimony, to aid it in its decision. Thereafter, the board

shall issue its decision rejecting the application or remanding the application to the administrator for approval. The decision of the board is final.

4. No new applicants shall be certified if the certification brings the average support per enrollee below ~~[\$300]~~ \$400 per quarter for those centers that are already certified.

(Added to NRS by 1969, 1009; A 1971, 679; 1975, 1623)

435.290 Amount of aid from community training center fund receivable by qualified training centers; new training centers.

1. A center holding a certificate of qualification from the division is entitled to aid from the community training center fund in amounts not less than the amounts allocable under this section.

2. Except as provided in subsection 5, each center in the state is entitled to not less than:

(a) Four hundred dollars per enrollee per quarter; or

(b) Sixteen thousand dollars per year if the center maintains a minimum of five enrollees per quarter and its staff and operating expenses are at least \$16,000 each year, whichever is greater.

3. The division, in its discretion, may grant aid from the community training center fund to help in establishing new centers. This aid in the aggregate shall not exceed one-fourth of the money available in the fund for the year in which it is given.

4. Except as provided in subsection 5, after providing for the allocations authorized in subsections 2 and 3, the division shall allocate any other money available in the fund to the qualified centers, according to the [number of] programs offered by each center and the number of enrollees in each program. The division shall determine the relative weight to be given to these factors.