

Committee in Session at 10:09 am on Thursday, May 24, 1979.

Senator Keith Ashworth in the Chair.

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

ABSENT: Senator Rick Blakemore

GUESTS: Assemblyman John Vergiels, Clark County Assembly
District No. 10
Assemblyman Nick Horn, Clark County Assembly District
No. 15
Mr. Merlin Anderson, Administrator, Commission on
Postsecondary Education

Chairman Ashworth opened the hearing on A.B. 844.

Mr. Merlin Anderson, Administrator, Commission on Postsecondary Education, stated that he has mixed emotions on the bill. He said that on the one hand, responsibility would be taken from his office which would relieve his staff's duties; on the other side, he stated that he had some personal feelings as to the appropriateness of the proposed legislation.

Assemblyman Vergiels arrived to testify on the bill and Mr. Anderson postponed his testimony.

Assemblyman John Vergiels, Clark County Assembly District No. 10, stated that the bill allows the Governor to appoint three members of the Board of Regents to handle the licensure for degree or academic credit institutions. He said the bill was introduced because he was totally dissatisfied with the operation of the Commission on Postsecondary Education. He said that the budget has been closed but will reopen should this committee desire to make any changes; he said it would "not take much to do away with his budget in Ways and Means at all." Chairman Ashworth questioned who would handle the Commission. Dr. Vergiels stated that no one would handle it as he does not feel much is being done now. He expressed his concern with Nova University who "is selling credits down south." Dr. Vergiels stated that a great deal of time was spent to determine a solution as to placing the responsibility with someone who understands a degree-granting institution. He said that the ultimate decision was on the fewest number of Regents who could comprise a commission. He stated that the Regents would have the full resources of the university system for data, etc. He said that they had worked with Mr. Frank Daykin, Legal Counsel, Legislative Counsel Bureau, to find a constitutional way to handle the problem as inexpensively as possible. Chairman Ashworth

questioned if there was money involved. Dr. Vergiels stated that there was not, other than the effect on the budget. Chairman Ashworth questioned if it should be referred to Senate Finance Committee. Dr. Vergiels stated that he believed it would be appropriate to have a do pass, re-refer.

Chairman Ashworth questioned if passage of this bill would increase the chances of having the Commission on Postsecondary Education abolished. Dr. Vergiels stated that it would decrease the chance. He stated that the section of dissatisfaction would be deleted from the responsibility of the Commission. He said that the Commission would then deal totally with trade schools. Chairman Ashworth questioned the short-term seminars. Dr. Vergiels stated that the issue of short-term seminars is on the Assembly General File today and that the hours were deleted on the amendment to S.B. 412. Dr. Vergiels stated that his only interest is to separate the higher education from the Commission as the Commission consists of individuals from the private sector who operate the private schools. Chairman Ashworth questioned who would handle the veterans. Dr. Vergiels stated that the area would probably remain with the Commission.

Chairman Ashworth questioned if the Board of Regents had been consulted. He stated that the University System had been contacted on the hearing. Dr. Vergiels said that he doubted they would testify. He said that he believed they would handle the responsibility should it be assigned them. Chairman Ashworth questioned giving them the responsibility without an opportunity to voice their opinions.

Chairman Ashworth questioned if there would be additional salaries involved with the bill. Dr. Vergiels stated that there would probably be one secretarial position involved along with the normal operating expenses. He said that room would be available in the Chancellor's office for the Regents' office space. Chairman Ashworth questioned if other states used a similar approach. Dr. Vergiels stated that he had no knowledge of this but it was a problem in other states. Dr. Vergiels said that they would simply like to find someone qualified to make the judgements as to a valid or non-valid degree granting institution.

Senator Young questioned if the only problem had been with the Nova school. Dr. Vergiels stated that there has been other problems. Assemblyman Nick Horn, Clark County Assembly District No. 15, stated that there have been problems with three institutions; he was unable to cite the names. He said he felt the main problem and the reason for his support of A.B. 844 was due to the harm created academically for those who seek to go through the normal system and obtain an honest degree.

Chairman Ashworth stated that he wished to consult the university prior to making a determination.

Mr. Horn stated that a large problem that has been encountered is

with the number of "flaky" institutions in other states as well as Nevada that make degrees available by simple requirements. Mr. Horn stated that any degree is available if one is willing to pay the price; most of them are doctorates. Mr. Horn said that there was an institution in California, the University of the Pacific he believed, that was close to legitimate in a "phony area." Chairman Ashworth questioned if Mr. Horn believed that the provisions of this bill would solve the problem. Mr. Horn said that it would hold someone accountable; in this case, the Regents.

Mr. Anderson stated that he was having difficulty not making any comments as there appeared to be one prefabrication after another. He said that Nova University's requirements are more stringent in Nevada than anywhere else. He said that they operate and are accredited by the Southern Association of College and Schools and were accredited by the same organization that accredits the University of Nevada Las Vegas and Reno. He said that Bernadine University, a Nevada product, was denied in 1976 and the United States Supreme Court has dropped all suits by the University against Nevada. Mr. Anderson said that the University of Pacific does not exist in the state and if it does, it exists illegally. He said that if the Commission were to know about its existence, they would take action. He said that 29 businesses have been put out of operation in the last several years; 13 of which were degree granting institutions. He said that the Commission has been tried by the newspapers three times without the opportunity of a hearing, and at one time a resolution to publicly censure the Commission was proposed for not being more rigorous in its review; the resolution was not passed, conversely, the Chancellor of the University of Nevada System was charged to make the System more responsive to the needs of the citizens of Nevada. He said that not one individual from the Board of Regents, the community college or the University of Nevada System has ever submitted a written comment on the Commission's regulations, has ever attended a Commission meeting or has ever visited Nova University or its operation. He stated that the language in A.B. 844 is exactly what is written in the Commission's present law and the Regents would be under the same responsibility to pass upon the applications as is the Commission. Mr. Anderson further stated that the comment referred to by Dr. Vergiels was that there is a problem because the people in the private sector are giving license applications for their own schools; conversely, A.B. 844 would have higher education people passing on license applications for their own schools. He said that the Commission has the policy that no private school owner acts upon an application wherein there may be a conflict of interest.

Senator Young questioned if the University of Pacific operates in the state. Mr. Horn said that he would be happy to inform Mr. Anderson as to the representative in this state. Senator Young questioned the amount of time involved in considering the applications. Mr. Anderson stated that it takes a considerable amount of time; most of them are also approved for the training of veterans.

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Mr. Anderson said that there had been allegations that Nova University offers a doctorate program; he stated that they do not and have only been approved at the masters level. He said that no programs at the doctoral level have been approved in the state. Mr. Anderson stated his belief that Nova University is training certain people that are competitive with the Department of Education in Las Vegas. He said that it is not the Commission's position to protect institutions from competition that is fair and legal. He said that the veterans' approval process is also a duplication of the Commission's responsibilities. He also expressed concern as to the conflict of interest by the Board of Regents.

Chairman Ashworth stated that he would like to have some input from the Board of Regents.

As General Session was scheduled to begin at 10:30 am, Chairman Ashworth adjourned the meeting at 10:38 am.

Respectfully submitted,



Roni Ronemus
Committee Secretary

Approved:

Chairman
Senator Keith Ashworth