

MEMBERS PRESENT: Chairman Craddock
 Vice Chairman Foley
 Mr. Beyer
 Mr. Coulter
 Mrs. Hayes
 Mr. Horn
 Mr. Malone
 Mr. Rackley
 Mr. Vergiels

MEMBERS ABSENT: None

GUESTS PRESENT: Please see attached guest list

Chairman Craddock called the meeting to order at 3:15 p.m.

AB 472 Permits participation in special education programs at earlier and later ages.

Laura Kerin, representing CHANCE, Coalition for Handicapped Children's Education, introduced Mrs. Kathy Silver. Mrs. Kerin explained that CHANCE is a state-wide coalition and presented a booklet, attached as EXHIBIT A. Mrs. Kerin said they were present to urge support of AB 472 and yielded to Mrs. Silver.

Mrs. Silver, Southern Nevada Vice Chairman of CHANCE, and a parent of a visually handicapped child, stated she was most concerned with pre-school education for the handicapped. She said the early intervention programs for the handicapped are vital and the effect is dramatic. She stated these programs are not available through private groups because they are unwilling to work with these special children because it is costly and very time consuming.

Mrs. Silver noted an unmentioned fiscal impact of placing a child in kindergarten before he is ready and thereby being retained for another year or two. She said the emotional impact of this retention only adds to their feelings of inadequacy.

Mrs. Silver said the special child grows up to be a special adult, and if he is prepared, he will be a productive adult and not a burden on the social system.

Chairman Craddock noted that the bill has been concurrently referred to Ways and Means Committee. He said her comments on the fiscal impact were good and should be made to that committee too.

Mrs. Silver stated she was most concerned with the pre-school aspect of the bill but that her group was here to support the entire bill.

Mrs. Kerin said that they would like the option of the handicapped pupils from 18 to 22 being served left in the bill. She feels not all would take advantage of it, but the option should be there. Mrs. Kerin introduced other parents of CHANCE in the audience.

Mr. Beyer asked if housing facilities were available for these programs. Mrs. Silver said that these are not all-day programs and they use facilities that are already only used part of a day such as Kindergarten rooms. Mrs. Kerin said that these children only have the stamina for 2-3 hour programs.

Ted Sanders, Superintendent of Public Instruction, presented written testimony attached as EXHIBIT B. He noted that he had already testified for this bill last Wednesday and that he was looking forward to working with the subcommittee studying this bill.

Mrs. Lorie Skinner introduced her husband Deon and their two children, and noted their son is afflicted with Downs Syndrome. She said her son, Daren, is currently enrolled in a Community Training Center (CTC) Program in Fallon. She stated that prior to his involvement in this program, they had several eating and behavioral problems with Daren at home; but due to the positive effects of this early intervention program, these problems have vanished. She said he now knows five colors, sings songs, uses 3-4-5 word sentences and needs little assistance with self-help skills. Without this school, he would never have come this far at the age of 3 1/2, she said, when learning is extremely important.

Vince Triggs, President, Southern Nevada Association for the Handicapped, said that his organization is a member of CHANCE and is a group of parents dedicated to providing advocacy, support and services to the handicapped throughout southern Nevada. He said that there are not that many students who would be additionally served if this AB 472 passed. He said, based on recent figures from the State Department of Education, if educational services were extended from age 3 to age 21, the additional numbers that could be served throughout the entire state of Nevada would be: 435 retarded, 156 emotionally handicapped, 71 orthopedically handicapped, 32 deaf or hard of hearing, and 4 deaf-blind. He said the current special education population is 7.4% of the total school age population. If the students mentioned above were added, it would increase the total to 10.5%. He said the Bureau of Education of the Handicapped have indicated that the average handicapped population aged 5-17 is 12%. He said not all from those figures available will take advantage of the service even if it is offered. He suggested certain handicapped groups regularly take advantage of these programs and he thought only about 170 of those mentioned above would opt for the services, in the 3-5 age group. He said many of the other children are not identified as handicapped until after age 5. He said it is possible even the 170 figure is inflated because some of them are already receiving services through the CTC programs already mentioned.

Mr. Triggs continued saying that while the more severely handicapped will probably take advantage of the pre-school program, the less handicapped will probably take advantage of the post-secondary programs, hopefully with many attaining a graduation-equivalent status. He said this area might add up to about 500-600 additional students. He said these older pupils can learn if they are given the extra time to do so and will, therefore, be less of a financial burden later on.

Chairman Craddock asked about specific figures as to some handicapped students not being identified until later on. Mr. Triggs said he would provide these figures for the committee.

Mr. Beyer asked about handicapped students in the rural areas and if they were now being served as in the two large counties. Mr. Triggs mentioned the Fallon CTC noted earlier that was working well, and said that he thought the rural counties would have the greatest financial burden if this bill passes.

AB 458 Abolishes state textbook commission.

Ted Sanders, said this commission consists of eight members appointed by the Governor, they meet twice a year and their expenses are nominal. Mr. Sanders said that a textbook is selected for adoption, then goes through field testing in the schools with a recommendation presented to the local school board. The school board votes for or against the recommendation and it passes on to the textbook commission who makes a recommendation to the State Board of Education who has the authority to adopt and enter into a contract with the publisher to provide the textbook series to the state. He said they support just removing the commission from that chain of events. He said in the history of the commission, he has only noted once when the commission recommended other than what the local school board had recommended. Mr. Sanders said that this would also release these board members from 16 days a year of what appears to be a ceremonial process.

Mr. Orvis Reil, representing Nevada Retired Teachers and American Association of Retired Persons, said he was concerned that the bill now does not stipulate who would take over the responsibility or the right to approve or disapprove textbooks.

Mr. Sanders responded that the authority was still in the bill, just the commission was removed from the chain of events.

AB 460 Extends permissible period of suspension of certificated employee of school district.

John Hawkins, representing the Nevada State School Boards Association, said this bill is one of five submitted by the school trustees of the state. They propose to change the number of days a certificated employee may be suspended from two to ten days a year. He said their reason is that there is not enough flexibility as the law now reads, either suspending for two days or dismissing an employee. He said it has been suggested that the wording be further changed so that the suspension can be used more than once a year, but only up to ten days. He said from a personal standpoint, he had applied the rule only twice, while he was superintendent of schools for eleven years.

Mr. Newsom Maples, Superintendent of Storey County, stated he agrees that the two days suspension limit is not enough in some cases.

Mr. Horn asked if Mr. Maples would accept five days. Mr. Maples replied that five would be more acceptable than two, but ten was better.

Dr. Claude Perkins, Superintendent, Clark County School District, noted that his district's legislative package had requested a thirty day suspension period. He said he did not understand why this was a legislative matter and said he thought the Professional Practices Act had gone far beyond what it should be. He said these were contract matters. He said the ten days should be the minimum number and that more flexibility is needed in this area than is there now.

Joyce Woodhouse, Nevada State Education Association, said she is representing 5,800 teachers in the State of Nevada. She read from prepared testimony which is attached as EXHIBIT C. She said her group adamantly opposes this bill, both from an emotional and a financial aspect.

Mr. Horn asked if five days would be acceptable. Ms. Woodhouse responded that was not acceptable; two days is already a great financial hardship.

Mr. Beyer questioned the due process hearing in the bill. He asked if a principal could arbitrarily suspend someone over a difference of teaching techniques. Ms. Woodhouse said the process is there and her association is mainly asking that no more than two days suspension be used against a teacher for any matter. Mr. Beyer asked again who conducts the hearings. Ms. Woodhouse and Mr. Hawkins responded that the Superintendent conducted the hearings after a complaint is filed by a building principal. Mr. Sanders said that legally the superintendent could appoint a panel to make a recommendation to him, but the decision rests with him finally.

Mr. Maples asked to further testify on AB 460. He said that two days is sufficient to get someone's attention if you are trying to discipline them, but if they should then do the same thing again or something new, you only can dismiss them as the law now reads. He would like the last sentence of the bill to be deleted that only allows the suspension to be used once a year. He said the dismissal of a teacher is very time consuming and a very drastic measure to use as discipline. He said the whole purpose was to encourage someone to improve their professional conduct, not to eliminate them. He urged both changing the days from two to ten and eliminating the last sentence of the bill.

AB 462 Extends commssion on professional standards in education.

Ted Sanders presented the committee with two documents, one his written testimony attached as EXHIBIT D and a Chronicle of Activities of the Commission, attached as EXHIBIT E. He said he supported changing the law so that the Commission has more flexibility in setting their own meeting times. He said more work needs to be done by the Commission and they have completed a lot of good recommendations so far.

AB 463 Provides for local determination of causes for suspensions and expulsions of pupils from public schools.

Mr. Maples said he supports the bill in that it provides responsibility by the local school boards for determining these reasons.

Mrs. Hayes asked who was doing this now. Mr. Maples replied that the local school boards were. Mrs. Hayes asked why the bill was then necessary. Mr. Maples said it was a good question.

John Hawkins said this bill was originated by the State School Boards Association. He said he had no answer to why this bill was necessary either, as he thought this was already in the law. He said it may be necessary to require all school districts to set causes for suspensions and expulsions and to go through the public input process to do so.

Mrs. Hayes asked if Mr. Hawkins thought the Clark County attendance policy might be illegal. He said he did not know and that any policy could be challenged in court.

Chairman Craddock asked if Mr. Hawkins' association would support the bill if some limitations were built in to it. Mr. Hawkins said that the process was built into the bill so that if there were local problems with a policy, it could be solved locally with the media and public input, rather than it being legislated from here.

Chairman Craddock noted that a Las Vegas newspaper carried an article over the weekend of a young man being expelled because he took several days from school to visit several colleges to see where he would like to attend next year. He said that due to items like this and the previous testimony heard by the committee, the question of adding limitations to the bill was valid. Mr. Hawkins reiterated that they would like to see the problems solved at the local level instead.

SB 333 Authorizes additional trustees for certain district libraries.

Martha Gould, President of the Nevada Library Association, said she supports SB 333 and presented her written testimony, attached as EXHIBIT F.

Julius Conigliaro read the written testimony by Mike Cool, both representing the City of Las Vegas, which is attached as EXHIBIT G.

SCR 15 Recommends that public schools offer courses in fire prevention and control.

No additional testimony was presented.

AJR 35 Calls on Congress to submit an amendment to the Constitution to eliminate school busing for integration.

AB 396 Requires instruction in American system of free enterprise.

Both bills will be discussed tomorrow in a Committee Work Session, so that amendments could be discussed and the prime sponsors would be available then.

AB 458 Abolishes state textbook commission.

Mr. Vergiels moved DO PASS, Vice Chairman Foley seconded. Motion carried unanimously with Mr. Beyer and Mrs. Hayes absent.

AB 460 Extends permissible period of suspension of certificated employee of school district.

Mr. Vergiels moved INDEFINITELY POSTPONE, Mr. Coulter seconded. Motion carried with Mr. Beyer and Mrs. Hayes absent.

AB 462 Extends commission on professional standards in education.

Mr. Vergiels moved to AMEND, adding back in that the Governor would appoint the members, seconded by Mr. Malone. Motion carried with Mrs. Hayes absent.

Mr. Vergiels moved DO PASS AS AMENDED, seconded by Mr. Malone. Motion carried with Mrs. Hayes absent.

AB 463 Provides for local determination of causes for suspensions and expulsions of pupils from public schools.

Mr. Vergiels moved INDEFINITELY POSTPONE, Mr. Horn seconded.

Chairman Craddock said that he wanted to look into what the law now says without adding this bill. He would bring back an answer to the committee tomorrow. The motion and the second were withdrawn.

AB 472 Permits participation in special education programs at earlier and later ages.

Vice Chairman Foley moved to AMEND by removing the brackets around #5, lines 37 to 39. There was no second to the motion.

Chairman Craddock said there was a conflict notice to be studied and he would bring this information to the committee tomorrow.

SCR 15 Recommends that public schools offer courses in fire prevention and control.

Vice Chairman Foley moved DO PASS, seconded by Mrs. Hayes.

Vice Chairman Foley said that if this was a new course, she would not be for the bill, but the way it is written to integrate into existing courses, she supports the bill.

Mrs. Hayes said that due to the amount of children that are burned each year from playing with matches, this awareness program is very important.

Motion carried, all present.

SB 333 Authorizes additional trustees for certain district libraries.

Mr. Horn moved DO PASS, seconded by Mrs. Hayes. Motion carried, all present.

Chairman Craddock said the committee had received a request to introduce two bills. The first is BDR 341412* by the State Trustees Association to do with probationary teachers. Mr. Coulter made a motion that the bill be introduced, seconded by Mr. Malone, motion carried with all present.

The second request, BDR 341775** which revises the retention procedures within a school. Mr. Malone made the motion to introduce the bill, seconded by Mrs. Hayes. Motion carried with all present.

Chairman Craddock noted the committee would meet tomorrow at 2:30 for a work session, and the meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Dorothy Mobley,
Committee Secretary

*A.B. 564
**A.B. 563

ASSEMBLY

AGENDA FOR COMMITTEE ON..... EDUCATION.....

Date Wed., 4/22/81 Time 3:00 P.m. Room 214

Bills or Resolutions
to be considered

Subject

Counsel
requested*

CONTINUED TESTIMONY FROM 4/15/81 ON THE FOLLOWING BILLS:

- | | | |
|--------|--|--|
| AB 396 | Requires instruction in American system of free enterprise. | |
| AB 458 | Abolishes state textbook commission. | |
| AB 460 | Extends permissible period of suspension of certificated employee of school district. | |
| AB 462 | Extends commission on professional standards in education. | |
| AB 463 | Provides for local determination of causes for suspensions and expulsions of pupils from public schools. | |
| AB 472 | Permits participation in special education programs at earlier and later ages. | |
| SB 333 | Authorizes additional trustees for certain district libraries. | |
| SCR 15 | Recommends that public schools offer courses in fire prevention and control. | |
| AJR 35 | Calls on Congress to submit an amendment to the Constitution to eliminate school busing for integration. | |

*Please do not ask for counsel unless necessary.

* Please Print

***** PLEASE LEAVE COPIES OF PREPARED COMMENTS WITH THE COMMITTEE SECRETARY *****

YOUR NAME -- PLEASE PRINT	WHO YOU REPRESENT - PLEASE PRINT	I WISH TO SPEAK:	
		AGAINST BILL NO.	FOR BILL NO.
LED SANDERS	DEPT OF EDUC	AB 458	AB 458 AB 472 HB 362
DEON SKINNER Family	Parents		AB 472
JOHN HAWKINS	NEV. STATE SCHOOL BOARDS ASSOC		AB 460 453
Wendy Harker	Stonewall Co. Sch Dist		AB 460 AB 472 HB 465 HB 475
Laura Kerlin	CHANCE - Special Childrens		713 472
Larry Silver	CHANCE - Friends of Vis. Hand		AB 472
Vince Mills	SNPH		AB 472
MARtha GouLD	NEV Libs Assoc		SB 333
Joyce Woodhouse	NSEA	AB 460	
ORVIS E. Bell	NRTA/AARP - Nevada Joint State Legislative Committee	458	458
John Jensen	Parent		472
Ken Connel	Parent		472
Walt Owens	Parent - AAPPIC		
John Jensen	Parent		
Lee A Wastell	NSEA		
Anne W. Clancy	NV Developmental Disabilities Council		472
Mike Cool	City of Las Vegas		333
Claude Perkins	Supt Clark Co. S.D.		

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* Please Print - Thank You

61ST SESSION NEVADA LEGISLATURE

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 4/22/81

ITEM AB 458 Abolishes state textbook commission.

MOTION: () DO PASS () AMEND () INDEFINITELY POSTPONE () RECONSIDER

Moved by Mr. Vergiels Seconded by Vice Chairman Foley

AMENDMENT: _____

Moved by _____ Seconded by _____

AMENDMENT: _____

Moved by _____ Seconded by _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Beyer	<u>absent</u>	_____	_____	_____	_____	_____
Coulter	<u>xx</u>	_____	_____	_____	_____	_____
Foley	<u>xx</u>	_____	_____	_____	_____	_____
Hayes	<u>absent</u>	_____	_____	_____	_____	_____
Horn	<u>xx</u>	_____	_____	_____	_____	_____
Malone	<u>xx</u>	_____	_____	_____	_____	_____
Rackley	<u>xx</u>	_____	_____	_____	_____	_____
Vergiels	<u>xx</u>	_____	_____	_____	_____	_____
Craddock	<u>xx</u>	_____	_____	_____	_____	_____
TALLY:	<u>7</u>	<u>0</u>	_____	_____	_____	_____

ORIGINAL MOTION: () Passed () Defeated () Withdrawn
 AMENDMENT: () Passed () Defeated () Withdrawn
 AMENDMENT: () Passed () Defeated () Withdrawn

61ST SESSION NEVADA LEGISLATURE

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 4/22/81

ITEM AB 460 Extends permissible period of suspension of certificated
employee of school district.

MOTION: () DO PASS () AMEND (XX) INDEFINITELY POSTPONE () RECONSIDER

Moved by Mr. Vergiels Seconded by Mr. Coulter

AMENDMENT: _____

Moved by _____ Seconded by _____

AMENDMENT: _____

Moved by _____ Seconded by _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Beyer	<u>absent</u>	_____	_____	_____	_____	_____
Coulter	<u>xx</u>	_____	_____	_____	_____	_____
Foley	<u>xx</u>	_____	_____	_____	_____	_____
Hayes	<u>absent</u>	_____	_____	_____	_____	_____
Horn	<u>xx</u>	_____	_____	_____	_____	_____
Malone	<u>xx</u>	_____	_____	_____	_____	_____
Rackley	<u>xx</u>	_____	_____	_____	_____	_____
Vergiels	<u>xx</u>	_____	_____	_____	_____	_____
Craddock	<u>xx</u>	_____	_____	_____	_____	_____

TALLY: 7 0 _____

ORIGINAL MOTION: (xx) Passed () Defeated () Withdrawn

AMENDMENT: () Passed () Defeated () Withdrawn

AMENDMENT: () Passed () Defeated () Withdrawn

61ST SESSION NEVADA LEGISLATURE

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 4/22/81

ITEM AB 462 Extends commission on professional standards in education.

MOTION: DO PASS AMEND INDEFINITELY POSTPONE RECONSIDER

Moved by Mr. Vergiels Seconded by Mr. Malone

AMENDMENT: Lines 5, 6, 7: delete brackets around "governor" and delete the words "state board of education".

Moved by Mr. Vergiels Seconded by Mr. Malone

AMENDMENT:

Moved by _____ Seconded by _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Beyer	<u>XX</u>	_____	<u>XX</u>	_____	_____	_____
Coulter	<u>XX</u>	_____	<u>XX</u>	_____	_____	_____
Foley	<u>XX</u>	_____	<u>XX</u>	_____	_____	_____
Hayes	<u>absent</u>	_____	<u>absent</u>	_____	_____	_____
Horn	<u>XX</u>	_____	<u>XX</u>	_____	_____	_____
Malone	<u>XX</u>	_____	<u>XX</u>	_____	_____	_____
Rackley	<u>XX</u>	_____	<u>XX</u>	_____	_____	_____
Vergiels	<u>XX</u>	_____	<u>XX</u>	_____	_____	_____
Craddock	<u>XX</u>	_____	<u>XX</u>	_____	_____	_____
TALLY:	<u>8</u>	<u>0</u>	<u>8</u>	<u>0</u>	_____	_____

ORIGINAL MOTION: Passed Defeated Withdrawn
 AMENDMENT: Passed Defeated Withdrawn
 AMENDMENT: Passed Defeated Withdrawn

61ST SESSION NEVADA LEGISLATURE

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 4/22/81

ITEM SCR 15 Recommends that public schools offer courses in fire
prevention and control.

MOTION: (~~xx~~) DO PASS () AMEND () INDEFINITELY POSTPONE () RECONSIDER

Moved by Vice Chairman Foley Seconded by Mrs. Hayes

AMENDMENT:

Moved by _____ Seconded by _____

AMENDMENT:

Moved by _____ Seconded by _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Beyer	xx	_____	_____	_____	_____	_____
Coulter	xx	_____	_____	_____	_____	_____
Foley	xx	_____	_____	_____	_____	_____
Hayes	xx	_____	_____	_____	_____	_____
Horn	xx	_____	_____	_____	_____	_____
Malone	xx	_____	_____	_____	_____	_____
Rackley	xx	_____	_____	_____	_____	_____
Vergiels	xx	_____	_____	_____	_____	_____
Craddock	xx	_____	_____	_____	_____	_____
TALLY:	<u>9</u>	<u>0</u>	_____	_____	_____	_____

ORIGINAL MOTION: (~~xx~~) Passed () Defeated () Withdrawn

AMENDMENT: () Passed () Defeated () Withdrawn

AMENDMENT: () Passed () Defeated () Withdrawn

61ST SESSION NEVADA LEGISLATURE

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 4/22/81

ITEM SB 333 Authorizes additional trustees for certain district libraries.

MOTION: () DO PASS () AMEND () INDEFINITELY POSTPONE () RECONSIDER

Moved by Mr. Horn Seconded by Mrs. Hayes

AMENDMENT:

Moved by _____ Seconded by _____

AMENDMENT:

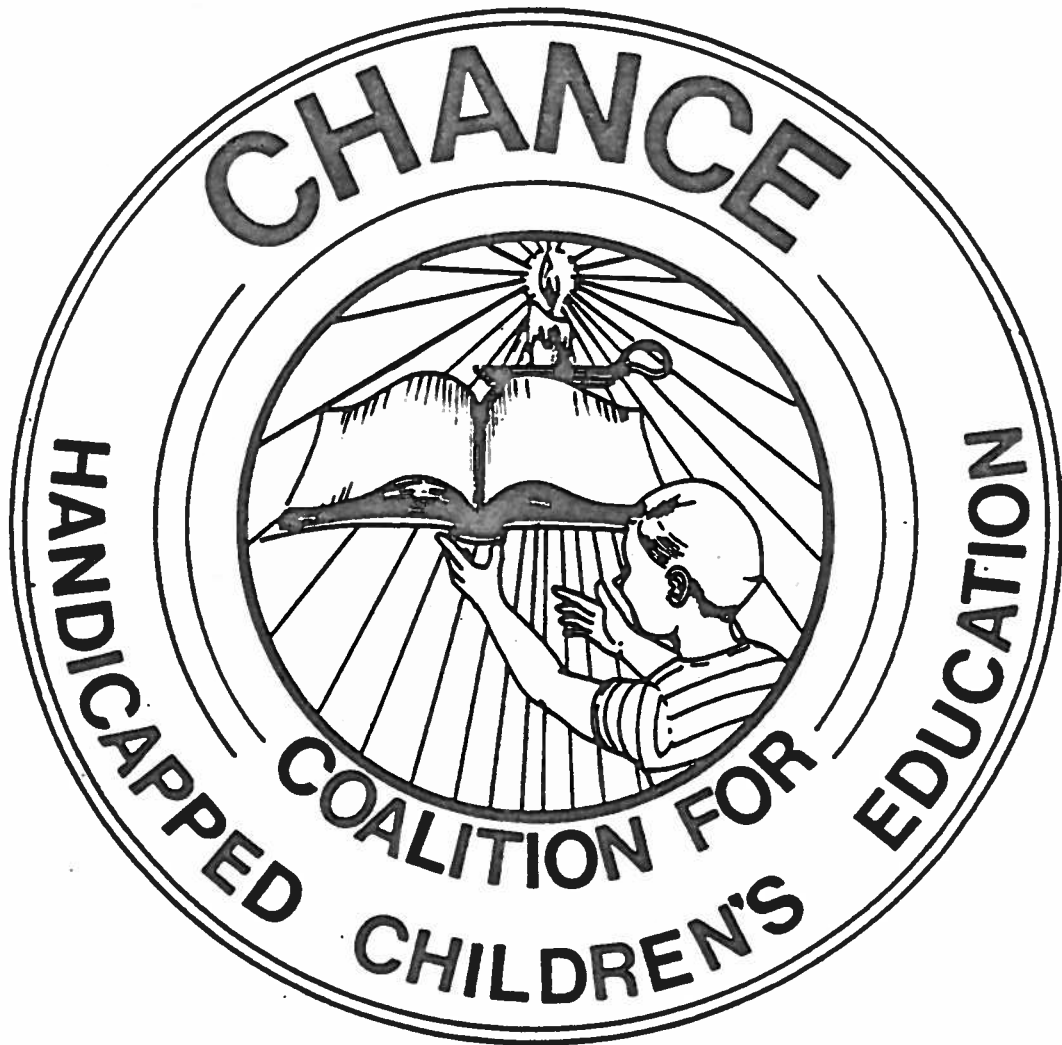
Moved by _____ Seconded by _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Beyer	xx	_____	_____	_____	_____	_____
Coulter	xx	_____	_____	_____	_____	_____
Foley	xx	_____	_____	_____	_____	_____
Hayes	xx	_____	_____	_____	_____	_____
Horn	xx	_____	_____	_____	_____	_____
Malone	xx	_____	_____	_____	_____	_____
Rackley	xx	_____	_____	_____	_____	_____
Vergiels	xx	_____	_____	_____	_____	_____
Craddock	xx	_____	_____	_____	_____	_____
TALLY:	<u>9</u>	<u>0</u>	_____	_____	_____	_____

ORIGINAL MOTION: () Passed () Defeated () Withdrawn

AMENDMENT: () Passed () Defeated () Withdrawn

AMENDMENT: () Passed () Defeated () Withdrawn



304 POMEGRANATE CIRCLE
LAS VEGAS, NEVADA 89107

702/732-3313 • 648-4411



304 Pomegranate Circle
Las Vegas, Nevada 89107

A Word From the Chairperson

The basic purpose of Chance is simply to present a unified front to influence and apprise legislators of the needs for proper and adequate education for all handicapped and exceptional children and to effect whatever change is necessary to attain this. This is necessary for our children to become productive citizens in society.

The goals for the first year of operation are:

1. To support four items in the current State Board of Education Legislative packet. The items are
 - a) A request for an increase of at least 125 additional Special Education Units across the state.
 - b) To lower the age of admission to special programs to age 3 for all handicapping conditions.
 - c) To raise the upper age limit for handicapped students to the end of their 21st year of age to allow them to remain in special programs.
 - d) To extend the school year beyond 180 days for handicapped children who are in need of an extended school year.

The long range goals of Chance include a commitment from all parent leaders to work with our legislators in adopting a mandate to serve the educational needs of handicapped children statewide from birth.

We look forward to working with all of you in the spirit of goodwill and friendship.

Sincerely yours,

Al Zapeda, Chairperson

OVERVIEW OF STATE & FEDERAL LEGISLATION - NRS 388 and P.L. 94-142

Extending programs to handicapped preschool children must remain a priority of the federal government and our State government since only 2.6% of the 3- to 5- year population gets special education services, a recent report from the U.S. Department of Education says.

The education department believes 8 to 10% of the preschoolers have some kind of handicap. **

P.L. 94-142, The Education of All Handicapped Children Act (Nov.29,1975), requires states to serve 3- to 5- year olds if the federal requirement doesn't conflict with state law or court orders.

The Nevada School Law, NRS 388 (copy attached), says aurally & visually handicapped minors may be admitted to special programs at any age under 5, academically talented minors may be admitted at the age of 4, and mentally retarded minors may be admitted at the age of 3. The other handicapping conditions may enter special programs at age 5 since non-handicapped children are eligible for kindergarten at age 5.

Only 16 states mandate services for preschoolers, 22 states mandate services for 4- to 5- year olds and 12 states meet the minimal requirements of the federal law by serving 6- year olds. P.L. 94-142 requires states to give all school age handicapped children a free, appropriate education.

The U.S. Education Department was encouraged by the fact that 5 states have adopted a mandate to serve handicapped children at birth.

Under Nevada school law public education is mandated for all children from age 7- to 17-.

For the non-handicapped child there is no "upper age limit" for remaining in school. Under NRS 388.440 "Handicapped Minor" is defined as any person under the age of 18- years who deviates either educationally, academically, physically, socially or emotionally so markedly from normal growth & development patterns that he cannot progress effectively in a regular school program and therefore needs special instruction or special services.

** Report on Preschool Education, January 13, 1981
Capitol Publications
Washington, D. C.

THE EVOLUTION OF CHANCE

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During the last session of the legislature it became apparent to many persons concerned about the Education of Handicapped Children in Nevada that presenting one prioritized platform of concerns to the legislature was essential to affect positive changes in Special Education.

Early in 1980 a Grass Roots effort emerged and spread the word across the state resulting in a September meeting of parent leaders from 28 distinct consumer groups in Nevada. Since the formal incorporation of this network 4 new groups have been located bringing the total to 32. Some groups are represented by a membership of 5 to 6 parents, some groups represent a membership of over 400.

It was encouraging to meet face to face with persons from Northern, Southern, and Rural Nevada representing a full range of handicapping conditions and find that we all have the same general goals in common. Every leader pledged support of a unified effort resulting in the formation of a Statewide Coalition of Parent Groups.

BOARD OF TRUSTEES

Al Zapeda	Chairperson	South
Walt Owens	No. V. Chairperson	North/Rural
Kathy Silver	So. V. Chairperson	South
Carol Reynolds	Secretary	Rural
Carol Helm	Treasurer	North
Bill Meister	Membership	North
Laura Kerin	Publicity	North
Gene Martin	Lobbying	South
Ann Lynch	At Large	State PTA

Group Memberships

Northern Nevada

Nevada Association for the Handicapped- Reno, Nv.
No. Nevada Speech & Hearing- Sparks, Nv.
Ormsby Assn. for Retarded Citizens- Carson City, Nv.
Parents of Physically Handicapped- Carson City, Nv.
Parents of Academically Talented- Reno, Nv.
Picollo Boosters- Reno, Nv.
Sierra Development Center Parents- Reno, Nv.
Special Childrens Parent Auxiliary- Reno, Nv.
Washoe Assn. for Retarded Citizens- Reno, Nv.

Southern Nevada

Academically Talented Parents Council- Las Vegas, Nv.
Candelighters of Clark County- Henderson, Nv.
Early Childhood Association- Las Vegas, Nv.
Friends for the Visually Handicapped- Las Vegas, Nv.
Helen J. Stewart P.T.A.- Las Vegas, Nv.
Nevada Chapter-Society for Autistic Children- L.V., Nv.
Nevada Society for Aurally Handicapped- Las Vegas, Nv.
Parent Coping Group- Las Vegas, Nv.
Parents of Children with Communication Problems- Las Vegas, Nv.
Statewide PTA- Las Vegas, Nv.
Southern Nev. Mental Retardation Services- Las Vegas, Nv.
Southern Nevada Association for the Handicapped- Las Vegas, Nv.
Special Childrens Clinic Parents- Las Vegas, Nv.
Southern Nev. Assn. for Children with Learning Disabilities-L.V., NV.
United Cerebral Palsey- Las Vegas, Nv.
Variety School PTA- Las Vegas, Nv.

Rural Nevada

Churchill Assn. Retarded Citizens- Fallon, Nv.
Churchill Assn. for Children with Learning Disabilities- Fallon, Nv.
Elko Assn. for Retarded Citizens- Elko, Nv.
Ely Assn. for Retarded Citizens- Ely, Nv.
Parents of Special Children in Pershing County- Lovelock, Nv.

STATEMENT OF
NEVADA DEPARTMENT OF EDUCATION
TO THE
ASSEMBLY COMMITTEE ON EDUCATION

April 22, 1981
3:00 P.M.
Room 214

A.B. 472 *Permits participation in special education programs at earlier and later ages.*

Mr. Chairman, Members of the Committee:

The State Board of Education and the Superintendent of Public Instruction support A.B. 472.

A.B. 472 would allow districts who choose to do so, to utilize some of their allocated State special education units for special education programs for all handicapped students beginning at age three (3) and continuing through age twenty-one (21). It is important to note that A.B. 472 does NOT require districts to provide programs for handicapped students age 3 to 5 and 18 through 21. The local school districts determine how many of their allotted special education units they wish to use for each of the handicapping conditions. A.B. 472 enables them to serve handicapped students at earlier and later ages if they so desire.

The following information is submitted in support of permitting participation in special education programs at earlier and later ages.

FACTORS IN SUPPORT OF EARLY ADMISSION OF HANDICAPPED STUDENTS

A. Legal

Nevada School Law currently does permit visually and aurally handicapped children to be served from birth, and mentally handicapped from age three (3). This bill is intended to allow school districts, at their discretion, to educate handicapped children with other disabilities at the age of three (3). The disabilities which would be covered are: educationally-emotionally handicapped, learning disabled, physically handicapped, speech handicapped, and multiple handicapped.

B. Educational

Current knowledge about the development of learning disabilities indicates that the early years are the most critical in terms of brain growth and learning.

Research studies support the effectiveness of early education in reducing the need for intensive and long-term help in later years.

C. Social

Recognition of the strain that a handicapped child places on the family unit has helped sustain arguments for early education. Research also shows that parental involvement in the early education process promotes more impressive and lasting gains in the child.

Increases in the numbers of working mothers have intensified the need for appropriate intellectual stimulation and emotional support in settings other than the home. Most child care facilities do not have adequate staff or training to meet the educational, physical or emotional needs of handicapped children.

D. Economic

Spending money on early education programs can often eliminate the greater educational and social costs in later years. Lifetime educational costs of many handicapped children can run over \$85,000. Institutionalization can bring total costs to society even higher. If we can eliminate or minimize handicaps by early intervention during the critical developmental years, we may be able to save those lifelong costs on many children.

Early recognition and treatment may make the formerly handicapped person an employable, taxpaying citizen. The dollar savings and productive contribution to society is obvious.

Early childhood programs do not always need to follow the traditional classroom model. While such a model may be appropriate in some cases, many children are better served by home teacher/trainers or in an integrated or mainstreamed community preschool. Most young children do not need more than three hours of daily individualized special education. Current Nevada special education standards set caseload sizes for preschool programs operating on half-day schedules. The caseload size limitation varies with the handicapping condition. An itinerant teacher who makes weekly visits to homes or child care facilities could handle a larger caseload, thus reducing the cost per child for services. The type of placement/frequency of contacts would vary with the individual needs of the child. Costs of early childhood special education programs around the nation range from \$650 to \$1,600 per child depending on the method of service delivery and the amount of time in the program.

Although theoretically there is the same percentage of preschool handicapped children as there are school-aged handicapped children, a much smaller number of preschool problems are identified so early. Only the more obvious handicaps demand early attention. Many learning disabled preschoolers will still go unidentified until school age. Many articulation problems will not need attention until school age. Many behavior problems will not be recognized by parents until teachers see the child in relationship to others. Some parents will be philosophically opposed to early education.

The special education costs for younger children in Nevada will not be as high as the costs for school-aged children.

I. Moral

Providing support to families and helping handicapped children achieve their highest potential is the right thing to do. The human need is evident and morally compelling.

Nevada schools are currently required to identify young handicapped children, yet not serve them. Such a practice is ethically questionable.

There is a greater potential for abuse to young handicapped children because of the frustration parents and caregivers face in coping with a child with special needs. Early education programs for children and their families can prevent possible child abuse.

I. Importance of Early Intervention

I. Educationally-Emotionally Handicapped

Occasionally neurological, physical or environmental factors may be so severe as to influence a young child's ability to cope with his environment and/or his impulses. In attempting to cope, he may develop or exhibit behaviors that are considered to be indications of emotional disturbance. If these behaviors are permitted to continue during the preschool years and alternative coping mechanisms are not taught, the child may be unable to adequately process the learning that most children can handle easily when they reach school age. The disturbed child can be so preoccupied with his emotional reactions that he cannot attend to other factors in his environment that he should be assimilating. It is crucial that early intervention and training be initiated before the child's learning is affected and faulty behaviors and reactions are firmly implanted.

2. Learning Disabilities

Many learning disabled children's problems are related to perceptual handicaps, developmental lags, and immature or inadequate language facility. Early education will provide increased stimulation and training in the weak areas, encouraging a more even development that could eliminate many of the discrepancies in development that are now discovered when the child reaches school age.

Another important consideration regarding learning disabilities is the emotional problems that develop as the child of average or above average intelligence wrestles with the frustrations of learning academic subjects that are easy for his equally intelligent peers. A learning disabled child's first grade experiences may start him on a road that leads to poor self-image, frustration, hostility and defeat. If his disabilities are identified and treated before the regular school age, many emotional complications can be avoided.

3. Physically Handicapped

All of a child's learning comes from his environment. If physical handicaps prohibit his movement, he is not able to experience or learn as much as the average child. Much learning is, therefore, lost or delayed because he cannot touch, feel, walk, manipulate, etc. When the child reaches school age he will very likely be educationally behind his peers because of the lack of such experiences. A special education program must then be designed to provide those experiences and help him catch up. If certain muscles and senses were not developed, damage or atrophy may prevent their ever developing. Preschool education for the physically handicapped will provide the physical therapy, as well as adapted environmental stimulation and experiences, that will prevent unnecessary permanent physical damage and inadequate learning from the environment.

4. Speech Handicapped

There is no question about the importance of language and communication in our culture or in our species. Much of our learning comes from the communication we send and receive. School is very difficult for a child who has difficulty processing language, and teachers have difficulty providing appropriate education to a child who is unable to give coherent feedback. Social relationships suffer as a result of poor communication skills, increasing the likelihood of emotional complications. If therapy and additional language training are started early, communications can be greatly improved by the time the child reaches school age. The child will be taught sounds and words and meanings that will help him to be successful in school from the beginning and put him on a more equal footing with his peers.

"Recent research in early language development has...stressed the importance of the first few years in learning cognitive and language skills. Indeed, there are now hundreds of studies which indicate

that major components of cognition, syntax and semantics are learned before the age of three and one-half. (Dole, 1976; Muma, 1978). Therefore, much recent attention has been focused on the possibility of early intervention in the lives of handicapped children to attenuate the deficiencies in their language, speech and hearing development since these deficiencies limit later educability." (from Special Reports, The Availability of Language, Speech, and Hearing Services in Day-Care Centers," A Journal of the American Speech and Hearing Association, Volume 20, December 1978, p. 1030)

There is also some evidence to support the crucial importance of developing language before school age because of neurological development in the brain. If damage to certain speech areas of the brain is present, other parts of the brain may be able to take over the function of the damaged portion if therapy is provided as the brain is developing. If we wait too long, that compensatory function may be lost. "Migration of language dominance from its typical habitat in the left hemisphere to residence in the right hemisphere" may be possible. Evidence to support this has been collected by neurosurgical procedures. (Robert T. Wertz, et al. "Right-Hemisphere Language Dominance in a Case of Left-Hemisphere Arteriovenous Malformation," Journal of Speech-Hearing Disorders, Volume 42, February 1977, pp. 106-112)

5. Multiple Handicapped

The problems cited in the preceding sections are compounded and multiplied when a child has more than one handicap. It should be obvious that early intervention is extremely important when a child is limited and frustrated by more than one handicapping condition.

It should be noted that most children with multiple handicaps have concomitant mental retardation so could be served at age three under current statute.

Documentation and Data

Recent research studies have demonstrated the lasting positive effect of early intervention programs. In the Comptroller General's Report to Congress on February 6, 1979, (U.S. General Accounting Office, HPH-79-40) the efficacy of early childhood programs was confirmed.

The most comprehensive and conservatively designed study to date was completed in 1979 by the Consortium for Longitudinal Studies under the direction of Dr. Irving Lazar of Cornell University (Lasting Effects After Preschool, U.S. Department of Health, Education and Welfare Publication No. OHDS 79-30179). Data on children in 14 early intervention programs in the 1960's was analyzed for long-term effects. The findings were significant. Children who participated in early

developmental programs:

1. required special education less often than the control group children who did not participate;
2. were held back in grade less often than control group children;
3. scored consistently higher on intelligence tests than control group children;
4. had significantly higher scores on achievement tests; and
5. had a better family environment and self-image.

The proposed legislation would have no effect on the number of mildly handicapped, visually handicapped, mentally handicapped or multiple handicapped children who are admitted to public schools. The local school districts currently provide an education for 176 of these children.

The number of children who have other handicapping conditions and who are educated in public schools will probably increase should this legislation pass. Because all five year old handicapped children are presently being served, the increase will be in three and four year old learning disabled, speech handicapped, emotionally handicapped and physically handicapped students. Based on the fact that there are 297 handicapped five year olds served, it can be assumed that the maximum number effected would be 297 three year olds and 297 four year olds. The following table shows how these children are distributed:

Handicapping Condition	5 Year Olds Now Served	4 Year Olds In Need	3 Year Olds In Need	Additional Units Needed
Learning Disabled	7	7	7	1
Speech Handicapped	286	286	286	10
Emotionally Handi.	0	0	0	0
Physically Handicapped	4	4	4	1

FACTORS IN SUPPORT OF RAISING THE MAXIMUM AGE FOR PARTICIPATION IN SPECIAL PROGRAMS

Legal

The only residents of the State of Nevada who are restricted in school attendance by age are the handicapped. All other students can continue in public education until they receive a high school diploma.

A recent opinion rendered by the Office of the Attorney General reviewed the issue of whether school districts have an obligation to provide handicapped students beyond the age of eighteen with appropriate

educational services. The conclusions were that the "board of trustees of school districts...are legally responsible for providing educational services to handicapped persons aged 18-21 where appropriate..." "Section 504 of the Vocational Rehabilitation Act of 1973 requires school districts to provide a free appropriate education to persons over the age of eighteen, where a free appropriate education is offered to non-handicapped persons."

The proposed legislation would provide districts with the availability of utilizing special education unit funding to fulfill this obligation.

U. Documentation and Data

National prevalence data indicate that approximately 1.0% of the people of this age would be educated in public schools should this legislation pass. This would mean approximately 360 students or 30 more than the 330 who are now being served. The districts would require approximately three units to serve the increased population.

Testimony Presented by:

Joyce L. Woodhouse, President
NEVADA STATE EDUCATION ASSOCIATION

Presented to:

Assembly Education Committee

April 15, 1981

Mr. Chairman and members of the committee:

I am Joyce Woodhouse, President of the Nevada State Education Association.

The NSEA is adamantly opposed to A.B. 460. This bill which increases the number of days a school district employee can be suspended from 2 days to 10 days will create a financial disaster for the teacher. We believe that the punishment of two days without pay is more than enough, especially when one looks at the financial impact over a school year.

For those of you who are not aware of the procedure used, when a teacher is docked pay, it is based on 1/180th of the teacher's yearly salary. This chart shows you what those rates are for four school districts. The financial burden is further stressed since we have our pay checks evenly divided over a twelve month period, not nine months. It is entirely possible for a teacher, if this bill should pass, to receive a 10 day suspension in one month, work 10 days of the month, but receive absolutely no salary.

School District	Beginning Teacher	BA + 32 + 10 yrs. (approx.)	MA + 16/32 + 15 yrs. (approx.)
Carson City	\$66/day	\$104/day	\$126/day
Clark County	\$64/day	\$101/day	\$128/day
Lyon County	\$64/day	\$103/day	\$114/day
Washoe County	\$62/day	\$110/day	\$135/day

There are two other reasons, not financial, for our strong opposition to this bill. The grounds by which a teacher can be suspended are listed in NRS 391.312. There are 16 of them:

1. inefficiency
2. immorality
3. unprofessional conduct
4. insubordination
5. neglect of duty
6. physical or mental incapacity
7. justifiable decrease in number of positions

8. conviction of a felony or of a crime of moral turpitude
9. inadequate performance
10. evident unfitness for service
11. failure to comply with such reasonable requirements as a board may prescribe
12. failure to show normal improvement and evidence of professional training and growth
13. advocating overthrow of the government
14. any cause which constitutes grounds for revocation of certificate
15. willful neglect or failure to observe and carry out requirements
16. dishonesty

I would like to point out one example using the charge of insubordination. A teacher can very easily receive this charge should he/she challenge a principal who does not like a certain teaching technique the teacher is using in the classroom. Would you expect a principal who has never taught a day in a first grade classroom to understand the intricacies of teaching beginning reading? Should a teacher receive a 10 day suspension without pay in this circumstance? Under A.B. 460 it is possible.

The second non-fiscal reason is the peer pressure levied by the other teachers in the building upon a teacher being suspended. The effect upon one's own self esteem can be severe. At the upper grade level, the students will certainly learn of the situation, and they can be cruel.

We urge you to defeat A.B. 460 in this committee. It is a bill that can only provide more hardship to teachers, both financial and emotional. Once again, we urge you to leave NRS 391 in its present state.

STATEMENT OF
NEVADA DEPARTMENT OF EDUCATION
to the
ASSEMBLY COMMITTEE ON EDUCATION

EXHIBIT D

April 22, 1981

Mr. Chairman, Members of the Committee:

The State Board of Education supports passage of A.B. 462. The Professional Standards Commission will expire effective July 1, 1981 unless this bill is passed.

The 1979 Legislature passed A.B. 388 creating this commission and providing for funding for a two-year period only. Although a great deal has been accomplished in one year since the appointment of the commission, the commission, the State Board of Education and the Department of Education feel much more is yet to be accomplished in the area of teacher certification.

Tasks yet to be considered by the commission include:

- (1) A final report from the Special Education Task Force.
- (2) A final report from the Vocational Education Task Force.
- (3) Review and possible reconsideration of the Long Range Plan.
- (4) Adoption of priorities for FY 82.
- (5) Organizational consideration (i.e., selecting a chairman and task force development).
- (6) Report to the State Board of Education.

We believe the Professional Standards Commission should be continued for at least two more years as this bill calls for. Although we feel the Commission is needed, it is possible to reduce the number of meetings per year. Therefore, the Department of Education recommends the Commission be allowed to set the number of meetings instead of the required one meeting per month as now mandated. Greater flexibility for subcommittee groups to meet could also be allowed through this measure.

Further, the Department of Education supports the concept that Commission membership be appointed by the State Board of Education rather than appointment by the Governor. The Standards Commission is advisory to the State Board of Education.

The Department of Education urges passage of A.B. 462 as printed.

COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

CHRONICLE OF ACTIVITIES

January - August 1980

- January 1980 Nevada State Board of Education President Rosemary Clarke calls first meeting consistent with A.B. 388
- February 1980 All commissioners survey their constituents in writing regarding agenda items and goals the Commission should pursue for the improvement of certification standards in Nevada.
- February 1980 Meeting addresses constituents' replies and acts on staff-drafted interpretative statement before same goes to the Nevada State Board of Education. Commission sets five goals as immediate to its function:
- ...to build effective communication between constituents regarding certification matters
 - ...develop processes to address certification standards in areas of special education and vocational education
 - ...to study practices in 'approved program approaches' in Nevada and other states
 - ...to advise the Nevada State Board of Education on qualitative aspects of operational policies regarding certification and recertification
 - ...to establish processes for monitoring certification matters.
- February 1980 Nevada State Board of Education meeting addresses interpretative statement and tables action on statement until March meeting.
- March 1980 Nevada State Board of Education adopts a one hour interpretation for recertification matters and asks staff to work with Commission on a workable interpretative statement.
- March 1980 Commission is to work on February goals but decided to address requests of the Nevada State Board of Education to initiate intensive investigation into interpretative statement to be able to recommend such to the Nevada State Board of Education at a later date.
- April 1980 Commission addressed full day meeting to hear testimony from those interested in the interpretative statement from the northern region of Nevada. Testifying were

faculty and administration from UNR, representatives of NSEA, and Nevada State School Board associations. Also invited were representatives of the PTA. (Dr. Clifford Lawrence chaired the process of testimony.)

May 1980

Commission addressed full day meeting to hear testimony from those interested in the interpretative statement from the southern region of Nevada. Testifying were faculty from UNLV, which included representatives of the Center for Economic Education, professional staff of NSEA, Clark County School District's Department of Professional Growth and invited representatives of the Nevada community colleges. The Commission instructed the Chair to draft an interpretative statement consistent with findings and present same to Commission at June meeting.

June 1980

Commission adopted the attached report and instructed the Chair to present it to the Nevada State Board of Education. Superintendent Sanders asked that interpretative statement be included with more complete Commission report scheduled to be on the August agenda of the Nevada State Board of Education.

July 1980

Commission returned to early goals and addressed questions raised by staff regarding certification; e.g., proposal regarding computerization of certification matters. For complete list of concerns generated by staff, consult minutes of the July 11 meeting. Further action taken by Commission established task groups to address certification in special education and vocational education. Dr. Lawrence is chairing the task group on vocational education, and Sister Barbara Stanek is chairing the subcommittee on special education. The subcommittees are made up of appropriate persons from other advisory groups of the Nevada State Board of Education.

August 1980

Commission reports on projects to the Nevada State Board of Education and continues long range planning to fulfill the intent of the Commission on Professional Standards in Education as established A.B. 388.

NEVADA LIBRARY ASSOCIATION

EXHIBIT F.

April 22, 1981

TESTIMONY IN SUPPORT OF SB 333 Assembly Committee on Education

The Nevada Library Association supports SB 333. It is a very simple bill, and would allow representation on a library board from an area that is contracting for library services - to be specific, it would allow the City of Las Vegas 2 representatives on the Clark County Library Board. At present the City of Las Vegas contracts with the Clark County Library District for library services. This bill enjoys the support of the Clark County Library Administration and Board of Trustees. However, the language of the bill is such that it would apply to other governmental entities who, in the future might contract for library services with another library system.

Martha Gould
President

The City of Las Vegas supports SB 333 that allows the residents of our city to have direct representation on the Board of Library Trustees.

Current statute prohibits the residents of any city, having entered into a contract for services with a county library district, from being appointed to the Board of Library Trustees. NRS 379.021 states that "the Board of County Commissioners shall appoint five competent persons who are residents of such county library district who shall be known as the district library trustees".

During fiscal 1979-80, City of Las Vegas residents paid \$924,766 for services to the Clark County Library District under a contract for services provision. In addition, three of the library facilities in Clark County are located in the boundaries of the incorporated City of Las Vegas of which we provide an additional \$132,000 in maintenance of facilities costs.

In discussions with representatives of the Clark County Library District, they have mentioned receiving several requests from City of Las Vegas citizens to participate on the Board of Library Trustees, but because of the provisions of current statute, they are prohibited from doing so. In addition, the same representatives mentioned recent problems in achieving a quorum with a 5-member board and felt the addition of 2 members will help alleviate this problem.

We feel the addition of representation from the City of Las Vegas citizens on the Clark County Library District Board of Trustees will only strengthen the excellent quality of the library districts services to the Las Vegas metropolitan area. We'd appreciate your support in this matter.