

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

MEMBERS ABSENT: Mr. Beyer

GUESTS PRESENT: Please see attached Guest List

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

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

Virginia Brewster, Clark County School District Board Member, read a letter from Clark County residents, attached as EXHIBIT A.

Mrs. Brewster said her personal opinion of AJR 35 was that it would not serve a good purpose at this time, as an ad hoc committee is looking at possibly modifying the six grade center plan. She said that the resolution says a lot of money is being spent on busing; she maintained that it was before 1972 as well as there still were no schools within the community of the westside for junior and senior students. She said she feels it is incorrect to state in the resolution that new buses are being purchased at the expense of teacher salaries. She said the resolution addresses better spending the money on a separate but equal education and this is not possible; separate is not equal.

Mrs. Brewster said the six grade centers have worked, they have encouraged students to participate and to strive for those goals that they felt were not available in the past.

Mr. Malone said he thought the district was on the right track and he supported their efforts. Mr. Malone asked if school busing were discontinued for integration purposes would the district lose some federal funding.

Mrs. Brewster responded yes, certain funding would not be available to the school district, not to mention the amount of lawsuits that would arise.

Assemblyman Lonie Chaney noted that with our very influential Senator Laxalt, if this resolution passed at this point, it would have more impact now than it would have had in the past.

AB 526 Revises amount of sick leave which employees of school districts may accrue.

Joyce Woodhouse, representing Nevada State Education Association, said this bill is a request from their organization. She said it is a simple bill that does only one thing, it gives 3 additional days sick leave a year to those teachers who teach on an extended contract. She said most teachers teach 180 school days a year, some teach 210 on an extended contract.

Mr. Horn said the wording is "not more than 18 days." He asked if someone could then interpret as not having to give them the full 18 days.

Ms. Woodhouse said they were told this was sufficient as the wording now reads "not more than 15 days."

Mrs. Hayes asked if the teachers on extended contract receive extra money. Ms. Woodhouse responded that they receive just 30 extra days' pay prorated by their regular contract. Mrs. Hayes asked if this duty was voluntary. Ms. Woodhouse replied yes.

Bob Maples, Director of Employee Relations for Washoe County School District, stated all of his teachers are on a twelve-month contract, July 1 to June 30. He thought all of these teachers would then receive the extra 3 days of sick leave. He said normal accrual rate is one day sick leave per twelve days teaching; this new bill would bring it to one to ten days. He said most of his teachers teach 182 school days per year. He said other than teachers receive about one sick leave day per sixteen working days, so he thought teachers already received a disproportionate amount of leave time.

Mr. Maples said his district is the second largest in the state and sick leave costs \$800,000, a conservative figure, per year. He said the sick leave days would be increased by 1/5 and therefore it was possible that this cost could also increase by 1/5, in addition to daily costs increasing, and could add \$160,000 per year to their expenses in the district.

Mr. Horn asked how many employees might use all fifteen days a year now. Mr. Maples replied not many, it averages about eight days per employee. Mr. Horn asked why he thought the employees would all of a sudden start using 1/5 more days because they accrued 1/5 more days. Mr. Maples said they might not do this, but it is expected that this could happen. Mr. Horn asked if there was a ceiling on how many days could be accrued from year to year. Mr. Maples replied that it was now 170 days, but this was a negotiated item.

Mr. Maples said his final statement was that one day accrued per ten days work seemed out of line. Mr. Horn said that argument was a better argument against the bill than the previous argument.

Marvin Piccolo, State School Boards Association, said he agreed with Mr. Maples but would like to underscore one point. He thought this bill would be interpreted to include all employees, not just teachers with extended contracts. He said, conceivably, administrators could wind up with 20-24 days per year while teachers only received 15.

Dr. Piccolo said the bill was very misleading in just who teaches on a nine-month contract and in that it could be interpreted a different way and award administrators a large amount of leave.

Chuck Neely, Clark County School District, said his district is opposed to AB 526 on the same grounds that have been expressed by Dr. Piccolo and Mr. Maples. He said another way to look at this situation is to give the nine-month teachers 11.25 days and the twelve-month teachers 15 days.

Mr. Horn asked how many in Clark County might use all fifteen days a year sick leave. Mr. Neely said he did not know but their average should be similar to Washoe County.

AB 555 Permits use of money for assistance to school districts in construction and furnishings of schools.

Assemblyman Joe Dini, prime sponsor of the bill, said that last session a bill was passed to take care of funding new school buildings and they found the bill did not cover furnishings. He said this was just to have this in the law in case a problem did arise later, but that no money was included with the bill now.

The committee after discussion saw no problem with the bill but thought it might be better to refer to Ways and Means to check out the money factor.

Wendell Newman, Department of Education, said his board of education supports this bill. He said if money is allocated for emergency funding to finish or repair a school after a problem, they do want furnishings to be included, not just buildings.

AB 563 Revises procedure for retention of public school pupils in same grade.

Joyce Woodhouse, Nevada State Education Association, said the teachers in Nevada enthusiastically support this bill as this issue is one that has been facing them for a number of years. She said teachers are blamed for Johnny not being able to read or write, but teachers do not have authority in their classrooms to retain students that need to be. If a principal or parent disagrees with the teacher, generally parents not wanting to retain for social reasons, the teacher is overruled.

The teachers want to be the sole authority in this situation, she said, but it was decided to add in the building principal as part of the decision process. There is no intent to take the parent out of the process, but teachers should be able to overrule the parents' decision if a teacher feels strongly enough about her decision.

Ms. Woodhouse said in fourteen years she has never had her principal disagree with her decision to retain a child after reviewing the case, but she has had the principal back down to parent pressure if the parent disagrees. She said this is wrong, particularly for social reasons.

Ms. Woodhouse read from written testimony of Steve Cozine to the Ways and Means Committee: "I have no real say in whether to retain the student or not. In the fifteen years I have taught, I have never retained anyone." He further suggested that the retention powers should have been put in the teachers' hands.

Mr. Horn asked if Ms. Woodhouse thought this would be used by teachers as a tool of negative reinforcement. She responded that many students are self-motivated this way, fearing retention by themselves. She continued that many parents have indicated later that they were really glad their child had been retained; others said they were sorry it had not been done in first grade because it now had to be done in fourth grade and it was a lot harder then.

Mrs. Hayes questioned the last sentence in the bill about not retaining a child for more than one year in any one grade. She was concerned about variety school or handicapped children who do not normally proceed from grade to grade year by year. Ms. Woodhouse said she did not know these answers.

Mr. Malone questioned the procedure and asked if it still wasn't down to the principal's authority in the end. Ms. Woodhouse said this bill would make it a joint agreement between teacher and principal, if the principal didn't agree, there still was no retention, but it was one more step in the right direction. This would help in a few more cases than in years before.

Dick Wright, Washoe County School District, distributed the administrative regulation from his district concerning reporting to parents. He said his district is against this bill. He said this bill should address only grades one through eight, instead of one through twelve because of the credit system within individual classes at the high school level. (EXHIBIT B)

He questioned changing the building principal from being the final authority as it would open the door to having too many final authorities in one building for any policy. He said if the principal does not do a good job of being the final authority, the local school board should deal with the problem.

Mr. Horn asked if they would still oppose the bill if it were amended to read K-6 or K-8. He said they still would because this is a matter for the local school board and not the Legislature.

Mr. Craddock questioned why this would be another situation for local control; why reasons for retention should vary from school district to school district. Mr. Wright said the feelings of parents vary per community and per school district.

Ms. Foley said it appears from the discussion that the parent's feelings seem to be predominate rather than what is good for the child educationally. This should not vary per school district and should be the basis for retention. Mr. Wright said the community feelings have to affect what goes on in each school district. 283

Mrs. Hayes questioned if teachers could be sued because Johnny can't read and if so, maybe the principal would take the blame instead. Mr. Horn said this was a valid point because there were three malpractice cases in California against teachers for this reason. Mr. Horn said this would speak in favor of the bill.

Chuck Neely, Clark County School District, said his district is against the bill for many of the same reasons already stated. He said it would get further confused within high schools that are departmentalized rather than teacher-principal situations, and a three-way agreement might be necessary.

He said the building principal must remain the authority there, the teacher should go to the local school board if she has a problem with the principal, and they have to consider that the parents might have a remediation program set up for a summer in lieu of retention.

AB 564 Revises provisions relating to probation for public school teachers and administrators.

Bob Maples, Washoe County School District, said his district supports this bill very strongly. He said the three year probationary period also affects administrators, and this should be clarified in the bill. He said it takes time for a teacher to adjust to classroom teaching and to individual schools, school districts, and grade levels. He said the three year probationary period is reasonable. He said they now only have seven months and it is not enough.

Mr. Horn asked about the probationary period now. Mr. Maples said it was a one year period with a second trial year available if necessary. He said the decision must be made in March for the first year and a lot can happen in the time between March 15th and June 15th in having a teacher improve considerably or go down considerably. It is just not enough time the first year. He said in March you have three choices, tenure, non-renewal of contract or the second trial year.

Mr. Horn suggested that this three year period was recommended to sort out those teachers who maybe don't belong in the teaching profession before they are given tenure. He said maybe the wrong end of the problem is being attacked, and that there should be better procedures for sorting out bad teachers with tenure.

Mr. Maples said this was a problem, known as teacher burn-out, and was addressed several different ways by the district before dismissing any teachers.

Much discussion followed, essentially bringing out that they do now have a two year period and are asking for a three year period and have it also affect administrators.

John Hawkins, Nevada State School Boards Association, said this was one of their requested bills and the administrators were included in the original request, something just happened during bill drafting. Mr. Hawkins basically reiterated what had been said before. He said they just want more time, in the long run to improve the education program.

Chuck Neely, Clark County School District, said they are in support of this bill, including administrators in the bill.

Joyce Woodhouse, Nevada Education Association, said her association is adamantly opposed to this new three year probation period. She said this was a compromise last session to allow for the second trial year.

Mr. Malone said that last session he acted as a mediator during this struggle and this compromise was not easily derived. He felt it was not fair for the administration to come back this session to try to lengthen the probation period now.

Mr. Craddock asked if there was a lawsuit pending in the Washoe County School District. Ms. Woodhouse said she thought there was. Mr. Craddock said the committee should look into that.

AB 565 Clarifies procedures for suspension or revocation of certificates by state board of education.

Jan Wilson, Deputy Legislative Counsel, said the bill is to clarify a bill from last session, it restores language that was mistakenly left out last session.

Wendall Newman, State Department of Education, presented a statement (EXHIBIT C) and said his department fully supports the bill.

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

Mr. Coulter moved INDEFINITELY POSTPONE, Seconded by Mr. Vergiels. Motion carried with Mrs. Hayes voting no, Mr. Malone and Mr. Beyer absent.

There was general committee discussion re AB 472 and AB 396. The subcommittee's amendment to AB 396 was discussed. Both bills had been passed from the committee already.

AB 564 Revises provisions relating to probation for public school teachers and administrators.

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

AB 526 Revises amount of sick leave which employees of school districts may accrue.

Mr. Horn moved DO PASS, seconded by Mr. Vergiels. After discussion, both the motion and the second were withdrawn for further study.

AB 555 Permits use of money for assistance to school districts in construction and furnishings of schools.

Mr. Horn moved DO PASS and re-refer to Ways and Means, Mrs. Hayes seconded. Motion carried with Mr. Beyer, Mr. Vergiels, Mr. Malone absent.

AB 563 Revises procedure for retention of public school pupils in same grade.

Held for further consideration.

AB 565 Clarifies procedures for suspension or revocation of certificates by state board of education.

Mr. Horn moved DO PASS, seconded by Mrs. Hayes. Motion carried with Mr. Beyer, Mr. Vergiels and Mr. Malone absent.

The meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Dorothy Mobley,
Committee Secretary

ASSEMBLY

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

Date THU, 4/30/81..... Time 3:00 P.m. Room 214.....

Bills or Resolutions to be considered	Subject	Counsel requested*
AB 526	Revises amount of sick leave which employees of school districts may accrue.	
AB 555	Permits use of money for assistance to school districts in construction and furnishings of schools.	
AB 563	Revises procedure for retention of public school pupils in same grade.	
AB 564	Revises provisions relating to probation for public school teachers and administrators.	
AB 565	Clarifies procedures for suspension or revocation of certificates by state board of education.	

*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.
Joyce Woodhouse	Nevada State Educ Assoc	AB 564 ✓	AB 526 ✓ AB 563 ✓
Bob Maples	Washoe Co School Dist.	AB 526 ✓	AB 564 ✓
John Hanken	Nev. State School Board		AB 564 ✓
Virginia Brooks Brewster	Clark County School	AJD 35 ✓	
Mervyn Piccolo	State School Board	AB 526 ✓	AB 564
DICK WRIGHT	Washoe Co. Sch Dist	AB 563 ✓	
WENDELL NEWMAN	Dept. of Education	AB 555	AB 555 ✓ AB 565 ✓
Chuck Naylor	C.C.S.D.	AB 526 ✓	AB 564 ✓
Joe Dini		AB 555 ✓	

* Please Print - Thank You

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 4/30/81

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

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

Moved by Mr. Coulter Seconded by Mr. Vergiels

AMENDMENT: _____

Moved by _____ Seconded by _____

AMENDMENT: _____

Moved by _____ Seconded by _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Beyer		absent				
Coulter	xx					
Foley	xx					
Hayes		xx				
Horn	xx					
Malone		absent				
Rackley	xx					
Vergiels	xx					
Craddock	xx					
TALLY:	6	1				

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

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 4/30/81

ITEM AB 564 Revises provisions relating to probation for public
school teachers and administrators

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

Moved by Mr. Vergiels Seconded by Mrs. Hayes

AMENDMENT: _____

Moved by _____ Seconded by _____

AMENDMENT: _____

Moved by _____ Seconded by _____

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

TALLY: 7 0 _____

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

AMENDMENT: () Passed () Defeated () Withdrawn

AMENDMENT: () Passed () Defeated () Withdrawn

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 4/30/81

ITEM AB 555 Permits use of money for assistance to school districts
in construction and furnishings of schools.

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

Moved by Mr. Horn Seconded by Mrs. Hayes

AMENDMENT: (and re-refer to Ways and Means)

Moved by _____ Seconded by _____

AMENDMENT: _____

Moved by _____ Seconded by _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Beyer	absent	_____	_____	_____	_____	_____
Coulter	xx	_____	_____	_____	_____	_____
Foley	xx	_____	_____	_____	_____	_____
Hayes	xx	_____	_____	_____	_____	_____
Horn	xx	_____	_____	_____	_____	_____
Malone	absent	_____	_____	_____	_____	_____
Rackley	xx	_____	_____	_____	_____	_____
Vergiels	absent	_____	_____	_____	_____	_____
Craddock	xx	_____	_____	_____	_____	_____
TALLY:	<u>6</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 4/30/81

ITEM AB 565 Clarifies procedures for suspension or revocation of certificates by state board of education.

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	absent	_____	_____	_____	_____	_____
Coulter	xx	_____	_____	_____	_____	_____
Foley	xx	_____	_____	_____	_____	_____
Hayes	xx	_____	_____	_____	_____	_____
Horn	xx	_____	_____	_____	_____	_____
Malone	absent	_____	_____	_____	_____	_____
Rackley	xx	_____	_____	_____	_____	_____
Vergiels	absent	_____	_____	_____	_____	_____
Craddock	xx	_____	_____	_____	_____	_____

TALLY: 6 0 _____

ORIGINAL MOTION: Passed Defeated Withdrawn

AMENDMENT: Passed Defeated Withdrawn

AMENDMENT: Passed Defeated Withdrawn

Assemblyman Craddock, Chairman
Education Committee
Nevada State Assembly
401 South Carson Street
Carson City, Nevada 89710

RE: A.J.R. 35 (School Busing For Integration)

Dear Assemblyman Craddock:

It has come to ur attention through the media and our Clark County School Board representative, that your committee has proposed the above resolution to ban busing for integration in the state of Nevada.

We believe that our school representatives that are elected like you are, are closer to the school busing issue and therefore in a better position to analyze any problems and make corrections, if necessary.

Therefore, we the undersigned would like to go on record opposing any such resolution proposed by the Legislative Education Committee to ban school busing for integration.

If you will allow our local board to review the Sixth Grade Integration Plan, we are confident that the results as far as benefits received by youths are astounding.

<u>Signature</u>	<u>Address</u>
<u>Mercia S. Ransom</u>	<u>1112 E. Carey Apt. D</u>
<u>Leola A. Johnson</u>	<u>2624 Denna St.</u>
<u>Lueverna Mocklin</u>	<u>2205 Carter Cir.</u>
<u>Lody B. Reid</u>	<u>6675 Casa Linda</u>
<u>Alfred J. Reid III</u>	<u>6675 Casa Linda</u>

CC: Assemblyman Foley, Coulter, Hayes, Horn, Vergiels, Beyer, and Rackley

* * *

PLUS AN ADDITIONAL 66 SIGNATURES WHICH ARE ON FILE WITH THE SECRETARY TO THE EDUCATION COMMITTEE.

ADMINISTRATIVE REGULATIONSREPORTING TO PARENTS

514(d)

It shall be the obligation of the teachers and principal to make an early assessment of the skill level of each student. Where there is evidence that the student's level of skill development is such that he or she may not successfully complete the course of instruction, three steps shall be taken:

1. The parents will be called into conference and apprised of the teachers' concern and be given a summary of the area of weakness.
2. The teachers will outline a program of remediation and an explanation of this program will be given to the parents.
3. Periodic reports will be given to the parents (in addition to the report card) to inform them of pupil progress.

If, at the completion of the school year, in the judgment of the teacher or teachers and principal there is still significant basic skill weaknesses, the student may be recommended for nonpromotion. Parents will be given this recommendation in conference with the teacher and principal. If there is not concurrence with the recommendation on the part of the parents, the principal will have the final decision.

The philosophy to be carried out in these guidelines is that of early evaluation and diagnosis with a program of remediation. The major concern is for meeting the student's needs through an effective education program.

Emphasis is to be placed on developing the basic skills during the primary grades. Research has demonstrated that use of retention has been most successful when used in the primary grades.

All the district's resources are available in making evaluations and establishing an instructional program, including:

1. Classroom teachers
2. Principal
3. Counselors
4. Resource teachers
5. Psychologist
6. Community agencies that might have the special talents needed by some students

Adopted: 5-28-74

Revised: 8-26-80

ADMINISTRATIVE REGULATIONS

REPORTING TO PARENTS

5124(e)

Placement of New Children

Upon receiving a student who is new to the school, the principal accepts the grade placement designation provided by the school from which the student transferred. It should then be explained to the parents that this is a trial placement. If, at the end of a trial period the student is not able to compete successfully in the grade placement made, it might be necessary to make a revised assignment. This change of assignment shall be made in consultation with the parents so that they fully understand the reason for such an assignment. The final decision on the placement of the student rests with the principal.

General

The results of any conference held by the staff with the parents concerning possible nonpromotion will be recorded and placed in the student's cumulative folder. When a specific recommendation is made for nonpromotion, the parent shall be asked to acknowledge receipt of the recommendation. A copy of the recommendation and of the parent's acknowledgement will be placed on file in the student's folder and a notation made on the permanent record. This does not mean the parents agree with the recommendation, but that they are aware of such a recommendation. The principal will determine whether or not the student is to be retained.

Reference: NRS 392:125

Adopted: 5-28-74

Revised: 8-26-80

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

EXHIBIT C

April 30, 1981

Mr. Chairman, Members of the Committee:

The State Board of Education supports passage of A.B. 565. This bill simply returns language to NRS 391.355, section 4, that was erroneously omitted in the Codification Process after the close of the 1979 Legislative session. This particular portion of the statutes was modified earlier to provide that the State Board of Education be given final decision authority where suspension and revocation of certificates are concerned. It was not the intent of the Department of Education nor the State Board of Education that responsibility for the final decision be shifted to a hearing officer, although that is the way the statutes read currently.

Therefore, we request final decision authority be returned to the State Board of Education by passing A.B. 565.