MINUTES OF THE MEETING OF THE SENATE COMMITTEE ON FINANCE

SIXTY-FIRST SESSION NEVADA STATE LEGISLATURE May 13, 1981

The Senate Committee on Finance was called to order by Chairman Floyd R. Lamb, at 8:00 a.m., Wednesday, May 13, 1981, in Room 231 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Floyd R. Lamb, Chairman Senator James I. Gibson, Vice Chairman Senator Eugene V. Echols Senator Lawrence E. Jacobsen Senator Norman D. Glaser Senator Thomas R.C. Wilson Senator Clifford E. McCorkle

STAFF MEMBERS PRESENT:

Ronald W. Sparks, Chief Fiscal Analyst Dan Miles, Deputy Fiscal Analyst Candace Chaney, Secretary

OTHERS PRESENT:

(Please refer to Exhibit B.)

SENATE BILL NO. 484 - Requires prisons to contract for programs of education with schools.

Senator Sue Wagner testified in support of <u>Senate Bill No. 484</u>. Senator Wagner provided the committee a written handout of her testimony. (See <u>Exhibit C.</u>)

Senator Lamb asked if there was a difference in the type of prisoner being dealt with. Mr. Charles Wolff, Director of Nevada State Prisons, felt the prisoners were essentially the same.

Senator Glaser inquired if the testimony was asserting that the savings at the prison would more than offset the cost of the school district. Mr. Bill Bible, Fiscal Analyst, stated that what the Dept. of Prisons did when they prepared the fiscal note was simply indicate what their ongoing costs were for the academic programs. They made no attempt to assess how much it would cost to provide those services through a contract mechanism with the local school district. The Governor's Management Task Force developed a work paper which indicated the current program cost approximately \$329,000 and, indicated that the this educational program could be delivered at the prisons for \$100,000 for an approximate savings of \$230,000. He added the work papers indicated a need for one special education unit at each of the three institutions at a cost of \$18,000 per unit for a total of \$54,000. Using that estimate, the Task Force developed a total cost to deliver a similar program to that currently being conducted within the Dept. of Prisons of \$100,000. The subcommittee's primary thrust was improving the level of service and the quality of the educational experience that was being offered at the prison institutions.

Senator Lamb commented that he did not believe the programs could be conducted for \$100,000. Mr. Bible remarked the Senator would have to talk with someone from the Task Force regarding the cost effectiveness. Senator Wagner noted the subcommittee's point of view was that they felt the direction was appropriate as outlined in Senate Bill No. 484 in terms of services provided the inmates. She indicated the second point was the cost savings, if there were any.

Senate Committee on Finance May 13, 1981 of them.

Senator Jacobsen asked if there was any desire on the part of the prifor a more intensive academic program. Senator Wagner said the whole point was how best to deliver the academic courses. She indicated on page 29 of the report the enrollment figures were given. S said another question to be answered was whether to provide academic education courses. Senator Wagner noted she would support continuance

Senator Jacobsen remarked it might be better to go to some kind of correspondence course and let those that wanted to learn, learn in that manner instead of furnishing a complete system at the prisons which no one seemed to want to take advantage of.

Senator Wilson did not understand how the school districts would handle the prison academic programs for less than was presently being spent. He asked what kind of program could be bought for \$100,000. Mr. Bible said the submcommittee did not make a specific recommendation on the budget; the budget level came primarily from the Management Task Force. He felt what the Task Force was suggesting was that the an effective program would cost \$100,000; to deliver an enhanced level of program adequate for the inmate needs would be in the neighborhood of \$329,000.

Mr. Charles Wolff, pointed out some potential problems with the complete changeover from State employed academic teachers to contract services as mandated by <u>Senate Bill No. 484</u>. He indicated the department did not oppose the bill if it proved to be cost-effective and practical. The problems he foresaw included:

- A security problem in having community teachers coming into the prisons to instruct.
- Overall costs would be higher with the school district instructors.
- The school district had indicated that did not wish to take over 3. administraion of the academic program but would furnish teachers and materials to the classroom.
- In discussions with the Governor, a compromise had been arrived at to eliminating the entire current program. A pilot program would be started with regard to the programs proposed in Senate Bill No. 484 at the Southern Nevada Correctional Center.

If the pilot program proved to be cost effective and beneficial, it would be the department's intent to recommend to the next legislature that the contractual concept be utilized over the present State employee academic teacher system.

Senator Lamb noted that Mr. Wolff was contradicting himself by supporting the pilot program in Southern Nevada. Mr. Wolff said it was not a matter of believing in the program. He stated the subcommittee asked questions and the department was trying to cooperate with them to prove the effectiveness of the program using contractual services.

Senator Wilson asked if the department agreed with the Task Force recommendations with regard to the deficiencies in the present program. Mr. Wolff agreed with the recommendations. Senator Wilson inquired what were the department's recommendations for substantive improvement of the program. Mr. Wolff indicated there were a variety of ways to improve the academic system with the keeping of records, denoting class attendance, etc. He noted the classes started out with a much greater number of students but attendance may be very low at the end of class. He did not agree with the Task Force's statement that the present classes were used to keep inmates busy.

Senator Echols inquired if the department had any system of soliciting input from the inmates with regard to what they would like as far as academic courses. Mr. Wolff said there was no formal system for gathering such information but, the inmates did have a chance to express their desires

He stated his main concern was whatever was done, academic education should be provided to the inmates as they were entitled to it.

Ms. Jessie Walsh, academic teacher at the Women's Prison, testified with regard to <u>Senate Bill No. 484</u>. Ms. Walsh noted she had an extensive educational background within a correctional type of setting. She indicated a comprehensive program had been developed at the women's prison. She felt the population at the women's prison was psychologically and educationally parallel to the men's institution.

Senator Echols suggested that the committee go out to the prison and talk to a representative group of prisoners regarding the aforementioned.

Mr. Carl Swain, Supervisor of the Academic Program for the Northern Nevada Correctional Center, testified with regard to Senate Bill No. 484. Mr. Swain indicated that his group felt that a comparison of an academic teacher at the prison to a public high school teacher was not correct in that, the academic teachers did much more at the prison than simply teach. He said they were an integral part of the staff and had to perform custody duties.

Mr. Swain noted the academic teachers at the prison taught four hours a day which involved four completely different preparations, most of the classes being individualized because of the different achievement levels of the students. He stated the academic teachers also acted as counselors.

Senator Wilson asked what portion of the academic teachers activities was involved with teaching. Mr. Swain said the actual presentation of classes was four hours. He added that teachers, on a normal day, were putting in 90% of their time on academic functions.

Senator McCorkle noted one of his greatest concerns was the inability of a traditionally educated teacher to make the transition to teaching in a prison. Senator Wagnor stated, that until last week, she did not realize that the Department of Prisons was not going to support this bill. She indicated the system proposed by the bill had been used in other states with little problem. She felt teachers were there to teach an academic course and thus better prepare the inmate.

Senator McCorkle indicated his concern was the difficulty for the student. Senator Wagner suggested the Senator talk to the teachers concerning that issue. She noted, referring to the Hughes Heiss Report, those statistics suggested something different regarding the time teachers spent in the classroom.

Mr. Swain stated that at no time during the review that produced the Hughes Heiss Report, the report of the Governor's Task Force or that of the Interim Subcommittee, could he recall every being asked to talk to any of these groups. To his knowledge, they had never stepped into the education building at the prison. Senator Wilson asked if Mr. Swain knew as a fact that the subcommittee was never in the education building. Mr. Swain he spoke of only the time he was in the building. He reiterated that the subcommittee did not speak with his teachers or with him. Mr. Bible noted he personally went to the prison facility in Southern Nevada and spent a great deal of time with the academic teachers there.

Mr. Swain requested reiteration of what states Nevada was compared to which were using contractual services successfully. Senator Wagner indicated the state mentioned in the report was Texas which operated its own school district. Mr. Swain said he had contacted officials in Texas and stated that Texas had their school district totally funded from the State General Fund with an annual budget of 10 million dollars through the high school program, 12 million dollars if the contract services were counted for the college. An inmate in Texas could get a

Bachelor's degree inside the prison if he chose to do so. Mr. Swain added that school attedance was mandatory in Texas prisons if an inmate entered the institution at below the sixth grade level. If an inmate did not attend school, he worked on the farm. He noted that California contracted with the local school districts during the day and was trying to get legislative action to create their own school district similar to Texas.

Senator McCorkle commented that it seemed to him that the problem was lack of motivation for the inmates. He asked why the reward system was not used throughout the prisons that could be incorporated into an educational requirement. Mr. Wolff stated the reason why the reward system did not work as well in the male prisons was because of the sheer weight of numbers and the prison did not have the ability to program that number of people. He said they were looking at a number of things that would improve the incentive toward education. He noted academic programs were generally voluntary where the step system used in the women's prison were mandatory.

Senator Jacobsen requested Mr. Swain to tell the committee what was wrong and what was right with the committee and, what would make the system work. Mr. Swain said it was very difficult to motivate students on the street. He said the inmates in the prison could find more things that they had to do than go to school. He added the academic program was competing with a very excellent prison industry program where the inmate could earn a certain sum of money and, it also competed with various other programs. He stated that the academic program demanded five hours a day from the inmate whereas the other programs required less. He suggested inmates might have more motivation if they were given more work days per month if attending school, a small financial payment, etc. He noted the academic teachers, working in cooperation with the State Department of Education's help, had compiled a massive report regarding the master plan concerning academic programs for the prison which had never surfaced anywhere.

Senator Lamb asked if Mr. Swain was suggesting that prisoners be paid to go to school. Mr. Swain indicated that might be one of the motivational factors.

Senator Glaser remarked one problem might be that the prisoners did not have any goal oriented programs. He inquired if the inmates could receive a high school diploma, were they able to continue and get an Associate Degree through the community colleges, and, if they were able to achieve some kind of academic level, did that provide the parole board with good time off their sentence as motivation.

Mr. Swain stated an inmate regardless of what level of education he came from or involved with, received the same amount of work days off his sentence to shorten it. He could get ten days off a month if he was full time academic. He noted the prison's program had been accredited with respect to receiving a high school diploma through the Carson City School district. There was a community college program since 1978 and an inmate could receive an Associate degree (AA) which, presently, was as far as an inmate could go.

Senator Echols asked how the prisoners might be motivated. Mr. Swain stated he believed the prisoners needed somebody to make them do something such as making them go to school. He felt this could be accomplished by a step program. Senator Lamb commented that he believed this was the whole problem; they were dealing with prisoners and not public school students. Mr. Swain noted the prison population was becoming younger all the time and with that youth came academic deficincies.

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Senator McCorkle asked Mr. Swain why he thought there was not a step program in the men's institution. Mr. Swain said he did not know as he was not a corrections expert.

Senator McCorkle inquired of Mr. Wolff where Mr. Swain's report was. Mr. Wolff stated he had received it from Mr. Swain sometime ago, had read it but felt that by the time it was received, there was nothing they could do.

Senator McCorkle asked what work time credit was given for academic time. Mr.Wolff indicated that five hours of academic study was equivalent to one days work. The Warden noted that some inmates had jobs that could be completed in one hour.

Senator McCorkle felt that system did not inspire any motivation on the part of the prisoner to go to school. Mr. Wolff said the law read that you work or have an incentive program and, the inmate could receive from one to ten days for participation in those programs. An inmate participating on a fulltime basis in an academic program received ten days a month. No inmate inside the institution could receive more than ten days of credit per month if they went to school and worked. The warden stated there were inmates at the prisons going idle because there were no jobs for them due to overpopulation at the prisons.

Mr. John Riggs, academic teacher at the Northern Nevada Correctional Center, was asked by Senator Lamb if he agreed with Mr. Swain's testimony. Mr. Riggs said he did. Mr. Riggs added, referring to the academic teachers qualifications, five of the academic teachers had masters degress and had taken classes through the State Department of Education in correctional education. He felt that the academic teachers had a very good background in instructing the type of individual they dealt with which was not a typical high school student.

Senator Lamb inquired what would cause a teacher to instruct in a correctional institution rather than in a public school. Mr. Riggs said the pay was no better but the job offered a challenge.

Senator Wilson asked what recommendations Mr. Riggs would make to improve the academic system at the prison. Mr. Riggs indicated one of his major suggestions would be that there would be some type of requirement to make it mandatory that a person coming in with a sixth grade level of education go to classes. Senator Lamb commented that the prisons already had a very difficult time in requiring the prisoners to do anything they did not want to do. Mr. Riggs concurred.

Dr. Adele Somers, Nevada Administration of the Title I Higher Education Act, testified with regard to Senate Bill No. 484. (See Exhibit D.)

Dr. Clifford Lawrence, Superintendent of Schools for Carson City, testified with regard to this bill. He noted he was asked previously if the Carson City School District would be interested or willing to contract for administering the academic programs at the prison. He said the school district could provide contract services with the prison for certain instructional courses. He stated he would be very reluctant to take over the total administration in the educational program at the prison. He felt it could operate more efficiently the way it was designed. Dr. Lawrence believed that the problems that existed in the educational program there would probably be solved better through the existing structure than through a contract arrangement.

Mr. Chuck Neely, representing the Clark County School District, noted the Clark County School District was presently operating in contractual service for the Southern Correctional Center in Jean and, were desirous to continue that service. The District did not feel they should pay for the administration of the program but had no problem in offering instructional services.

Senate Committee on Finance May 13, 1981 Senator Jacobsen asked if prisoners were still allowed to go to schools outside the prison on their own volition. Dr. Lawrence indicated that this was not the case. Mr. Wendell Newman of the Department of Education, stated the department believed that the concept of the bill was worthy of consideration and added the department had not taken an official position on the bill. He urged the committee to look carefully at the bill as the department felt it had a lot of value. Senator Jacobsen remarked that it seemed to him that many times a bill had to surface before the Department of Education reacted. it was the department's job to determine the educational needs in the State. Mr. Newman said the department had been involved with the prison system so he believed there had been some ongoing dialogue relative to the academic and vocational programs. Mr. Glen DuBois representing the Governor's Task Force, suggested, after discussion with the Department of Prisons, an alternative which was a compromise. That would be to set up a pilot project as Director Wolff already indicated. He felt that would not invalidate the concept of the recommendation as proposed by the bill. SENATE BILL NO. 628 - Makes supplemental appropriation to labor commissioner for travel expenses. Mr. Edmond McGoldrick, Labor Commissioner, testified in support of Senate Bill No. 628. He noted this appropriation was needed for the in-state travel category in order to do work that was scheduled. The agency was unable to complete their duties as they were without funds. SENATE BILL NO. 629 - Makes supplemental appropriation to insurance division of Department of Commerce.

Ms. Patsy Redman, Acting Insurance Commissioner, stated that in January of 1980 the agency changed their licensing examination system from the administration part of the insurance division to a contract service. In order to be able to pay the contract the agency approached Interim Finance but did not take into consideration the increasing number of applicants and, consequently, the increased fees for contract services.

Ms. Redman noted there was a licensing bill under consideration that would eliminate the Insurance Division's participation in the examination process.

Senator Lamb inquired why the figure requested was an even \$10,000. Ms. Redman said that figure was just an estimate. Mr. Barrett added the division's fees were being deposited to the General Fund presently and, they were bringing in more than they were spending. At this point, however, the agency did not have enough in their budget to cover the costs of examinations for the rest of the year.

SENATE BILL NO. 644 - Revises procedure for allocating money from community training center fund for retarded persons.

Mr. Dan Paine, Associate Administrator for Mental Retardation, testified in support of <u>Senate Bill No. 644</u>. He said this legislation was recommended by the <u>Directors of the Community Training Centers through-</u> out Nevada. The division was in support of the provisions of the changes in the piece of legislation.

Mr. Paine noted this bill would put the smaller community training centers in a better position of projecting the fiscal affairs of their program to insure their survival.

Senator Gibson asked why the change in language as proposed by the bill

would give the centers greater security. Mr. Paine stated, in the past when enrollment had exceeded expectation, the mental retardation centers have had to reduce the per capita payment to the existing programs in order to provide services for new enrollees. The only limitation was that they could not fall below the \$400 per quarter per person in the existing programs. Senator Gibson inquired how would that be different if their budget figures were not increased. Mr. Pained indicated the section proposing to be changed put a limitation on the number of enrollees. If the budget was based on a per capita amount for an estimated number of individuals, the funds would be limited. He indicated if the program fell below five, the agency had no option but to terminate the program. The new legislation would enable the agency to continue to pay operating centers on a pro rata basis.

Senator Gibson asked if the agency's budget was based on the aforementioned approach. Mr. Paine said it was.

Senator McCorkle inquired if the new legislation had any effect on the centers business enterprises to raise additional monies. Mr. Manual Wedge of the Washoe County Association of Retarded Citizens, stated the bill had no relationship to the funds derived through the centers business enterprises. The present statutes did not prohibit the centers from having clients; it simply prohibited the centers from receiving additional funding for those clients over and above the number that had been established.

Mr. Vince Triggs and Ms. Myla Peterson of the Southern Nevada Association for the Handicapped testified in support of Senate Bill No.644. In addition, Mr. Triggs requested the committee to consider an increase for FY 1981-82 of \$114,060 over the Governor's recommendation and for FY 1982-83, \$269,052 over the Governor's recommendation for the budget of the community training centers. This represented a total increase of \$383,112. He felt this was a more realistic budget for the centers.

Senator Echols asked how many individuals were presently receiving services. Mr. Triggs stated there were 482 individuals receiving services under the CTC programs. He added there were 1,100 individuals in the State who fell into the category of moderate, severe, and profoundly handicapped.

Mr. Terry Allen, Executive Director of Opportunity Village in Las Vegas, testified in support of Senate Bill No. 644. Senator Lamb commented that Opportunity Village was a very successful operation. Mr. Allen concurred.

Mr. Allen noted he was very much in favor of the portion of the bill that stated the small CTCs may have their funding prorated if they dropped below five clients. He added the CTC funds only comprised approximately 40-45% of the total cost of maintaining a training center.

Senator Gibson requested a clarification of what he felt to be a contradiction; he said Dr. Paine indicated the funding for this bill was in the budget whereas Mr. Triggs stated they were actually requesting \$383,000 over what was in the budget, plus the authority to come to Interim Finance for funding. Dr. Paine said the only thing he meant to imply was that the changes that were recommended in the bill would not have, itself, a direct impact on the budgetary affairs of the program. Mr. Triggs was requesting monies over and above the budget.

Mr. Barrett noted the CTC budget was more than 50% Title XX monies which were slated to be decreased by 25% by the Federal administration. He asked if the bill guaranteed the amount that was in the budget, and would it guarantee those Federal dollars that were in the budget.

Mr. Wedge stated Mr. Barrett was correct.

Ms. Sherry Gamble, President of the Elko County Association for Retarded Citizens, testified in support of Senate Bill No. 644 on behalf of the rural areas which depended almost totally on CTC funding.

Ms. Ann Clancy, Coordinator of the Nevada Developmental Disabilities Council, testified in support of Senate Bill No. 644.

SENATE BILL NO. 630 - Makes supplemental appropriation for Lake's Crossing facility for the mentally disordered.

Mr. Ken Sharigian, Deputy Administrator for the Division of Mental Hygience, testified in support of Senate Bill No. 630. He stated this bill requested a supplemental appropriation in the amount of \$24,100 to the Lake's Crossing facility to be used exclusively for operationing expenses. Utility expenses would be approximately \$20,000 over the budget. Other expenditures would be reduced so the appropriation of \$24,100 would be sufficient.

SENATE BILL NO. 28 - Creates committee to select sites and design for prisons.

Senator Wagner provided testimony concerning this bill. The bill was a result of the subcommittee $\underline{A.C.R.}$ No. 41 and had been amended with an entirely different thrust from its original introduction.

The bill stated who would be members of the committee and when the committee would become effective. Senator Wagner felt one of the most important parts of the bill was in the clarification of legislative intent with regard to what criteria should be used in determining the proper site for a prison.

Senator Wagner said the only expense involved in the bill was minimal, somewhere in the area of \$7,000 to \$8,000 and would be for the public members of the committee appointed by the Governor and by the leadership of the legislature.

Senator Lamb inquired if the committee members would be entitled to per diem. Senator Wagner indicated they would. She added some members would be on State payroll and would not be on a per diem.

Senator Wagner said the thrust of the bill would be to do programming and better planning in terms of selecting sites of prisons than had been done in the past.

SENATE BILL NO. 524 - Requires state to continue to pay retirement contributions and group insurance premiums of certain disabled state officers and employees.

Senator Wagner noted this bill was at the request of SNEA. This bill was to continue the payment of retirement contributions and health insurance for state workers who were on temporary total disability under NIC.

At present, an employee who was on NIC had to pay his own health insurance unless receiving both sick leave and NIC. The time a person was on NIC did not count toward his retirement unless the employee was also on sick leave. The bill did contain the limitation of one year for this benefit.

Mr. Bob Gagnier, Executive Director of SNEA, stated the figures given by Senator Wagner were not an increase in cost and no additional funds were being requested to be paid. He suggested a change to the bill where the first section of the bill be in NRS. 284 and not in the retirement law where it had been put. He noted the second portion of the bill relating to health insurance was correctly placed in NRS. 287. Mr. Vernon Bennett, Director of PERS, was in agreement with the proposed change to the bill.

ASSEMBLY BILL NO. 335 - Makes appropriation for special equipment for division of forestry.

Mr. Lody Smith, State Forester Fire Warden, provided testimony regarding this bill. He noted this bill was for a \$50,000 appropriation for the replacement and installation of engines in an auto pilot for existing aircraft used extensively in the work of the Division of Forestry.

ASSEMBLY BILL NO. 356 - Directs sale of certain parcel of State land.

Mr. Roland Westergard, Director of the Department of Conservation and Natural Resources, testified in support of this bill. He indicated the bill would direct the State Land Registrar to administer, sell, or exchange a certain parcel of land. The parcel of land in question was 4.075 acres on Glendale Avenue, the former Forestry headquarters site. The land had been leased for a period of three years to Washoe County and the bill provided that before any sale could be made the proposal had to come back to the legislature or Interim Finance.

Senator Lamb inquired if there had ben appraisal on that piece of land. Mr. Westergard said there had been no official appraisal made. A private interest group made an informal appraisal and valued the land at one million dollars. Mr. Westergard felt that appraisal was conservative.

Senator Gibson asked if this was the site that was desired for the location of a jail. Mr. Westergard replied that this site was leased to the Washoe County Sheriff's Department as a jail facility for three years.

There being no further business, the meeting adjourned at 10:15 a.m.

Respectfully submitted by:

Candace Chaney, Secretary

APPROVED BY:

Senator Floyd R. Lamb, Chairman

DATED: May 20 - 8/

SENATE AGENDA

| | COMMITTEE MEETINGS | | | |
|------------|--|--------------------|------------------|-------|
| Cor | nmittee on FINANCE , | Room | 231 . | • |
| | Day (See Below) , Date (See Below) , | Time | (See Below) | |
| = | ***** | | •• | |
| 17 | REVISED AGENDA (May 11, 1981) | | * | |
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| | TUESDAY, MAY 12, 1981 | | | |
| 1. | 7:30 a.m. (Room 131) - INTERIM FINANCE MEETING. | | | |
| | TUESDAY, MAY 12, 1981 - 8:00 a.m. | | | |
| 1. | A. B. No. 360 - Creates exemption for nonprofit promote (Roy Tennyson) | ers of a | thletic events. | |
| 2. | A. B. No. 353 - Makes an appropriation for repair of rebuildings. (Mike Meizel) | oofs of | various state | |
| 3. | A. B. No. 435 - Makes appropriation for quail and quail county. (Joe Greenley) | l guzzle | rs in Clark | |
| 4. | A. B. No. 457 - Provides for reversion to state general made to attorney general. (Larry Structure) | | f prior appropri | ation |
| 5. | A. B. No. 473 - Creates office of advocate for customer within attorney general's office. (Las | | | |
| | WEDNESDAY, MAY 13, 1981 | | | |
| √1. | S. B. No. 28 - Creates committee to select sites and (Senator Wagner, Charles Wolff) | design f | for prisons. | |
| √ 2. | S. B. No. 484 - Requires prisons to contract for progreschools. (Senator Wagner, Charles Wol. | ams of e | ducation with | |
| | S. B. No. 524 - Requires state to continue to pay retigroup insurance premiums of certain diemployees. (Senator Wagner, Vernon Ber | sabled s nnett) | tate officers ar | nd |
| J 4. | S. B. No. 628 - Makes supplemental appropriation to la travel expenses. (Edmond McGoldrick) | bor com | missioner for | |
| √5. | S. B. No. 629 - Makes supplemental appropriation to in department of commerce. (Jim Wachams) | surance | division of | |
| 1 | S. B. No. 644 - Revises procedure for allocating money center fund for retarded persons. (Je | rome Gri | .pentrog) | |
| 7 | S. B. No. 630 - Makes supplemental appropriation for L for the mentally disordered. (Jerome | Gribenci | rog) | |
| √ 8. | A. B. No. 335 - Makes appropriation for special equipm forestry. (Lodie Smith) | ent for | division of | |

9. A. B. No. 356 - Directs sale of certain parcel of state land. (Roland Westergard)

SENATE COMMITTEE ON FINANCE

DATE: May 13, 1981

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|-------------------------------|--|--------------|
| NAME | ORGANIZATION & ADDRESS | TELEPHONE |
| WILEY PEARCE | 6 REX CIRCLE | 874-2080 |
| CAYL SWAIN | Dest. of Prisons - MIKE | 892.9202 |
| John HAWKIER | Now. Trace Salar Boards Acres | |
| Jesus Statel | Mest Hetherice- true of the | 884-9425 |
| John Allagon | D.O.P. N.N.C.C. | 883-9202 |
| BOX LIPROLO CO | GOO CORAL LUAY CARSON | 883-1557 |
| PERRY COMEMUX | l i h | 335-4166 |
| Steve Robinson | 11 11 | 11 11 |
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| MILLIEL WEDGE | Assoc. RetherED CitizENS WASHIC | 329-6693 |
| NINCE TRIGGS NYCH PETRESIN | SOUTHERN NEURDA ASSOCIATION FOR THE INTRACPART | 646-0275 |
| G.J. Allen | Oppositurty 1.11 ago - LAS /bgss | 384-8170 |
| Sherry Yearble | Elko Co a soc for Petro and Cetagen | 738-779/ |
| Lorvoine thambers | ELKU Co. Assin for Petorded Citizens | 1 |
| BOB GAGNICK | SNEA | |
| Sale inon | Corneby Asses for Persons 3 - 250 | 882 -8220 |
| CAROL METER | CHURCHILL ASSOC FOR PETAROTU CIT. | 423-4760 |
| NENDELL MEWMAN | Dept of Education | 845.5000 |
| Robert D. Westersed | Dot of Grandin | 935. 4360 |
| BRIEN LAHREN | DIN MARINE | 825-113 |
| Dan Paine | | 64 |
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> S_B. 484 May 13, 1981

MEMORANDUM

SENATE FINANCE COMMITTEE

FROM:

Senator Sue Wagner

SUBJECT:

S.B. 484--Requires prisons to contract for programs of

education with schools.

The origins of recent concerns over the adequacy and effectiveness of the academic programs being offered to inmates by the Nevada Prison System can be directly traced to budget action taken by both this committee and the Assembly Ways and Means Committee during the 1979 Session. At that time, both committees agreed in closing the Prison budgets that the academic teachers in the northern institutions should be centrally budgeted in the Director's office to allow their assignment to geted in the Director's office to allow their assignment to classes in which there was the most demand, thereby providing additional classes with larger daily attendance.

This recommendation followed a Ways and Means Subcommittee finding that the existing academic teachers were not being fully utilized (for example, the four teachers at N.N.C.C. were teaching a total of 14 classes) nor were the existing classroom facilities being fully utilized. In addition, the subcommittee estimated that only 7-13% of the inmate population was participating in these programs and the average completion rate was a little over 50%.

This concern carried over into the interim period between the 1979 Legislature and the current legislative session. During this period, the Prison System and its various aspects of the educational delivery system were studied by three separate groups. The interim legislative study subcommittee created by A.C.R. 41 of the 1979 Legislature studied the construction needs of the State Prison System and the effectiveness of the State Prison System in rehabilitating prisoners. Hughes-Heiss, Inc., Management Consultants, conducted a cost and productivity analysis of the Department of Prisons at the request of the Governor, the Department of Administration, and the Interim Finance

Committee's subcommittee reviewing the Department of Prison's budget. Additionally, the Governor's Management Task Force conducted a management review of a number of major governmental operations, including the State Prison, at the request of the Governor. All three of these reports had one common element in their analysis of the Department of Prisons: they all examined the academic educational system at the Department of Prisons and found that it could be substantially improved. Following is a brief review of each of the study's findings and conclusions as they relate to Prison academic educational programming.

The A.C.R. 41 subcommittee collected a great deal of data on teacher workloads and course enrollments at the Department of Prison's institutions. This data showed low inmate participation in the academic programs and low teacher workloads. In addition to the in-house academic educational efforts, the Clark County Evening High School offers classes to the inmates at the Jean facility through the Adult Diploma Program. At the time of the subcommittee study, courses leading to a regular high school diploma or a G.E.D. high school diploma were being taught in English, history, math and government; with enrollees being counted for Distributive School Fund apportionment purposes through the Adult Diploma Program discribed in NRS 387.1233. The State Department of Education reported to the A.C.R. 41 subcommittee during the course of their review that 1978-79 High School Diploma Program apportionments included an average daily attendance of 136 enrollees from S.N.C.C. This resulted in a payment of \$37,944 to the Clark County school district. In year 1979-80, average daily attendance was reported by the State Department of Education to be 104.5 enrollees at the Jean facility for a total payment to the school district of \$32,186.

The A.C.R. 41 subcommittee found that the Department of Prison's academic education programs are not efficiently and effectively delivering academic education services and recommended that the academic programs of the Department of Prisons be operated by local educational agencies. The subcommittee was particularly interested in this approach because of the example set by the Clark County Evening High School Program in terms of both inmate participation reports and effectiveness. The subcommittee envisioned that these academic services would be obtained from the local educational agencies through either apportionments from the Distributive School Fund as occur at the Jean facility for the Clark County Evening High School Program or through contract arrangements between the state and the local school districts.

The Hughes-Heiss study group analyzed the educational programs of the Department of Prisons and found that "academic teachers at the Department of Prisons are teaching 59% of the daily

classload of teachers for Washoe County School District" and indicated that only the academic teacher at N.W.C.C. is carrying a classload that meets the Washoe County School District standard. They found that "the three academic teachers at S.N.C.C. (state employees) are teaching a sum total of only 2 classes to a total of 18 students" and that "this classload is equal to 14% of that carried by teachers for the Washoe County School District." They further found that "the primary reason for this accomplished by other agencies including Clark County Community College and Clark County Adult Evening High School" and that "the academic teacher's primary function at present is to 'baby-sit' the building while these classes are being taught by the other agencies and to be available on an 'as needed' basis to assist inmates in resolving learning problems." As a result of their analysis, Hughes and Heiss recommended the elimination of one academic teacher at the Nevada State Prison, one academic teacher at Northern Nevada Correctional, and one academic teacher at S.N.C.C. The Executive Budget recommends the deletion of one teacher at S.N.C.C. and one teacher at the Nevada State Prison.

The third group which studied the educational needs of the State Prison--the Governor's Management Task Force--found, in recommendation number 140, that "the academic programs administered by the Department of Prisons have no documented educational goals due to the lack of long-term planning," and that "inmate attendance is poor, inflating the instructional cost." The back-up material on this recommendation cited the following reasons, among others, for an ineffective academic program at the Department:

- "1. The administration uses these programs as a means to keep inmates "busy" and has no documented educational goals.
- 2. Long term planning and lesson plans do not exist.

3. Attendance is poor which makes student hours per instructor hour costly. Presently at NNCC, for example, an average quarter will have 120 enrollments for 5 instructors. There are four classes per teacher which makes twenty classes offered for the 5 instructors. The completion rate as a percent of enrollments has averaged 40%. The above statistics interpolate into the following:

6 enrollments per class
2.4 completions per class
approximately 3 student hours per instructor hour."

S.B. 484 May 1981 Page 4

The Governor's Task Force's solution was to "eliminate all academic programs from the Nevada State Prison administration and place them under the direction of the appropriate school districts, e.g., Carson City School District and Clark County School District." They also recommended that the appropriate school district, the Community College Division of the University of Nevada and the Department of Education should study each institution's educational needs. The Governor's Management Task Force indicated that "financial support should be based on average daily attendance, supplemented by special education funding as stipulated by state law" and estimated an annual savings of \$230,000.

The findings of the three studies reviewed above are indications of the Department of Prison's inability to deliver academic services efficiently. The A.C.R. 41 subcommittee felt that the contract method with local school districts offers an excellant opportunity to enhance the delivery of academic programming to inmates based upon the experience of the Clark County Evening High School and the Southern Nevada Correctional Center. Although a detailed funding method was not worked out by the subcommittee at the close of their study the Governor's Task Force estimates that through contracting with the local school districts, an annual savings in excess of \$200,000 may be realized.

It is important, however that this committee realize the main thrust of S.B. 484, is not to deprive inmates of academic educational opportunities, but rather to more effectively provide these programs.

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Report No. Lame 5 NE DA STATE PRON Recommendation No. 9

Date Prepared 8/14/80 Date Revised 8/27/80 Page 2 of 3

Problem, Solution, Benefit (consinued)

- 5) Prison administration places low priority on academic programs.
- 6) The prison administration has not demonstrated advanced planning and often uses the instructors to keep the inmates "busy" instead of following a program.
- 7) NRS 209.391 requires the director to provide certain statistics at least annually on:
 - a) number of participants and completions
 - b) effectiveness of educational programs

Such information has not been provided as required in the statutes and helps demonstrate the administration's low priority for educational programs.

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Eliminate all academic programs from the Nevača State Prison Administration and place them under the direction of the appropriate local school districts, e.g., Carson City School District and Clark County School District. Furthermore, the appropriate local school district, the Community College Division of the University of Nevača, and the Department of Education should make a study of the educational needs within each institution of the Department of Prisons.

Financial support for secondary education should be based upon average daily attendance (ADA) and special education funding as provided in NRS 387.1221.1(e) and 387.1233.1(5). A consultant with the Department of Education estimates the need for one special education unit at each of the three male prisons, which at a cost of \$18,000 per unit equals \$54,000. He also estimates that at the current enrollment level the education costs should be \$100,000; with an improved program of four classes per institution

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Report No. Recommendation No. STATE PRISON Date Revised Date Prepared Page 8/14/80 8/27/80 of 3 3

Problem, Solution, Benefit (continued)

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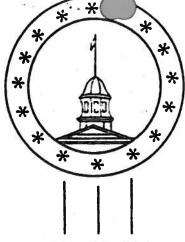
the cost would be approximately \$350,000 per year. The current ineffectual academic program is costing the state \$329,000: with a salary of \$308,000 and supplies of \$21,000. Thus, continuing the current level of education would save \$229,000 and the net additional cost for a more effective and cost efficient program is \$75,000 over the current level. Eenefit .

The primary benefit would be a meaningful academic program forinmates that would help them upon entry back into society. The transfer to the local school districts would take the administrative load off the Director of Prisons and give this task to more experienced persons in the educational field. Academic programs could be measured against the districts' other programs and performance standards.

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Dr. Clifford J. Lawrence, Superintendent

Carson City School District

CARSON CITY, NEVADA 89701

1402 West King Street - Post Office Box 603 - (702) 885-6300

April 15, 1981

Senator Sue Wagner Nevada State Legislature Legislative Building - Room 371 Carson City, Nevada 89710

Dear Senator Wagner:

As a follow-up of our conversation on April 14, 1981, concerning S.B. 484, I am providing you with the information you requested.

As I indicated in our conversation, the Carson City School District would be willing to provide, on a contract basis, all of the courses normally required for an adult inmate at the prison to receive a high school diploma. Through this contractual arrangement we could provide the teachers, instructional materials and the necessary coordination through our adult education program.

As far as administration is concerned, it is our feeling that management of facilities, scheduling, counselling, discipline, etc. could best be handled by the prison staff. The best possible arrangement probably would include the provision of a full time prison staff member to provide administrative direction for the total program and to serve as liason between the school district adult education staff and the prison. This person would be responsible to request contracts through the school district and to insure that the facilities and the proper number of students were scheduled for the courses. The school district staff would employ and supervise the teachers, provide the necessary paper work, transcripts, etc.

The following are the courses the district could provide:

English, I, II, and III
General Math
Science
U.S. History and U.S. Government

These are the requirements for our adult diploma program.

AN EQUAL OPPORTUNITY EMPLOYER

Senator Sue Wagner Page 2

If the above proposal appears to be acceptable, I would recommend that S.B.484 be ammended to delete the brackets now surrounding "general education" on line 19 of the first page, and line 14 of the second page. With these changes it appears the bill could be administered in accordance with the above proposal.

If I can provide additional information, please feel free to contact me.

Sincerely,

Clifford J. Lawrence, Superintendent

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PRESENTATION TO FINANCE COMMITTEE MEMBERS IN SUPPORT OF PASSAGE OF SENATE BILL 484

by Adele Somers, Ed. D. Educational Sociologist; Nevada Administrator Title I Higher Education Act; Community Development Director, Continuing Education, University of Nevada-Reno.

My own views are expressed in this presentation.

The violence which erupts in the Nevada prisons can be attributed in part to the minimal vocational and educational programs which are in operation. Sufficient funding for vocational and educational programs is needed to assist in the rehabilitation of inmates.

The Federal Bureau of Prisons estimates that as many as 50 percent of adults in State and Federal facilities can neither read nor write. Two-thirds of the immates have had no vocational training of any kind. Dr. Dallas Reed, Coordinator of the Criminal Justice Department at the University of Nevada-Las Vegas, points out that this adult population desperately needs adult basic education programs to improve basic literacy, linguistic and computational skills; secondary and general education diploma programs; vocational education programs to extend saleable skills; and social education programs to develop skills in problem solving, group living, conflict resolution, decision making and consumer choices.

I have visited all the Nevada Correctional Centers and found that staffing, educational and vocational training programs are minimal. I observed that the majority of the inmates are young. According to Max Neuneker, the average age in the Nevada Correctional Centers is about twenty-four years old, and the average stay in the medium and minimum correctional centers is twenty-two to twenty-four months.

Sylvia McCollum, Education Program Director for the Federal Bureau of Prisons, informed me that Nevada has a small enough system to have an exemplary system. Correctional education programs should reflect the needs and desires of potential students. It is important that correctional education and training programs provide quality instruction. In the past and the present education and training receive minimal support from inadequate correctional institution budgets in many prisons. Security, food, lodging, and other operating costs have higher priorities. Education and training have ended at the bottom of the priority list in competition for scarce correctional budget dollars. There must be a separate funding for education and training programs in correctional centers. There is much evidence that the majority of all prisoners lack marketable skills and have no history of stable employment regardless their scademic achievement. There is a need to develop relevant and varied courses in which quality instruction is provided.

Title I Higher Education Act with its minimal funds has provided college courses for inmates at the Southern Nevada Correctional Center by the University of Nevada-Las Vegas, and Clark County Community College. As a result of these model projects, Clark County Community College has instituted over 8 courses to serve the inmates. The Title I Higher Education Act funded training

in academic subjects (credit courses) and special interest courses (non-credit programs). The inmates are very enthusiastic about these quality educational opportunities and have expressed their concern for the continuation of the courses. I will read excerpts of their letters.

...We need more programs. There's not enouth education at Southern Nevada Correctional Center. I do hope that the Governor and the State will take consideration in the limited education that they're providing us and continue to let the ones who want and need the help to further their education. The concern and consideration of the State is greatly appreciated in this matter.

We are in desperate need of more college, high school, and tutoring classes. We can only rehabilitate ourselves if there is knowledge to participate in. As you know we have very little in some fields, and in tutoring we have none. See everyone isn't fortunate to have had the success of even reaching a high school or college level. So therefore he's the individual who loses out completely. Being he's not educated, means he's gonna hang out with poorly educated inmates and no progress is made. And being unaware of his education weakens the chances for a more meaningful life style. 65% are those who need tutoring and can't receive it.

We are in need of vocational courses and college courses geared to a degree. Thank you for visiting us and would appreciate anything you can do to help us.

The programs we have are good but there isn't enough of them. They don't go far enough in any field. Some people need vocational training, while others would be better off in forms of higher education. As far as myself I would prefer business courses to help me in a career on the outside. There isn't enough courses offered. Some of the prison population are repeaters so it seems to me the prison board should go the State Government and present the facts. Educating these people would save all governments money in the long run.

....We have made mistakes in the past and are trying to better ourselves. I can personally say the importance of this educational opportunity will not be wasted. I intend to continue my education upon my release and at this time classes are extremely constructive to my rehabilitation. The goals that I would like to see accomplished while I'm incarcerated are the continuation of the educational process at all levels. We are all different in our ambitions but it's common knowledge that without the proper training and educational experience we will fail...Amongst my friends and associates I can see the excitement that school has brought to them. You have my full support in whatever is needed to guarantee the continuance of the educational process.

I think the Title I program for education is very beneficial to the inmates education and mental rehabilitation. This is a very positive and worthwhile program in the fact that it is expanding the minds of men who desperately need a direction in education and just a better outlook on life. The Jean facility is a good prison and could very easily set the mode or pace for future prisons in this country.

Rusling and Mello, inmates at the Maximum Facility, recently stated in a Nevada Journal article, "There are no academic classes. Just high school level, that's all. You spend all this time, and you can't put it to some kind of use.

It is predicted that the total prison population will be 2,600 by 1983. Skills training centers can be established through the colleges and universities. An education and vocational training contract or agreement with colleges and universities could provide the needed services for the inmates. Both Ted Sanders, State Superintendent of Instruction, and Director Charles Wolfe have had successful experiences with these kinds of contract programs in other States.

The Nevada Correctional Centers can become a model State system. It is necessary and imperative to provide for adequate funding to retrain, and retool inmates to return to communities with adequate social, academic, and vocational skills. Correctional institutions must proceed on the educational track if they are to become truly effective change agents in the lives of the inmates. Inmates should be returned to communities with an employable skill or trade to generate adequate remuneration.

It is imperative that Senate Bill 484 to require the State Board of Prison Commissioners to enter into agreements or contracts with schools to schools to establish programs of general education at the prisons is passed for the educational rehabilitation and vocational training for the inmates.

Now is the time to act! Education is an entitlement! is a human right!

Dear Lovernor List Thursday In an enmite at SNCC-Jean, Nev. I think this Title I program for Education here is very benifical to the immates education an mental Rehabilatation. There are lote of men who wish to have the Title I Education program continued. of men who despratly need a direction in education and just a better outlook on like in The Jean facility is a good prison and Could Very easily set the mode or pace for future prisons in this country.

and by further alocating funds for Title I and other vocational skills, De will make this enstatution a truly Rehabilatative one. I think you very much for you time and any further considerations for Title I for SNCC, Jean Nev

Tale: Nov 1,19:19

Vacace E. Buton G. E. Bay 100 Jean, 1/ kw 89019 Hovember 1, 1979 adde Somers, Ed. D. Coordinator of Community Development Consumity Service + Continuing Education. College Iron University of Merada, aeno Geno, Mirada 89557. Wear Kr. Somers: We here at S.M.C.C.'s Lociology class, under Wr. Reed, appreciate the visit and show of concern you paid us. Knowing that someone in society, as yourself, is trying and hoping for the betterment of inmates is a relief for all of us. or discipled is very disjusting. Immates here at S.N.C.C. are not provided with adequate educational programs as it is with Title 1. To eliminote the little we do have would be a disaster for us all.

as it now stands we need more programs. There's not enough education at S. N.C.C. and we're not able to obtain it on Campus, like the innectes do at N.N.C.C. (STEWART). I do hope that the Lovenor and State will take consideration in the limited education that they're now providing us with and continue to let the ones who want and needs the help to further their education. The concern and consideration of the State is greatly appreciated in this matter. Lincerly Yours, Charewe C. Durton

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Ms. ADELE Somers, ED. D As to our LAST DISCUSSION LAST Thresony (10-25) in class ID like to elaborate and ado a matter in which I feel. is in GREAT DARKNESS. IN EDUCATIONAL STATUS, WE, AND I Speak for those whom I share large Amounts of time " ; We are in Desparate NECD Of More COLLEGE, High Som AND TUTURS CLASSES. WE CAN ONLY REHABILITATE OVESELF 17 there is something Knowledge bound to partisipate IN. As you know we have very little in some fields. AND in Turor WE have NOVE. SEE EVERYONE ISN'T FORTUNATE ENGLEH to have A the success of Even_REACHING A High School OR COLLEGE LEVEL So therefore he's the individual who coses out completely. Being he's NOT ECHONTED , MEANS he's GOVER HANG WITH PODRLY EDUCATED INTERES AND NO PROBRESS IS MADE, AND BEING NON. AWARE OF his EDVENTION ON WEAKEN the Chances for A MO meaninaful lifestyle. Those who increase their KnowlEDGE, AR Those who have been there. But 65% ARE those who NEED terrosino AND CANT RECIEVE IT DUE to STAFF OR JUST. NOT - being murre of this situation. So I personally feel that we need a more sensible staff to this problem and IF NOT, the INMATES ARE MORE THAN WILLING to SUPPLY there knowledge they behold. Respectagey Sinoll of Williams

Near Mrs. Summers Often your visit to our class of Jean the other night. I started thinking of different kinds of classes needed in the prison system. The program we have are good their isn't enough. of them. They don't go for enough into any field. Some people need vocational training, while others would be letter of in forms of higher education as far my self L'would préfer husiness courses to help me in a career on the out side. as it stand now I will have knowledge in several fields but they don't lead to any one college degree only but & pieces. There isn't enough courses offered. The prison population beap growing some of the population is repeaters so if seems to me the prison hoard should go to the state government and present the facts _ about 8500 of perdee are pipeature. Education these people would save all governments money in the long run. Thomp you Thomp alder

STATE OF NEVAN

DEPARTMENT OF HUMAN RESOURCES



ROBERT LIST, GOVERNOR



MYRL NYGREN, ADMINISTRATOR

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL 505 EAST KING STREET, ROOM 502 CARSON CITY, NEVADA 89710 TELEPHONE (702) 885-4720

Hay 13, 1981

TO:

Senate Finance Committee

FROM:

The Nevada Developmental Disabilities Planning Council

SUBJECT: SENATE BILL NO. 644

The Nevada Developmental Disabilities Planning Council, whose members represent severely handicapped citizens across the State, endorse the intent of Senate Bill No. 644. Many clients of the DD Program attend The Community Training Centers, and the DD Council has applauded the achievements of the CTC Program over the years.

SB 644 will protect existing CTC programs; however, the Nevada DD Council encourages the Committee toward continued and increased support for these most handicapped citizens.

The Council also supports the Bill's provision for small Community Training Centers located mostly in the rural areas whose needs the DD Council has felt directly.

AWC:jr

U-218