

MEMBERS PRESENT: Chairman Horn
Vice Chairman Bedrosian
Mr. Barengo (late)
Mrs. Cavnar
Mr. Malone

MEMBERS ABSENT: Mr. Harmon
Mr. Hickey

GUESTS PRESENT: Ted Sanders, State Board of Education
David W. Hansen, State Board of Education
Joan Kenney, State Board of Education
Rosemary Clark, State Board of Education
Ray Ryan, State Board of Education
George Earnhart, State Board of Education
John Hawkins, Nevada School Boards
Senator Jean Ford
Assemblyman Doug Webb
Sam Mamet, Clark County
Russ McDonald, Washoe County
Erik Beyer
Donald A. Rhodes, Chief Deputy Research Director

Chairman Horn called the meeting to order at 3:15 p.m. and informed the committee that they would hear testimony on SB 239.

SB 239: Allows certain persons who own property in general improvement district but reside outside district to vote in district elections.

Sam Mamet from Clark County said that this was not their bill but he could give a little background for the committee. He said that this bill arose from a problem that Senator Blakemore had in a 318 district which is a general improvement district. He added that the bill as originally written caused many problems and that he and Russ McDonald had worked with Senator Blakemore to correct these problems. He noted that the bill now corrects the original problem by allowing a person who is already registered to vote to vote in a general improvement district election without reregistering.

Since there was no further testimony at present on SB 239, Mr. Horn indicated that the committee would now hear testimony on AB 726 and asked Assemblyman Doug Webb to explain his bill.

AB 726: Revises procedures for cancellation of certain affidavits of registration to vote.

Assemblyman Doug Webb, Washoe District 32, said that this bill basically did two things: One, on page one the italicized print allows the county clerk to send a card to a voter to verify that he is actually living where stated on his voter registration and on page two allows for a hearing if a discrepancy is found in the registration. Secondly, it provides for a mailing of a card to each registered voter on February 1st following an election which

must be completed and returned to the registrar of voters in order to sustain registration. Mr. Webb noted that this was a means of updating the voter registration lists used by all candidates during a campaign and used by the registrar for the mailing of sample ballots. He added that in Washoe County invalid registrations were about 35 to 40 percent of the total registered voters. He indicated that the cost to the counties would be for one mailing as opposed to mailings done by 100 or more candidates.

When Mrs. Cavnar asked what the fiscal impact would be to the counties, Mr. Webb replied that the cost would be one first class mailing and the cost of the cards and that he felt that the fiscal impact would be offset by the future savings in labor during elections. When Mrs. Cavnar mentioned an additional cost in light of spending caps, Mr. Webb stated that candidates would most likely be willing to pay an additional penny per name on purchased mailing lists which would bring the cost to two cents per name.

Erik Beyer, a candidate during the last election, showed the committee a stack of returned mail because of incorrect addresses obtained from voter registration lists. He said that he found there were people still on these lists who had been gone from that address for six or seven years. He pointed out with AB 726 there would be a savings to the registrar in mailing out sample ballots and that it would reduce the chance of voter fraud.

Russ McDonald from Washoe County pointed out that at present as long as a person votes in each election unless he is challenged at the polls can continue in his original district. He said that Mrs. Rollins, Registrar of Voters in Washoe County, noted that there might be some difficulty with enough personnel to handle hearings if they occurred near the time of close of registration or an impending election. He commented that in Washoe County they attempted to retrieve undeliverable sample ballots from the postmaster.

Sam Mamet from Clark County said that George Ullum, Registrar of Voters in Clark County, had indicated that the cost for mailing in that county could be between \$5,000 and \$10,000 but they had no major objections to the bill.

Since there was no further testimony on AB 726, Mr. Horn said the committee would now consider AB 180.

AB 180: Revises composition and manner of selection of state board of education.

Mr. Horn indicated that he had asked Mr. Donald Rhodes, Chief Deputy Research Director, to speak to the committee since he had worked with the subcommittee during the interim.

Mr. Rhodes pointed out that in his position he could neither be a proponent nor an opponent to legislation but would give some background to the bill. He continued with his prepared testimony which is attached to these minutes as Exhibit A. He also

presented each committee member with a copy of the report of the interim subcommittee to the Legislative Commission a copy of which is on file with the secretary of the Elections Committee in Room 336.

Ted Sanders, State Superintendent of Public Instruction, read his testimony in opposition to AB 180 a copy of which is attached to these minutes as Exhibit B.

During Mr. Sanders testimony in which he stated that Nevada citizens chose to retain elected justices in the 1972 General Election, Mr. Horn questioned the comparison of justices to elected educators. Mr. Sanders replied that in this post Watergate era he felt that people were interested in keeping as many elected officials as possible and that frequently appointed boards become advisory in nature rather than policy making.

When Mr. Horn questioned his remarks concerning debate and an inhibited appointed board, Mr. Sanders said that he contended contrary to Mr. Rhodes statement that debate centered on controversy is healthy and not counter-productive.

Rosemary K. Clarke, President of the State Board of Education, read her prepared testimony which is attached to these minutes as Exhibit C. During her testimony she quoted a note from Fred Dailey, President of the Washoe County Teachers Association, a verbatim transcript of which is attached to these minutes as Exhibit D.

When Mr. Horn asked why 32 out of 50 states had appointed boards, Mrs. Clarke pointed out that some of those states may have started out with appointed boards and have continued in this manner. She added that last week she was contacted by the education committee in Oregon in regard to a bill before their legislature to make their appointed board elective. She stated that she felt the elective system had worked well in Nevada and she saw no reason for change.

When Mr. Horn questioned whether the best people were always elected, Mrs. Clarke asked if the best people were always appointed. She commented that she had recived 30,000 votes in the last election which she felt showed that people did care and that she felt there was no study that really pointed out the better way.

David Hansen, reelected for a second term as a member of the Board of Education, said that for the past twelve years he had been the principal of Anderson School in Reno. He commented that when he had appeared before the TRPA which was appointed by the governor, he had talked with a member of that agency who indicated that he could not vote in favor of the presented project because Governor O'Callaghan had told him how to vote. He stated that no one could ever tell him how to vote and that he was responsive to the needs of the electorate which he serves. He added that the voting public of the State of Nevada usually make the right and intelligent decision.

Mr. Hansen commented that the Board of Education at present was diverse in composition and represented the people of the state. He added that he felt that an elected board as a group makes excellent decisions on behalf of the educational process in the state.

John Hawkins representing the Nevada School Trustees Association stated that this association was in opposition to any other way than the present system of electing the members of the Board of Education. He agreed with previous statements that the board was a reflection of the voters and should not become a political entity.

Mr. Horn concluded the hearing on AB 180 and asked the secretary to schedule a work session for the following Monday, May 7th.

Mr. Horn then called a two minute recess to call Senator Jean Ford to explain SB 239 to the committee.

Mr. Horn called the meeting back to order when Senator Ford arrived and asked her to speak to the committee on SB 239.

SB 239: Allows certain persons who own property in general improvement district but reside outside district to vote in district elections.

Senator Jean Ford, Clark County District #3, pointed out that the summary of the original bill was very different from the current bill. She added that the original bill would have made a substantial change to present election laws. She explained that when new laws concerning general improvement districts were passed in 1977 there was some misunderstanding concerning separate registration for general improvement district elections. She noted that the real basis for the bill was on lines 13 and 14 of page 1 which reads, "If a person residing within a district is otherwise registered to vote, no new registration for district elections is required." She added that the section on the second page referring to the charge of 15 cents per person was moved from the first page of the bill at the bill drafter's suggestion. She noted that there was no opposition in the Senate to this bill.

Senator Ford explained that SB 515 had passed the Senate that morning on Consent Calendar and that this bill makes one change that could be incorporated in SB 239 by amending the bill by adding the words "the close of" between "before" and "registration" on line 13 of page one.

Mr. Barengo moved to AMEND SB 239 by adding the words "the close of" on line 13 and DO PASS, seconded by Mr. Malone and unanimously carried by the members present with Mr. Hickey and Mr. Harmon absent.

Since there was no further business to come before the committee, Mr. Horn adjourned the meeting at 4:15 p.m.

Respectfully submitted,

(Committee Minutes)

Patricia Hatch
Patricia Hatch, Assembly Attache

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60th NEVADA LEGISLATURE

ASSEMBLY ELECTIONS COMMITTEE

LEGISLATION ACTION

DATE APRIL 30, 1979

SUBJECT SB 239: Allows certain persons who own property in general improvement district but reside outside district to vote in district elections.

MOTION: AMEND AND DO PASS

Do Pass XX Amend XX Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Barengo Seconded By Mr. Malone

AMENDMENT: Line 13, page 1, insert "the close of" between "before" and "registration"

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>
BEDROSIAN	<u>X</u>	_____	_____	_____	_____	_____
BARENGO	<u>X</u>	_____	_____	_____	_____	_____
CAVNAR	<u>X</u>	_____	_____	_____	_____	_____
HARMON	<u>absent</u>	_____	_____	_____	_____	_____
HICKEY	<u>absent</u>	_____	_____	_____	_____	_____
MALONE	<u>X</u>	_____	_____	_____	_____	_____
HORN	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	<u>5</u>	<u>0</u>				

ORIGINAL MOTION: Passed XX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

A.B. 180

(BDR 34-35)

THIS BILL COMES FROM ONE OF THE RECOMMENDATIONS OF THE INTERIM SUBCOMMITTEE TO STUDY THE STRUCTURES AND FUNCTIONS OF THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION. AFTER REVIEWING TESTIMONY, OTHER STATES' PRACTICES, COMMENTS MADE BY THE DEPARTMENT OF EDUCATION'S STAFF, AND THE PRACTICES OF THE EXISTING STATE BOARD OF EDUCATION, A MAJORITY OF THE SUBCOMMITTEE'S MEMBERS CONCLUDED THAT THE TIME HAS COME IN NEVADA TO CHANGE THE METHOD BY WHICH PERSONS ARE SELECTED TO SERVE ON THE STATE BOARD OF EDUCATION. THE BOARD NOW CONSISTS OF NINE MEMBERS ELECTED FOR 4-YEAR TERMS. A MAJORITY OF THE SUBCOMMITTEE BELIEVED BOARD MEMBERS SHOULD BE APPOINTED BY THE GOVERNOR.

THE STATE BOARD OF EDUCATION WAS CREATED BY CHAPTER 133, STATUTES OF NEVADA 1911. INITIAL COMPOSITION OF THE BOARD WAS THE GOVERNOR, THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE PRESIDENT OF THE UNIVERSITY. SINCE 1911 THE METHOD OF SELECTING MEMBERS FOR THE BOARD HAS BEEN MODIFIED SEVERAL TIMES. STARTING IN 1931, BOARD MEMBERS HAVE BEEN REQUIRED, BY LAW, TO BE ELECTED. OVER THE YEARS, THE LAW HAS ALSO BEEN AMENDED TO PROVIDE FOR CERTAIN APPOINTED MEMBERS ON THE BOARD. EXISTING LAW PROVIDES THAT ALL NINE BOARD MEMBERS BE ELECTED FROM THREE DIFFERENT ELECTION DISTRICTS (FIVE FROM CLARK COUNTY, TWO FROM WASHOE COUNTY, AND TWO MEMBERS FROM THE REMAINDER OF THE STATE).

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ACCORDING TO THE EDUCATION COMMISSION OF THE STATES, IN 32 STATES THE GOVERNOR APPOINTS AT LEAST THE MAJORITY OF THE MEMBERS TO THE STATE BOARD OF EDUCATION.* THERE APPEAR TO BE SOUND REASONS FOR SUCH METHOD OF SELECTION, WHICH WAS RECOMMENDED TO THE SUBCOMMITTEE BY A MAJORITY OF THE STATE DEPARTMENT OF EDUCATION'S STAFF AND BY CERTAIN SUPERINTENDENTS OF SCHOOLS.

REASONS FOR AN APPOINTED BOARD OF EDUCATION INCLUDE:

- A. THE GOVERNOR CAN CONSTITUTE THE BOARD AT A MINIMAL COST TO THE STATE.
- B. A BOARD WHOSE MEMBERS ARE APPOINTED BY THE GOVERNOR IS IN A BETTER POSITION TO PRESS FOR NEEDED EDUCATIONAL IMPROVEMENTS AND SUPPORT THROUGH THE EXECUTIVE BRANCH OF GOVERNMENT THAN IS A BOARD CONSTITUTED BY OTHER MEANS.
- C. GEOGRAPHIC REPRESENTATION, ESPECIALLY FOR RURAL AREAS OF THE STATE, CAN BE ENSURED ON AN APPOINTED BOARD.
- D. BROADER SOCIOECONOMIC AND ETHNIC REPRESENTATION CAN BE ENSURED ON AN APPOINTED BOARD.
- E. APPOINTED BOARDS EXPERIENCE LESS CONFLICT IN DECISIONMAKING.

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- F. THE COHESIVE NATURE OF AN APPOINTED BOARD PERMITS IT TO ACT IN AN UNIFIED MANNER IN ADVANCING EDUCATIONAL POLICY PROPOSALS IN THE LEGISLATURE.
- G. THERE IS EVIDENCE, BASED ON AN INVESTIGATION OF SCHOOL DESEGREGATION POLICYMAKING, THAT APPOINTED BOARDS ARE MORE LIKELY THAN ELECTED BOARDS TO ACT ON VOLATILE ISSUES AND TO ADOPT UNPOPULAR POSITIONS FOR THE SAKE OF LONG TERM EDUCATIONAL IMPROVEMENT.
- H. THE RESULTS OF A SURVEY CONDUCTED AMONG PERSONS ATTENDING SELECTED MEETINGS OF NATIONAL ORGANIZATIONS CONCERNED WITH EDUCATIONAL GOVERNANCE AND PARTICIPANTS IN A SERIES OF REGIONAL MEETINGS ORGANIZED BY A NATIONAL EDUCATIONAL GOVERNANCE PROJECT (AS REPORTED IN THE PUBLICATION STATE POLICYMAKING IN THE PUBLIC SCHOOLS) SHOWED THAT A MAJORITY OF SUCH PERSONS FAVORED BOARDS WHOSE MEMBERS WERE APPOINTED BY THE GOVERNOR OVER BOARDS WHOSE MEMBERS WERE ELECTED.

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I. THE PRESENCE OF PERSONS WHO HAVE EXPERTISE IN
EDUCATIONAL GOVERNANCE MATTERS CAN BE ENSURED
ON AN APPOINTED BOARD.

THE SUBCOMMITTEE WAS WELL AWARE THAT THERE IS A STRONG TRADITION IN NEVADA FOR AN ELECTED STATE BOARD OF EDUCATION TO REPRESENT THE PEOPLE. IT NOTED, HOWEVER, THE WORDS OF RUSSELL B. VLAANDEREN, DIRECTOR OF RESEARCH AND INFORMATION OF THE EDUCATION COMMISSION IN THE STATES, WHO STATED TO THE SUBCOMMITTEE, "NO ONE EDUCATIONAL GOVERNANCE MODEL IS GOOD FOR ANY ONE STATE FOR ALL TIMES." CHANGES IN THE EFFECTIVENESS OF A BOARD MAY SIGNAL THE NEED FOR A NEW SELECTION PROCESS FOR THE BOARD'S MEMBERS.

OF CONCERN IS THE NOTION THAT ELECTED BOARDS MAY BE MORE SYMPATHETIC TO CONSTITUENT CONCERNS THAN ARE APPOINTED BOARDS. THE SUBCOMMITTEE PONDERED THIS MATTER AND DECIDED THAT A WELL CONSTITUTED APPOINTED BOARD SHOULD BE ABLE TO KEEP WELL ABREAST OF THE EDUCATION NEEDS AND PRIORITIES OF NEVADA'S CHILDREN. MOREOVER, ACCORDING TO ROALD CAMPBELL, PROFESSOR OF EDUCATIONAL ADMINISTRATION, EMERITUS, AT OHIO STATE UNIVERSITY, "OUR DATA ON ATTITUDES TOWARD EXTERNAL CONSTITUENCIES, AS WELL AS OUR PERCEPTION OF ACTUAL INTEREST REPRESENTATION, SUGGESTS THAT ELECTED BOARD MEMBERS ARE NOT * * * MORE RESPONSIVE THAN APPOINTED BOARD MEMBERS."

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THE SUBCOMMITTEE REALIZED THAT AN APPOINTED STATE BOARD OF EDUCATION IS NOT NECESSARILY THE PANACEA TO SOLVE ALL THE EDUCATIONAL GOVERNANCE PROBLEMS IN NEVADA. A MAJORITY OF THE MEMBERS BELIEVED, HOWEVER, AFTER CONSIDERING THE ABOVE MENTIONED REASONS FOR AN APPOINTED STATE BOARD OF EDUCATION AND CONSIDERING THE APPARENT INABILITY OF THE EXISTING ELECTED BOARD OF EDUCATION TO PROVIDE STRONG EDUCATIONAL LEADERSHIP, THAT AN APPOINTED BOARD OF EDUCATION IS CALLED FOR IN NEVADA AT THIS TIME.

* ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, CONNECTICUT, DELAWARE, GEORGIA, IDAHO, ILLINOIS, INDIANA, IOWA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, MINNESOTA, MISSOURI, MONTANA, NEW HAMPSHIRE, NEW JERSEY, NORTH CAROLINA, NORTH DAKOTA, OKLAHOMA, OREGON, PENNSYLVANIA, RHODE ISLAND, SOUTH DAKOTA, TENNESSEE, VERMONT, VIRGINIA, WEST VIRGINIA AND WYOMING.

NEVADA DEPARTMENT OF EDUCATION

Testimony of the
Superintendent of Public Instruction
to the
ASSEMBLY COMMITTEE ON ELECTIONS
April 30, 1979

A.B. 180 - Revises composition and manner of
selection of State Board of Education

CHAIRMAN HORN AND MEMBERS OF THE COMMITTEE. I AM TED SANDERS,
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION. SEVERAL MEMBERS OF THE
STATE BOARD OF EDUCATION ARE HERE WITH ME TODAY TO SPEAK IN
OPPOSITION TO A.B. 180.

MR. CHAIRMAN, WE BELIEVE VERY STRONGLY THAT THE SCHOOLS OF
THIS NATION AND OF THIS STATE BELONG TO THE PEOPLE. THEY ARE INDEED
PUBLIC SCHOOLS. AS SUCH THEY MUST BE CONSTITUTED SO AS TO BE
RESPONSIVE TO THE NEEDS AND WISHES OF THE PEOPLE. IT IS OUR
CONTENTION TO YOU TODAY THAT THE PRESERVATION OF AN ELECTED STATE
BOARD OF EDUCATION IN NEVADA WILL SERVE ACROSS TIME TO KEEP THE
PUBLIC IN THE SCHOOLS.

I SHOULD LIKE TO SHARE WITH THE COMMITTEE SEVERAL STATEMENTS
TO SUPPORT THIS POSITION. NAMELY,

- 1) SCHOOLS REFLECT THE EXPECTATIONS OF THE SOCIETY THEY SERVE.
ELECTED BOARDS ARE MORE RESPONSIVE AND SYMPATHETIC TO THE
PEOPLE'S CONCERNS THAN ARE APPOINTED BOARDS. WHY? BECAUSE
BOARDS ARE RESPONSIBLE TO THOSE WHO PLACE THEM IN OFFICE.

IN THE CASE OF AN ELECTED BOARD, THE RESPONSIBILITY LINE IS DIRECTLY TO THE ELECTORATE, WHILE WITH AN APPOINTED BOARD RESPONSIBILITY IS TO THE APPOINTING AUTHORITY--IN THIS CASE, THE GOVERNOR. GRANTED THERE MAY BE TIMES WHEN ELECTED OFFICIALS MAY FAIL TO BE RESPONSIVE TO THE MANDATES OF THE PEOPLE, BUT EACH OF YOU KNOW WELL THAT A TIME OF ACCOUNTABILITY MAY AND FREQUENTLY DOES OCCUR WHEN THE POLLS OPEN.

- 2) ELECTED BOARDS ARE MORE INSULATED FROM POLITICAL INTERFERENCE THAN ARE APPOINTED BOARDS.
- 3) ELECTED BOARDS FEEL LESS COMPELLED TO "FOLLOW A PARTY LINE" THAN DO APPOINTED BOARDS, THUS INSURING THAT BOTH SIDES OF AN ISSUE ARE EXPLORED.
- 4) THERE IS A STRONG AMERICAN AND NEVADAN TRADITION IN SUPPORT OF ELECTED BOARDS. WHEN GIVEN THE OPPORTUNITY TO EXPRESS THEMSELVES ON THIS ISSUE AT THE POLLS, CITIZENS HAVE STATED THAT THEY WANT THEIR OFFICIALS ELECTED RATHER THAN APPOINTED. IN OTHER STATES WHERE THIS ISSUE HAS BEEN PLACED BEFORE THE PEOPLE, THEY HAVE VOTED TO KEEP AN ELECTED STATE BOARD OF EDUCATION. WHILE NEVADA CITIZENS HAVE NOT HAD THE OPPORTUNITY TO EXPRESS THEMSELVES ON AN ELECTED BOARD, THEY HAVE EXPRESSED THEMSELVES ON A SIMILAR ISSUE INVOLVING ELECTED VERSUS APPOINTED JUSTICES. WHEN VOTING ON QUESTION 4 IN THE 1972 GENERAL ELECTION, NEVADANS CHOSE TO RETAIN ELECTED JUSTICES.

Testimony - A.B. 180

3.

5) APPOINTED BOARDS MAY ASSUME AN ADVISORY, AS OPPOSED TO A POLICY-MAKING, ROLE WHENEVER THE APPOINTING AUTHORITY OR THE CHIEF EXECUTIVE OFFICER OF THE AGENCY DESIRES TO RELEGATE THEM TO SUCH A POSITION..

6) DEBATE IS AN ESSENTIAL INGREDIENT IN OUR DEMOCRATIC SOCIETY. AN APPOINTED BOARD MAY BE CONSTITUTED SO AS TO REPRESENT SIMILAR BACKGROUNDS AND PERSPECTIVES, THEREBY INHIBITING EXPLORATION AND DEBATE OF ISSUES..

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. WE FEEL THAT THE BEST INTEREST OF NEVADANS IS SERVED THROUGH AN ELECTED BOARD; THEREFORE WE AGAIN ASK THAT YOU OPPOSE A.B. 180.

Testimony of Rosemary K. Clarke,
President, Nevada Board of Education
to Assembly Committee on Elections
Re: A.B. 180.

I am Rosemary Clarke, President of the State Board of Education. I have been on the Board for eight years and this past January began my third term. The first time I ran was in a State-wide election; the next time I ran within a district--District C in Clark County--and in the last election, I again ran from District C. For the past two elections, I have had no opposition and in the November, 1978, Election, I received approximately 30,000 votes.

The last session of the Legislature adopted Assembly Concurrent Resolution No. 54, directing the Legislative Commission to Study the Structures and Functions of the State Board of Education and the State Department of Education.

The question of an elected vs. appointed board was addressed. I have included page 69 from the report and this is response from the Board to the question.

Statements 1. and 2., Page 69.

I would like to point out two recent occasions when this was true. At our September, 1978, Board meeting, the Attorney General's Office brought to our attention that in certain districts in the State, children of undocumented workers were not being allowed to register in school. The Board sent out a directive to all districts that no children in the State were to be refused entry to school. The matter was cleared up within 30 days.

Also, last October the State Board passed new certification regulations for teachers. These were to go into effect this coming September.

Testimony - A.B. 180
State Board of Education

2.

It was not too long before we found out the impact of these regulations was much more severe than anticipated. We listened to concerns of teachers throughout the state and at our last Board meeting, made changes which teachers could live with, and which would also help better education for children. This past Friday, I received a short note from Fred Dailey, President of the Washoe County Teachers Association, which I am sure he would not mind my quoting:

Statement 3, Page 70.

In this session of the Legislature, the State Board of Education has recommended and worked for more funding than recommended in the Governor's Budget. In each session of the Legislature since I have been on the Board, we have worked untiringly for more funding for Special Education.

Statement 4, Page 70.

This item speaks for itself.

Statement 5, Page 70.

In much of the Federal legislation, it states where there is an elected board, most appointments are by that board. When an appointed board, these same appointments are by the Governor's office. People in education certainly are more knowledgeable as to who would serve best on educational boards than the Executive Branch.

Testimony - A.B. 180
State Board of Education

3.

Statement 6., Page 70.

The State Board feels strongly that the Board should be non-partisan. In all my time on the Board, political politics has never entered into any discussions or issues.

I might add that the one goals--that of the opportunity for a good education--has been the main issue of the State Board of Education. Whenever the Board has split decisions, it is on methods and procedures of achieving this for children.

I have served on both appointed boards and elected boards in this state, and from my experience have found the elected much more effective. When Senator Paul Laxalt was Governor, I was appointed to the Mental Health and Mental Retardation Board. Governor O'Callaghan reappointed me, and also appointed me on the State Developmental Disability Board, of which I was chairman this past year. I found serving on those boards very frustrating for many of the reasons I have already stated--the main reason being that an appointed board tends to become a rubber stamp board for the bureaucracy,

There are other Board members in attendance and they may wish to make a statement, and we all will be most happy to answer any questions.

5. It has been argued by some that the prescribed pattern of experience specified in the law for the Superintendent of Public Instruction unnecessarily limits the potential pool of candidates for this office. Do you believe that the statutes should be changed to allow a greater range of applicants such as those from business, law or public administration backgrounds, to be considered for the position?

In the Board's experience, the statute prescribing the requirements for a Superintendent of Public Instruction has not unduly limited the potential pool of candidates for this office. A suggested change in the statutes would be "... a master's degree and eligibility for certification as a teacher."

6. Among certain persons informed about state governance of education, there is a consensus that, because the Governor and the legislature have ultimate responsibility for education, they should be allowed control over key positions in the structure of educational governance. In a study done in the mid-70's most educators picked a model with the State Board of Education members being appointed by the Governor, subject to approval by the legislature, as preferable to an elected State Board. The same study showed that appointed boards may be more likely than elected boards to act on volatile issues and to adopt unpopular positions, even though such positions might be the best for education in the long run. In view of this, do you believe the State Board of Education's members should be elected or appointed? What are your reasons?

There is little definitive empirical research which can help answer this question. Only two studies have attempted to examine whether governance structure impacts the policy influence of a state board -- Gerald Sroufe, in his 1967 study titled "State Board Members and Educational Policy", and the 1973-74 study of Roald Campbell and Tim Mazzoni, Jr., "State Policy Making For The Public Schools: A Comparative Analysis."

The Sroufe study found some evidence, although not statistically significant, that state boards which had the power to hire and fire a chief state school officer appeared to be more influential. The Campbell and Mazzoni ten-state study provided statistically significant findings on a range of factors which demonstrated that those boards which had the power to hire and fire the chief were more influential. Their study was not able to demonstrate any statistically significant findings as to the greater influence of a state board, regardless of how they were selected. Political science theory does argue that more influence accrues to popularly elected decision bodies.

The Nevada State Board of Education is of the opinion that an elected board of education is in the best interest of education in this state for the following reasons:

1. It is in accord with American traditions that education should be in the province of lay control.
2. Elected boards are responsible to an electorate and will respond quickly to volatile issues and adopt positions best for education.

3. As an advocate for children, which, in the end, is what education is all about, will take unpopular positions in regard to budgets and financial matters which, at times, will differ from that of the executive branch or the legislature.
4. With an appointed board, there is a lack of opportunity for public support of the candidate.
5. With an appointed board, certain other appointments will follow. Where there is no elected state board, members of the Vocational Advisory Committee would be appointed by the executive office, as would the Advisory Committee for Exceptional Children, and others. The same disadvantage as stated in No. 4 above would hold.
6. The Nevada State Board of Education is also of the opinion that the board members should be elected on a non-partisan ballot.
7. It has been observed by students of educational administration that the smaller the State Board of Education the more likely it tends to be unified and efficient. Conversely the larger the Board the more likely that it will have conflicts in its decision making. What do you believe are the pros and cons for reducing the size of the State Board of Education from its existing nine members to seven members?

The difference in size between a nine-member Board and a seven-member Board does not necessarily lead to conflicts in decision making--nor would a seven-member Board be more efficient or unified.

Regardless of the size of the Board, there is an obvious need for cohesiveness and a sense of corporate unity. Most studies of state school administration agree that the state board of education should be large enough to represent the people adequately, yet small enough to enable all members to take an active part in the deliberations essential to sound policymaking.

The greatest objection to reducing the size of the Nevada State Board of Education is that fifteen small counties are now barely represented. To reduce the size of the Board would necessarily reduce representation.

8. What recommendation do you have for this subcommittee for changes that should be made in the law to improve the state level governance and administration of primary and secondary education in Nevada?

The statutes should be amended to clearly define the authority and responsibility of the State Board of Education to insure that state goals, standards and objectives will be achieved

Note from Fred Dailey, President of the Washoe County Teachers Association, to Mrs. Rosemary Clarke.

Dear Rosemary:

Just a quick letter to express our gratitude for being afforded the opportunity to appear before your board. We not only appeared before you but were listened to and some of our major concerns, once they were explained, were acted upon by your board.

I cannot help but feel that this is only the beginning of a good relationship between the State School Board and the professional organizations within the state.