The hyperrationalization of Nevada's schools: 1975-1990

Lauren Marie Kohut

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The hyperrationalization of Nevada's schools: 1975–1990

Kohut, Lauren Marie, Ed.D.

University of Nevada, Las Vegas, 1990
THE HYPERRATIONALIZATION OF NEVADA'S SCHOOLS:
1975 - 1990

by
Lauren Marie Kohut

A dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Education in Department of Educational Administration University of Nevada, Las Vegas April, 1990
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CHAPTER 1

Introduction

Public school education has always been perceived by the public as an institution to which laymen from all walks of life would give input, good or bad, insightful or ignorant, solicited or unsolicited. Parents, members of the business community, special interest groups, and others assumed the responsibility of providing educational recommendations or directives and pressing for inclusion of their value systems and pedagogical concepts in the public school programs. The assumed responsibility phenomenon helped legitimize the continued contributions by the public of new concepts and ideas by which schools could supposedly solve glaring problems purportedly experienced by the schools.

The institution of education, either eager to improve and solve critical issues or in answer to societal concerns and pressures, has always embraced these concepts (either wholeheartedly or begrudgingly) and consequently became part of the inevitable bandwagon of professionals who
have continually searched for that ever-elusive manner by which all individuals could effectively be educated.

Educational bandwagons are not new phenomena, rather they have demanded acknowledgement from educators since the onset of public education. A myriad of topics covering a broad spectrum have been addressed by these bandwagons ranging from the "cry" for back to the basics with regard to curriculum content, education for all children (special education), the open classroom concept, management by objectives, focus on at-risk youth, teacher empowerment, the restructuring of education (or if one lived in Russia, perestroika) and interdisciplinary teaming.

As this parade moved through time, different floats were featured, now one topic garnering the public's attention and, the next moment, another receiving the favor of the crowd. While the educational parade proceeded, a call for the inevitable parade marshall became necessary. The parade marshall was to approve the floats and determine the course to follow. This coveted role of parade marshall and legitimization of floats was often assumed by the legislative bodies of government.

The course education was directed to take had been characterized from little to no political involvement or direction (mid-19th century) to a great deal of involvement or direction (1970's - 1980's) on the part of the political
arena. The past two decades of political involvement have resulted in the hyperrationalization of schools as has been identified and defined by Arthur Wise. A brief historical account of the previously stated time frame with respect to political involvement in education was subsequently identified and was provided for as follows:

Milstein and Jennings provided the reader with a description of what they had coined "the myth of schools being kept out of politics" ([16, 1973, p. 4]). In comparison with today's standards, Milstein and Jennings accurately used the term "myth" as the schools of today were identified and characterized as definitely being intertwined with the web of politics. However, it was noted that at one time this myth was, in fact, very much a reality. Milstein and Jennings reported:

The myth was created by shrewd mid-nineteenth century educators who convinced the public and politicians of the sanctity of education and their own position as the best judges of how much of the public's resources should be allocated to the educational process and how the resources should be employed. They operated the educational system with little external interference. . . . The nineteenth century educator built a protective web around his domain ([16, 1973, p. 4]).

The "protective web" to which Milstein and Jennings referred in the preceding passage has unraveled to the point where there were many outside interferences upon education. The mid-nineteenth century educator had been unceremoniously tossed out of his ivory tower and replaced
with other tenants who took up residence. Subsequently, Milstein and Jennings proceeded to bring the reader up-to-date upon having stated:

[Today] educators no longer have complete command of the field, for their activities have increasingly come under intensive scrutiny by noneducators (16, 1973, p. 4).

Who were these "noneducators" who both scrutinized and impacted the field of education? Milstein and Jennings mentioned both the economists and business community as two groups who had played a major role in the ever-increased number of noneducators who had taken on the responsibility of the examination and critiquing of the educational process/system. Not a week had been allowed to go by in which the lament from noneducators such as "Why can't Johnny read?" or some other similar credo had not been heard and addressed via some type of news medium or group.

It was important to note that along with the economists and business community, it has been the impact of the politicians that was felt the most within the educational field. Milstein and Jennings addressed the impact that politics had had on shaping education. They stated, "public education probably more than any other government sponsored institution is one of the most thoroughly political enterprises in American life" (16, 1973, p. 4).

Regardless of the reason for the political sphere's involvement with education, it was clear that individuals
had become increasingly interested in the role of politics in education, for it was the political realm which appeared to have been given the distinction as that entity (parade marshall) which became largely responsible for the shaping and direction of American educational policy and procedure while that ever-enduring parade of floats (educational bandwagons) continued to chart its course through time.

Arthur Wise focused on the impact that politics (specifically, legislative bodies and the courts) had had and continued to have on the educational realm. Wise's work led to the theory of the "hyperrationalization of schools" due to the increased number of regulatory laws which had been written for and aimed at education. He commented upon the endangerment of "educational traditions" in view of this phenomenon. Wise called for both a retrospective and prospective policy analysis of regulatory laws aimed at education for the purpose of the determination of the erosion of educational traditions.

Purpose of the Study

This study served to look at the impact of educational policy considered and/or enacted by the Nevada Legislature over a period of fifteen years (specifically, 1975-1990). Had the schools of Nevada been hyperrationalized to the point where educational decision-making about people and resources were increasingly being taken out of the hands
of educators and being determined centrally? Had "discretion of local officials become limited by their needs to conform policy decision?" (37, 1979, p. 47)

Statement of the Problem

Essentially, this study was designed to provide both a retrospective and prospective analysis of regulatory laws (legislation) considered and enacted with regard to education in the State of Nevada during the years, 1975–1990, in order that the determination as to whether Nevada's schools had been hyperrationalized. Hyperrationalization was equated to "... an effort to rationalize beyond the bounds of knowledge" (35, 1980, p. 676). Additionally, the amount of "erosion" with regard to educational traditions was determined. This determination was to be made with regard to how much of the so-called educational traditions were taken out of the realm of education and placed in the political realm in view of the escalated number of prescriptives and directives provided by politicians. Educational traditions were identified as follows: local control of education, teacher professionalism, the role of governance structure separate from general government and the belief that education was important as an end in itself.

Specific questions addressed by this study were as follows:
1. What specific educational topics/practices were addressed by the legislative sessions during the 1975-1990 years?

2. To what extent did legislation reflect a hyperrationalization of schooling during the last fifteen years
   
   A. Had a bureaucratic conception of schools evolved and accelerated as a result of the effect of legislative action/consideration during the past fifteen years?
   
   B. Had a legalistic conception of schools evolved and accelerated as a result of the effect of legislative action/consideration during the past fifteen years?

3. What statutes existed that impinged upon identified educational traditions and practices in the State of Nevada?
   
   A. Were there statutes that addressed curriculum content?
   
   B. Were there statutes that addressed administrative practices (i.e., teacher evaluation, etc.)?
   
   C. Were there statutes that addressed standardized testing?

Significance of the Problem

In view of recently published documents directed at the state of affairs of education in the United States (A Nation at Risk, Excellence in Education, First Lessons, etc.), the public has increasingly called upon the educational realm to "defend" their actions, programs, and practices aimed at the education of America's youth. Today, more than ever, the cries for accountability and solutions to both identified or perceived problems in
education have been heard throughout the land. These "cries" led to an increase in regulatory policy (legislative attention) aimed at education. John H. Bunzel stated:

> When Americans looked for solutions to problems in the field of education, as in most areas of public concern, they usually began by examining the possibility of writing new laws (6, 1985, p. 49).

The question, why was the area of legislative response a comfort to people in view of the virtual outcomes which ultimately resulted out of policy prescription? needed to be addressed. John Bunzel described just these "outcomes" in the following two statements:

> Examine the results of each piece of legislation designed to improve educational outcomes, however, and you begin to note results do not always correspond to the intent of those who wrote the laws (6, 1985, p. 50).

With the aforementioned information provided to describe what appeared to occur with the passage of each piece of legislation, what was the overall outcome of the continued impact of outside influence on education?

> As one looks at today's schools, one does not see systems rationally run and directed by boards of directors and professional administrators. One would be hard-pressed to state that the present system was the product of reflection and choice. Rather, one sees local school districts buffeted by lawyers and the courts, regulated by state and federal agencies, subjected to unionization, and attacked by critics (6, 1985, p. 34).
Had the disparity hinted at in the preceding two comments made by Bunzel contributed to and strengthened Wise's theory of hyperrationalization?

Assumptions

This study lent itself to a historical research-based method. A thorough content analysis of the following historical documents was conducted: Nevada Legislative Senate Final History, Nevada Legislative Assembly Final History, Nevada Legislature Senate Journal, Nevada Legislature Assembly Journal, Index and Tables For Bills and Resolutions, Summary of Legislation Nevada Legislature Sixty-Third Session 1985, Educational Bills and Resolutions Passed In The Senate and Assembly Nevada Legislature Sixty-Fourth Session 1987, Brief Analysis Of Education-Related Legislation Enacted During the 65th Session of The Nevada Legislature and the Nevada Revised Statutes. The research gathered and generated was based on four assumptions:

1. This study assumed that legislation in the State of Nevada has been considered, written and directed at education during the past fifteen years.

2. This study assumed that legislation in the State of Nevada has been specifically considered,
written and directed at: locally controlled education, teacher professionalism, educational governance structures as separate from general government, and the belief that education was an important end in itself.

3. This study assumed that legislation in the State of Nevada has had an impact on school programs and procedures.

4. This study assumed that the number of pieces of legislation directed at education which has been considered and/or enacted increased during the years of 1975-1990.

Limitations

This study acknowledged two limitations. The first limitation was that the study looked only at legislation considered and aimed at education during the years, 1975-1990. It was acknowledged that legislation had impacted education prior to this time frame. The second limitation was that only legislation considered and directed at education in the State of Nevada was considered.

Methodology

For the purpose of this study, a thorough review of legislation considered and enacted during the years 1975-1990 was conducted. This review took the form of a content analysis of the Nevada Legislative Senate Final History,
The concept hyperrationalization was seminal in this study. It was the theoretical construct for the study and as such not only provided the underpinning but the direction for the identification of the statement of the
problem, data collection, and analysis. This concept emanated from the work of Arthur Wise. Wise supplemented the Random House definition with his own in *Legislated Learning*. The Random House definition provided was:

"hyper" an element appearing in loan words from Greek, where it meant "over," usually implying excess or exaggeration.

"rationalize" 1. to ascribe (one's acts, opinions, etc.) to causes that superficially seem reasonable and valid but that actually are unrelated to the true, possibly unconscious causes. 2. to remove unreasonable elements from. 3. to make rational or conformable to reason. 4. to treat or explain in a rational or rationalistic manner. 5. to reorganize and integrate (an industry). 6. to employ reason; think in a rational manner. 7. to invent plausible explanations for acts, opinions, etc., that are actually based on other causes.

"hyperrational" (listed but not defined) (37, 1979, p. 47).

Wise added:

The bureaucratic characteristics of the schools are strengthened as decision-making about people and resources is based on established rules and procedures; scientific management techniques are adopted to increase efficiency; and goals are specified in measurable outcomes. To the extent that this process causes more bureaucratic overlay without attaining the intended policy objectives, it results in what I shall call the *hyperrationalization of schools* (37, 1979, pp. 47-48).

Additionally, the terms "retrospective" and "prospective" in relation to the types of policy analysis undertaken required definition. Wise explained retrospective policy analysis as that analysis which looked back upon policies enacted by government along with consideration for
subsequent effects. Prospective analysis, on the other hand, dealt with the attempt to predict the consequences of policies which were currently being considered and/or implemented (27, 1979).

Organization of the Study
Chapter 1 provided the reader with an introduction to the study conducted. Chapter 2, "A Review of the Literature," detailed legislation considered and enacted during the years, 1975-1990. Chapter 3, "Methodology," provided a detailed description of the research conducted pursuant to this study. Chapter 4, "Analysis of the Data," dealt with a thorough analysis of data generated and gathered throughout the course of this study. Finally, Chapter 5, "Summary, Conclusions and Recommendations," addressed the findings of this study and contained recommendations for future research.
CHAPTER 2

Review of the Literature

The narrative of Chapter 2 was designed to provide the reader with an introduction inclusive of the growth of the American educational system (with emphasis placed on the increase of the intervention by political agencies and other forces). Additionally, the concomitant growth of the bureaucratic characteristics of the school system in response to the geometric growth of rules, regulations, and procedures mandated upon the educational system was extracted from the literature and served to reinforce the theory of hyperrationalization, as portrayed by Arthur Wise, in the State of Nevada during the fifteen-year time span, 1975-1990. A thorough review of the legislative sessions conducted during the aforementioned time period was conducted and provided.

The initial step into the examination of the literature reflective of the intervention of political agencies, the growth of bureaucratization in school systems, the geometric increase of procedures, and so forth, was to ascertain
the origin of the political sphere's (and to a smaller extent that of other outside entities) involvement with education. The determination as to the direction of the research at this point was made in accordance with the need to find a suitable response to the following question: When was a philosophy developed based on local centralization with states geared to assume the authoritative role in educational decision-making? Bunzel responded:

The notion of the common school has been the critical organizing concept for public education over the last 125 years. Public schools were to be "common" in the sense that they would be open to all and would make up a single, comprehensive public school system. Horace Mann, the first secretary of education in Massachusetts, expressed the basic premise. To him, education, "beyond all other devices of human origin, is the great equalizer of the conditions of man—the balance-wheel of social machinery . . . it gives each man the independence and the means by which he can resist the selfishness of other men" (6, 1985, p. 30).

Bunzel went on to state:

Mann began the movement for a public school system based on that philosophy. Mann blamed the decentralized nature of education for most of the defects of the schools of his time, such as incompetent teachers and inadequate fiscal support. While Mann was not as successful and he would have desired, he was responsible, along with other state superintendents, for articulating a public school philosophy based on local centralization and an authoritative role for the states (6, 1985, pp. 30-31).

The door was opened into the educational world and the influx of outside forces began. As time moved on and societal concerns and problems escalated, the educational system became the focus upon which various entities centered
to deal with these issues. Schools were called upon to address areas such as the nutritional needs of students (free lunch programs, etc.); the emotional/social well-being of students (counseling, speech therapy); transportation of students; the individualized instructional program (special education of students); the rights of students, teachers, and administrators; curriculum designed to address current areas which mirrored society of the day; and the certification of educational personnel, to name only a few. Concurrent with all of these areas thrown under the educational umbrella was the escalation of attention and intervention of various representative groups (namely, PTA, national and state level teacher groups/unions, business community, national and state government, etc.) which all held invested interests with respect to the aforementioned areas. It was this same attention and intervention which virtually caused (certainly lent support to) the hyperrationalization of schools.

Where was education today in view of the preceding? Bunzel responded:

In the last several years there has been a waterfall of words in the form of studies and commission reports on the current state of American education, in particular the nation's high schools. Those which have commanded the most attention included the following: *A Nation At Risk: The Imperative for Educational Reform*; *Report of the Twentieth Century Fund Task Force on Federal Elementary and Secondary Education Policy*; *Action for Excellence: The Paideia Proposal*; *America's Competitive Challenge*; *Horace's Compromise: The Dilemma of the American High School*; *School and Colleges: Partnerships in Education*; and
National Conference on Studies of the American High School (6, 1985, p. 3).

What was the "unifying and common theme" of so-named studies and commission reports? "... the public secondary school system is in trouble" (6, 1985, p. 3).

Finally, the question was posed: What was the response to all of the preceding? Bunzel answered:

What distinguishes the 1980's from the mid-1950's is that in the last several years the problems of the schools have become a matter of wide public interest. Corporate leaders, legislators, union officials, governors, and presidential candidates, as well as parents, teachers, students, and educators—all have joined the debate about what should be done to set the proper goals and standards for our schools (6, 1985, pp. 4-5).

A closer look at the individuals, groups, and entities mentioned in the preceding statement was deemed necessary. The term "forces" was utilized with respect to the corporate leaders, legislators, union officials, governors, presidential candidates, parents, students and educators, and categorized in the following manner: social/economic, political, antecedent movements, and legal (constitutional, case law, federal and state levels of government). A brief review which identified individual examples of these "four" was undertaken and provided. It was noted that these forces often cut across the boundaries of the set parameters of the social/economic, political, antecedent movements, and legal forces. The issue of the inequity of school funding in the various districts of the states of California and
Texas is one example. This inequity, which could have been classified as a social/economic impact, culminated in being addressed by the court systsem (Serrano v. Priest I and II and Rodriques v. San Antonio Independent School District); subsequently, it was a legal impact on education when the court handed down decisions which affected the involved school districts. These decisions became the focus of school districts in other states and thus began the onslaught of court attention to school finance.

Under the category of social/economic forces, which had impacted education, the following deserved acknowledgement: school finance, the issue of busing and desegregation of schools, and the incorporation of sex education coursework in the curriculum. Additionally, lunch programs, after-school programs, and the provision for a multitude of specialists who dealt with the ever-increased number of social problems of children within the schools (i.e., school psychologists, counselors) were included. Provision for specialists who deal with medical and/or physical problems of children (i.e., nurses, health aides, aides for Special Education programs, speech therapists, and aides for programs designed for children classified as being behind their peers—Chapter I, etc.) was another of but a few examples of social/economic forces which had an impact on education. It was both noted and evidenced that for each of the prior social/economic forces
identified came a certain amount of pressure on the educational system. This pressure became pronounced through the rules, regulations, procedures, etc., each carried and commanded. Several examples were identified and focused upon. With regard to Special Education, Public Law 94-142 carried an inordinate amount of mandates which impacted America's schools. P.L. 94-142 required: state annual programs and local applications, identified services to be provided, procedural safeguards to be followed, state educational agency responsibilities, allocation of funds and subsequent reports. Schools in states which made the decision to accept federal monies in accordance with P.L. 94-142 were greatly impacted. The amount of rules, regulations, and procedures which required attention by school districts with regard to special education was astronomical. Noncompliance under this law brought threats of withdrawal of support for all paid programs.

Additionally, it was noted that each of the social/economic forces added a layer of bureaucratization. For example, school districts developed Special Education and Chapter I departments as a part of the organizational structure of the district to handle the implementation and monitoring of said programs. Additionally, other business services (i.e., payroll, purchasing) had to be increased to provide for the additions of the Special Education and Chapter I departments within the
organizational structure of school districts. The increase in the amount of regulations which accompanied each force was also noted.

The second category, political forces, appeared to be the one which held the strongest position among the identified four categories of forces which impacted education. It was the political realm that was called upon to address educational concerns. In other words, the political realm had either been self-motivated or called upon other entities to react to identified educational concerns or issues. Legislative sessions (at both the state and federal levels) were characterized by the myriad of lobbyists representative of various entities (PTA, state and local teachers unions, unified union, classified union, business community, special interest groups—advocates of handicapped individuals, etc.), which held some form of interest in, or concern with, educational reform of some type or another. The impact of identified lobbyists traditionally resulted in some type of action at the legislative session. Two examples of this were: AB 787 which resolved an ambiguity concerning whether the transfer of an employee is within the scope of bargaining and AB 964 which required each district, together with the local association, to develop a class size reduction plan to achieve a ratio of 1:15 in grades 1-3, including at-risk kindergarten; 1:22 in Grades 4-6; and 1:25 in grades 7-
These two examples reflected the impact the NSEA had upon the 1989 Nevada Legislative Session.

It was also noted that individuals who became immersed in politics were characterized as having placed education on their platforms on which they ran for office. With the understanding that it was at the state and federal levels where mandates that affected education were made, the premise that this particular force was the one which held the frontline or strongest position was ascertained.

The reference to antecedent movements as an identified impact on education required clarification. "Movements" were defined as any national/state research, report, trend, commission report, etc., which had had an affect on education. Examples of this particular category were as follows: The Carnegie Report, In Search of Excellence, A Nation At Risk, First Lessons, the empowerment of the teacher, the restructuring of schools, At-Risk Youth, and interdisciplinary teaming. Each of these was defined as having had an impact on education at both the state and national levels. This impact was evidenced in a variety of ways and drew public attention to perceived problems which culminated in the public demanding attention of state legislatures. Quite often these movements became actual "blueprints" for change in the school system (i.e., Gene Maeroff on the empowerment of teachers, Shulman on the
restructuring of schools) as problems or problem areas within education were addressed and solutions provided.

Finally, a look at the legal forces (state, federal, constitutional and case law) resulted in a multitude of clear-cut examples of the impact upon education. With regard to the Constitution, the Fourth, Fifth, Tenth, and Fourteenth Amendments all impacted education. Each of these amendments were identified:

4th Amendment - The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

5th Amendment - No person shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

10th Amendment - The powers not delegated to the United States by the Constitution, nor prohibited by it to the State, are reserved to the States respectively, or to the people.

14th Amendment - All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person
of life, liberty, or property, without due equal process of law; nor deny to any person within its jurisdiction the equal protection of the laws (29, 1985, pp. 903-904).

Throughout time, these amendments were used as parts of arguments of a multitude of related various court cases in relation to educational issues.

Primary federal statutory provisions which had an impact upon education were identified as: Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Age Discrimination in Employment Act of 1967, Amended 1978; Title IX of Education Amendments of 1972; Section 504 of Rehabilitation Act of 1973; Education for All Handicapped Children Act of 1975; Pregnancy Discrimination Act of 1978; Section 1981; and Section 1983 (29, 1985, pp. 905-907). Each of these federal statutory provisions affected any combination of teachers, students, governance, and organizational structure of school systems.

A minute sampling of case laws which had an impact upon education (impact being equated to formulation of rules, regulations, procedures which schools had to follow) was identified: Tinker v. Des Moines Independent Community School Districts; Brown v. Board of Education of Topeka; Serrano v. Priest I and II; Ingraham v. Wright; Goss v. Lopez and Epperson v. State of Arkansas (29, 1985).

Selected samples of identified cases were articulated: The Tinker case spelled out that "First Amendment Rights,
applied in light of the special characteristics of the school environment, are available to teachers and students" (29, 1985, p. 721). This meant, essentially, that students did not leave their constitutional rights at the schoolhouse doors. This decision led to both a scrutiny of and subsequent formulation of student rights and procedures within the educational environment. The Goss v. Lopez ruling as to "procedural due process before short-term suspension of students" (29, 1985, p. 773) created additional layers of red-tape and procedure to be both implemented and followed with regard to disciplinary action against a student. Additionally, policy was formulated as to what constituted "reasonable suspicion" in accordance with student searches. The Epperson case applied to the curriculum of a school with the decision rendered as to the "constitutionality of [a] statue forbidding teaching of evolution" (29, 1985, p. 187). The opinion from this case laid the foundation for subsequent cases which involved the determination to ban selected textbooks due to their content. The Brown case applied to race-state-educational relationships. The ruling of this case provided an affirmative answer to the question, "Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority
group of educational opportunities?" (29, 1985, p. 780). School systems were required to provide for the formulation and enactment of desegregation plans. The Serrano decision(s) identified that "a funding scheme which makes the quality of a child's education dependent upon the wealth of his school district invidiously discriminates against the poor in contravention of the equal protection clause of the Fourteenth Amendment and parallel clauses in the California constitution" (29, 1985, pp. 223-224). Thus, the area of finance in relation to a school system was also addressed by the courts.

Finally, state legislation which had impacted education was considered. A methodical and deliberate review was undertaken. Said review involved the following sources: Nevada Legislative Senate Final History, Nevada Legislative Assembly Final History, Nevada Legislature Senate Journal, Nevada Legislature Assembly Journal, Index and Tables For Bills and Resolutions, Summary of Legislation Nevada Legislature Sixty-Third Session 1985, Educational Bills and Resolutions Passed In The Senate and Assembly Nevada Legislature Sixty-Fourth Session 1987, Brief Analysis of Education-Related Legislation Enacted During the 65th Session of The Nevada Legislature, and the Nevada Revised Statutes. Prior to the identification as to the manner by which the preceding sources were reviewed and researched, a final thought as to all of the aforementioned categories
of forces which had an impact on education required attention. Essentially, the "fabric" of education (made up of the various identified forces which impacted education) had been woven throughout time by the "thread of hyperrationalization." The intrusions by social/economic, political, antecedent movements, and legal forces had led to the continued weaving of just this fabric.

Consideration as to how data for this study were obtained was a proper part of the review of the literature. The methodical and deliberate review of sources was undertaken through an historical research approach. Skager and Weinberg stated in their book, *Fundamentals of Educational Research: An Introductory Approach*, "the historical perspective acquaints us with the condition under which certain educational forms evolved" (1971, p. 52). A look at the legislative sessions through the years, 1975-1990 proved this point upon the identification of various issues which were addressed in one session and subsequently reappeared years later in another session. Fundamental to the historical research approach, content analysis became the major research tool of the study. Skager and Weinberg defined content analysis as:

Content or document analysis refers to the surveying of documentary materials such as textbooks, periodicals, and records of all sorts. The researcher in this field is interested in a quantitative and qualitative survey of material appearing in printed form.
Such analysis can be used to describe trends in content; to trace the development of a certain practice, style, or belief; to detect the bias of propaganda in materials being studied; and to reveal focus of attention (33, 1971, p. 109).

Content or document analysis involved the categorization of materials identified to be reviewed and researched in a manner which allowed for patterns (through the course of an established time period) to be ascertained. The interest and focus were on both a quantitative and qualitative survey of the material that appeared in printed form.

Documentary materials reviewed and researched, as already mentioned (Nevada Legislative Senate Final History, Nevada Legislative Assembly Final History, Nevada Legislature Senate Journal, Nevada Legislature Assembly Journal, Index and Tables For Bills and Resolutions, Summary of Legislation Nevada Legislature Sixty-Third Session 1985, Educational Bills and Resolutions Passed In The Senate and Assembly Nevada Legislature Sixty-Fourth Session 1987, Brief Analysis of Education-Related Legislation Enacted During the 65th Session of The Nevada Legislature, and the Nevada Revised Statutes), were examined to ascertain trends, to identify the development of a certain practice (namely, hyperrationalization of schools), and to reveal the focus of attention on education at the legislative level. A focus on any type of legislative action directed
at education in the State of Nevada during the years, 1975-1990 was completed. The following legislative sessions were considered in this study:

- Nevada Legislature Fifty-Eighth Session 1975
- Nevada Legislature Fifty-Ninth Session 1977
- Nevada Legislature Sixtieth Session 1979
- Nevada Legislature Sixty-First Session 1981
- Nevada Legislature Sixty-Second Session 1983
- Nevada Legislature Sixty-Third Session 1985
- Nevada Legislature Sixty-Fourth Session 1987
- Nevada Legislature Sixty-Fifth Session 1989

A review of each of the aforementioned legislative sessions provided a list of legislative bills which had addressed education during each session. It was noted that all legislative pieces were considered and noted, regardless of whether said measure was enacted or lost during the respective session. This type of content analysis was conducted so as to allow trends and patterns of legislation directed at education to be identified (a determination as to whether the schools in Nevada had been hyperrationalized in view of increased legislation addressed and/or enacted through the 1975-1990 time period). All
legislative bills/resolutions were considered due to a pattern that emerged with a number of topics reappearing in consecutive sessions (in response to committee time restraints, monetary considerations, etc.). A content analysis of the Nevada Revised Statutes was also conducted, after the preceding documents already identified were reviewed, in order to ascertain both types and the number of legislative actions enacted with regard to education. A listing for each of the identified legislative sessions was formulated.

Prior to provision of the bills considered and/or enacted for the Nevada legislative sessions during the years, 1975-1990, a review of the theory of hyperrationalization was undertaken in order to provide the framework or parameters for which the following formulated listings would be considered. The theory of hyperrationalization was companion to the concept of the removal of important educational decisions out of the realm of education and placement into the hands of the various levels of the government. Arthur Wise, originator of the concept of hyperrationalization, summed up hyperrationalization best in his book, *Legislated Learning:*

> As other and higher levels of government seek to promote equity and increase productivity in our educational institutions, important educational decisions are increasingly being determined centrally. The discretion of local officials is limited by their need to conform to policy decision (37, 1979, p. 47).
The gradual, almost imperceptible, development of procedures, policies, etc., resulted in an insidious erosion of the decision-making process at the local level. Consideration as to what happened to the organizational structure of the school system was also noted:

The bureaucratic characteristics of the schools are strengthened as decision-making about people and resources is based on established rules and procedures; scientific management techniques are adopted to increase efficiency; and goals are specified in measurable outcomes. To the extent that this process causes more bureaucratic overlay without attaining the intended policy objectives . . . (27, 1979, pp. 47-48).

Had the schools of Nevada been hyperrationalized to the point where educational traditions had been eroded and the decision-making had been removed from the local level along with a strengthened bureaucratic-ridden school system? This study served to address this very issue upon a thorough review and content analysis of the Nevada legislative sessions during 1975-1990 having been conducted.

Nevada Legislature - Fifty-Eighth Session 1975

A content analysis of both the Nevada Legislative Senate Final History and the Nevada Legislative Assembly Final History led to the identification of twenty-four pieces of legislation considered by the legislative body in the year 1975. Each of these was listed with a brief description provided in the final histories of both houses.

S.B. 589 Provides for free loan of instructional materials to pupils receiving instruction
at home or in nonpublic schools.

S.B. 303 Establishes Nevada student incentive grant program and board and makes appropriations.

S.B. 22 Clarifies existing law by specifying that State Board of Education may initiate proceedings for revocation or suspension of state teachers' certificates and life diplomas.

A.B. 359 Establishes policymaking boards within associations for interscholastic activities.

S.B. 273 Requires certain records and controls of property and equipment kept by local governments.

A.B. 497 Provides for regulation and procedures for access and correction of public records.

A.B. 260 Establishes procedures for destruction or disposition of obsolete records by local governments.

A.B. 635 Removes time limit for prosecution of crimes involving the falsification of public documents.

S.C.R. 30 Directs Legislative commission to study records retention and procedure by local governments.

A.B. 20 Revises provisions on lower age limits for beginning kindergarten and compulsory education.

A.B. 743 Adds to required courses of study in public schools.

A.B. 720 Requires educational programs on the environment of wild animals to be conducted in secondary and elementary schools of state.

S.B. 352 Expands age range within which special instruction or services to certain handicapped minors are provided.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
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<tbody>
<tr>
<td>S.B. 436</td>
<td>Expands scope of services to, and extends age limitation of, handicapped children.</td>
</tr>
<tr>
<td>A.B. 540</td>
<td>Requires establishment of kindergarten and requires attendance.</td>
</tr>
<tr>
<td>A.B. 22</td>
<td>Recognizes community school concept and provides assistance thereof.</td>
</tr>
<tr>
<td>S.B. 212</td>
<td>Adds to enumeration of causes and clarifies procedure for suspension or revocation of teachers' or school administrators' certificates.</td>
</tr>
<tr>
<td>A.B. 547</td>
<td>Makes changes in provisions relating to educational personnel.</td>
</tr>
<tr>
<td>A.B. 717</td>
<td>Allows pupil in public school to use electronic calculator in certain course instruction.</td>
</tr>
<tr>
<td>A.B. 728</td>
<td>Requires due process of law for suspension or expulsion of pupils from public schools.</td>
</tr>
<tr>
<td>A.B. 525</td>
<td>Provides conditions and procedures for suspension or expulsion of pupils from public schools.</td>
</tr>
<tr>
<td>A.B. 738</td>
<td>Restricts use of scholastic aptitude tests in public schools.</td>
</tr>
<tr>
<td>S.B. 564</td>
<td>Creates school attendance boards for public high schools and junior high schools for purposes of solving attendance and behavioral problems of pupils.</td>
</tr>
<tr>
<td>S.B. 436</td>
<td>Expands scope of services to, and extends age limitation of, handicapped children.</td>
</tr>
</tbody>
</table>

Nevada Legislature - Fifty-Ninth Session 1977

Forty-one pieces of legislative action were identified upon having completed a content analysis of both the Nevada Legislative Senate Final History and the Nevada Legislative
Assembly Final History for the fifty-ninth legislative session. They were as follows:

S.B. 119 Lowers upper age limit for compulsory attendance of pupils at public schools.

A.B. 110 Lowers upper age limit for compulsory attendance of pupils at public schools.

S.B. 494 Provides for enrollment of children in public schools at lower age.

A.B. 409 Permits school boards to waive age requirements for admission of children to public schools in certain circumstances.

A.B. 9 Requires pupils in public high school to complete course of study and show proficiency in basic skills as prerequisites to receiving high school diploma.

A.B. 109 Changes office at which degree granting institutions are required to file certain information.

A.B. 293 Requires periodic comprehensive examinations of public school pupils to determine competency in specialized subjects.

A.B. 400 Requires periodic comprehensive examinations of public school pupils to determine competency in specialized subjects.

S.B. 204 Requires periodic testing of public school pupils to determine competency in specified subjects.

S.B. 324 Requires periodic comprehensive examinations of public school pupils to determine competency in specified subjects.

S.B. 490 Provides for establishment of early childhood education programs.
S.B. 151 Establishes elementary school counseling programs and makes appropriation to start such program.

A.B. 309 Prohibits hazing at public schools, colleges and universities.

A.B. 371 Creates Nevada Interscholastic Activities Association and prohibits interscholastic events under certain circumstances.

A.B. 604 Provides for minimum program standards for Learning Disabled.

A.B. 249 Establishes Nevada Student Incentive Grant Program and makes appropriation.

S.B. 219 Provides for termination of certain boards, commissions and similar bodies in executive department of state government.

S.B. 87 Provides for disposition of local government records.

A.B. 106 Permits school district to contract for special education programs for handicapped pupils.

A.B. 498 Provides for monetary grants to lower school pupil-teacher ratios.

S.B. 354 Makes changes to procedures and grounds for disciplining or dismissing school administration and teachers, and requires probation before administration are granted tenure.

A.B. 704 Authorizes county school district to establish alternative schools.

S.B. 457 Prescribes procedures for reviewing decisions to close schools.

A.B. 644 Authorizes use of corporal punishment in public schools.

A.B. 652 Authorizes use of corporal punishment in public schools.
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<thead>
<tr>
<th>Bill No.</th>
<th>Number</th>
<th>Description</th>
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<tbody>
<tr>
<td>A.B.</td>
<td>495</td>
<td>Requires that courses in family planning be given at certain levels in public schools and requires establishment of family planning centers at high school (Lost).</td>
</tr>
<tr>
<td>A.B.</td>
<td>494</td>
<td>Establishes qualifications for teachers of remedial reading and limits pupil-teacher ratio in remedial reading classes.</td>
</tr>
<tr>
<td>S.B.</td>
<td>118</td>
<td>Revises various provisions on public schools and teachers' certificates.</td>
</tr>
<tr>
<td>A.B.</td>
<td>107</td>
<td>Raises upper age limits of eligibility in educational programs for handicapped pupils.</td>
</tr>
<tr>
<td>A.B.</td>
<td>108</td>
<td>Reduces lower age limit for enrollment of physically handicapped minors in special education programs.</td>
</tr>
<tr>
<td>A.B.</td>
<td>111</td>
<td>Revises provisions of certain handicapped persons.</td>
</tr>
<tr>
<td>A.B.</td>
<td>546</td>
<td>Requires hearings involving suspension or expulsion of pupils be closed to public.</td>
</tr>
<tr>
<td>A.B.</td>
<td>525</td>
<td>Requires establishment of kindergarten and attendance by certain children.</td>
</tr>
<tr>
<td>A.B.</td>
<td>300</td>
<td>Provides silent period for voluntary individual prayer in public schools.</td>
</tr>
<tr>
<td>A.B.</td>
<td>346</td>
<td>Provides safeguards for discipline of public school educational personnel.</td>
</tr>
<tr>
<td>A.B.</td>
<td>679</td>
<td>Requires examination of certain public school personnel to determine proficiency in specified subjects.</td>
</tr>
<tr>
<td>A.J.R.</td>
<td>54</td>
<td>Memorializes Congress to propose constitutional amendment prohibiting busing of public school children for purposes of racial balance.</td>
</tr>
<tr>
<td>S.C.R.</td>
<td>14</td>
<td>Directs Legislative Commission to study and make recommendations on subject of pupil achievement.</td>
</tr>
</tbody>
</table>
S.B. 499 Establishes maximum pupil-teacher ratios for all public schools.

S.B. 352 Revises probationary status provisions for certain educational personnel in categorical grant positions.

A.B. 747 Creates special committee to study professional licensing of public school teachers.

Nevada Legislature - Sixtieth Session 1979

The completed content analysis of the Nevada Legislative Senate Final History and the Nevada Legislative Assembly Final History for the sixtieth legislative session resulted in the identification of forty-four pieces of legislation considered and/or enacted. The bills were as follows:

S.B. 25 Revises provisions relating to public elementary and secondary education and private elementary, secondary and post-secondary education.

S.B. 539 Revises provisions relating to public elementary and secondary education and private elementary, secondary and post-secondary education (Enacted).

S.B. 119 Creates metric system advisory council.

A.B. 527 Allows earlier admission of handicapped children to programs of special education.

A.B. 528 Revises terminology and groupings for special education programs for handicapped minors.

A.B. 529 Extends provisions for special education of handicapped persons.
<table>
<thead>
<tr>
<th>Bill</th>
<th>Number</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>A.B.</td>
<td>624</td>
<td>Extends maximum age for participation in educational programs by handicapped persons.</td>
</tr>
<tr>
<td>S.B.</td>
<td>412</td>
<td>Requires permit to conduct certain informational seminars.</td>
</tr>
<tr>
<td>S.B.</td>
<td>341</td>
<td>Makes appropriation to state department of education for testing proficiency of pupils.</td>
</tr>
<tr>
<td>A.C.R.</td>
<td>1</td>
<td>Requests school district to gather and analyze information on high school seniors' use of time within school day.</td>
</tr>
<tr>
<td>A.C.R.</td>
<td>23</td>
<td>Directs legislative commission to study practicality of creating smaller school districts.</td>
</tr>
<tr>
<td>A.B.</td>
<td>310</td>
<td>Exempts certain types of public records from requirement of disclosure to general public.</td>
</tr>
<tr>
<td>A.B.</td>
<td>630</td>
<td>Authorizes declaration by local ordinance of confidentiality of certain private books or records.</td>
</tr>
<tr>
<td>S.B.</td>
<td>9</td>
<td>Revises criminal penalties. *Buses - violation of regs. concerning penalties.</td>
</tr>
<tr>
<td>A.B.</td>
<td>35</td>
<td>Requires identification and recognition of public school pupils who demonstrate outstanding achievement.</td>
</tr>
<tr>
<td>A.B.</td>
<td>90</td>
<td>Extends public school attendance requirements.</td>
</tr>
<tr>
<td>A.B.</td>
<td>248</td>
<td>Lowers minimum age for compulsory school attendance years.</td>
</tr>
<tr>
<td>S.B.</td>
<td>86</td>
<td>Lowers upper age limit for compulsory attendance of pupils at public schools.</td>
</tr>
<tr>
<td>S.B.</td>
<td>117</td>
<td>Revises provisions relating to immunization of children.</td>
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<tr>
<td>A.B.</td>
<td>370</td>
<td>Changes from driver education to elementary school counseling the uses authorized for certain state aid to school district.</td>
</tr>
<tr>
<td>Bill No.</td>
<td>Requires development of state standards for public school curriculum in basic subject areas.</td>
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<tr>
<td>A.B. 128</td>
<td>Clarifies function of state board of education and superintendent of public instruction.</td>
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<tr>
<td>A.B. 118</td>
<td>Authorizes board of trustees of school district to establish course of instruction in human growth and development.</td>
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<tr>
<td>A.B. 650</td>
<td>Requires state board of education to develop course of study for junior high and middle schools.</td>
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<tr>
<td>A.C.R. 6</td>
<td>Urges school district to instruct in certain concepts as related to current events throughout the world.</td>
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<tr>
<td>A.B. 110</td>
<td>Provides penalty for failure of parent/guardian to submit proof of child's immunization upon registering him in public school unless child is exempted.</td>
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<tr>
<td>S.B. 334</td>
<td>Revises disciplinary and reemployment procedures for certain educational personnel.</td>
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<tr>
<td>A.B. 530</td>
<td>Authorizes administration and teachers to enter into agreements on behalf of student clubs, activities and organizations under certain circumstances.</td>
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<tr>
<td>A.B. 519</td>
<td>Revises procedure for demotion, suspension, dismissal of and refusal to reemploy certain personnel of public school system.</td>
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<tr>
<td>A.B. 720</td>
<td>Excludes reductions in numbers of personnel from specified procedures for dismissal of teachers.</td>
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<tr>
<td>A.B. 369</td>
<td>Requires that school district employees provide valid mailing addresses for use in district in mailing notices relating to dismissals and refusals to reemploy.</td>
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<tr>
<td>A.B. 839</td>
<td>Requires fingerprinting of applicants for employment with school district.</td>
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</tbody>
</table>
A.B.  531  Makes negotiation mandatory where school trustees do not prescribe certain regulations.

A.B.  167  Changes title of security officers for school district to enforcement officers.

A.B.  674  Changes method of computing sick leave of employees in public schools.

A.J.R.  27  Urges Congress to exclude U.S. Supreme Court from jurisdiction to review certain cases involving prayers in public schools.

A.B.  91  Provides for adoption of disciplinary codes for pupils in public schools.

A.B.  715  Requires notice of pupils failing or unsatisfactory performance in public schools to be mailed to parents or guardians.

A.B.  38  Provides for state regulations on collection of information from school district on pupil achievement.

A.B.  449  Requires substantial relationship to profession or occupation to deny or revoke license on account of commission of public offense.

A.B.  148  Establishes experimental teacher internship program and makes appropriation.

S.B.  334  Revises disciplinary and reemployment procedures for certain educational personnel.

S.B.  552  Revises laws governing labor negotiations between teachers' organizations and local government employers and removes prohibition against strikes by teachers.

A.B.  289  Eliminates certain consulting and reporting requirements relating to state purchasing and provides for annual equipment listing.
Nevada Legislature – Sixty-First Session 1981

For the 1981 legislative session, the Senate Daily History and the Assembly Daily History were researched due to the unavailability of the Nevada Legislative Senate Final History and the Nevada Legislative Assembly Final History. Said sources provided a listing of bills considered in the year, 1981. A total of thirty-three (a noted drop from preceding years) bills were addressed and were as follows:

A.B. 40 Revises classes and terminology applied to handicapped minors.

A.B. 171 Appropriation for study of Nevada Plan of financing public education.

A.B. 249 Provides in certain areas for discrimination of pupils of public schools by monetary penalty instead of suspension.

A.B. 329 Amends provision for physical examination of pupils in public schools.

A.B. 387 Relaxes treatment of truancy in public schools.

A.B. 458 Abolishes state textbook commission.

A.B. 459 Establishes program of state aid to school districts for elementary school counseling.

A.B. 460 Extends permissible period of suspension of certificated employees of school district.

A.B. 461 Repeals provision relating to public school courses on the human reproductive system.

A.B. 462 Extends commission on professional standards in education.
A.B. 463 Provides for local determination of causes for suspension and expulsions of pupils from public schools.

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

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

A.B. 555 Permits use of money for assistance to school district in construction and furnishing of school.

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

A.B. 564 Revises provisions relating to probation for public school teachers and administration.

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

S.B. 8 Enlarges number of school districts in which tax on residential construction for school buildings may be imposed.

S.B. 19 Provides for improvement of school library services at local level.

S.B. 24 Establishes demonstration program of teacher internship.

S.B. 281 Appropriation to provide assistance to vocational education.

S.B. 313 Representation on board of association for interscholastic activities be in proportion to pupil enrollment.

S.B. 315 Relaxes restrictions on school district in financing of auto driver education programs.

S.B. 316 Removes provision for early admission of academically talented minors to public schools.

S.B. 317 Provides more autonomy for local school district.
S.B. 327 Provides state financing and administra­
tion of special education for severely handicapped pupils.

S.B. 331 Provides special assistance to school district providing instruction for children in detention homes.

S.B. 375 Provides financial support for education of handicapped pupils for periods exceeding regular school year.

S.B. 395 Revises provisions governing certifi­cation and employment of personnel of school district.

S.B. 445 Exempts certain school buses from state safety standards when federal safety standards are met.

S.B. 484 Requires prisons to contract for programs of education with schools.

S.B. 611 Permits pupils who reside on Indian reservations which are in more than one county to attend closest school.

S.B. 649 Revises certain provisions on certifi­cation of psychologist.

Nevada Legislature - Sixty-Second Session 1983

A considerable drop in the number of bills considered during the 1983 legislative year in relation to education was apparent. Twenty-one were identified and they were as follows:

A.B. 334 Requires adoption of qualification of parents and courses of study for teaching children at home.

A.B. 174 Reestablishes commission on professional standards of education and makes app­propriation for its support.
A.B. 170 Expands powers and duties of department of education with respect to programs of nutrition for children.

S.C.R. 25 Encourages improved instruction of pupils in reading, writing, and mathematics.

S.C.R. 32 Directs department of education to conduct program to assess competency of public school teachers and administration.

A.B. 249 Emphasizes requirement that school district provide special education programs for academically talented.

A.B. 172 Repeals provisions for state financial assistance to school districts for automobile driver education.

A.B. 174 Provides for confidentiality of certain education records.

A.B. 173 Simplifies process of applying for benefits under certain programs of special education for handicapped persons.

A.C.R. 54 Creates special committee to study dyslexia and other specific learning disabilities.

A.B. 244 Prohibits possession of firearms on school property.

A.B. 357 Provides for earlier admission of handicapped minors to public school.

A.B. 591 Creates Nevada Interscholastic Activities Association.

S.B. 463 Specifies that school district may advertise for or request bids for contracts to provide programs for nutrition.

S.B. 138 Extends requirements for proficiency of pupils at elementary and secondary levels and authorizes certain exemptions from examinations.
S.B. 297 Requires direct payment to school district where pupil attends school regardless of residency of pupil.

A.B. 629 Provides for uniform speed limit in school zones.

A. B. 176 Makes appropriation to department of education for processing of fingerprint cards.

S.B. 382 Provides for fee to defray cost of reports on fingerprints of applicants of teacher's certificates.

S.B. 461 Imposes requirements relating to frequency of reassignment of public school teachers.

A.B. 177 Makes appropriation to provide equipment for vocational education.

Nevada Legislature – Sixty-Third Session 1985

The sixty-third session saw the consideration of forty-one pieces of legislation with regard to education. A content analysis of the Nevada Legislature Sixty-Third Session 1985 Summary of Legislation prepared by the Research Division, Legislative Counsel Bureau resulted in a list of forty-one pieces of legislation considered/enacted by the legislature in 1985. They were as follows:

S.C.R. 3 Directs the legislative commission to study the methods used to finance public elementary and secondary education in Nevada.

S.B. 273 Extends the existence of the commission on professional standards in education to July 1, 1987.

S.B. 121 Appropriates $7 million for allocation to county school districts for the
purchase of textbooks and other equipment, personnel training, curriculum development or other purposes that will improve educational programs of the district. Appropriates $3 million for purchase of equipment for vocational programs – must be matched with various proportions of privately raised funds.

S.B. 514 Appropriates $6 million in each of the next 2 fiscal years. This money is to be allocated for the improvement of educational programs.

A.B. 524 Provides a comprehensive framework for addressing the problem of missing children. The framework involves assigning duties and responsibilities to three separate sets of officials: office of attorney general, law enforcement agencies and the school system.

S.C.R. 6 Encourages the Nevada state board of education to increase the number of credits in English required for graduation from high school.

S.C.R. 7 Encourages the Nevada state board of education to increase the required number of credits in mathematics for graduation from high school, but to accept in place of one of those units of credit the completion of a course in a related area of occupational education.

S.C.R. 8 Encourages the Nevada state board of education to increase the number of credits for courses in science required for graduation from high school, but to accept in place of one of those credits the completion of a course in a related area of occupational education.

S.C.R. 11 Urges the Nevada state board of education to require a course in science of computers for graduation from high school.

S.B. 118 Amends existing law to allow school districts to use money from capital projects fund to acquire athletic fields,
furniture and equipment, playgrounds, and sites for stadiums, as well as to build or remodel school buildings. General obligation bonds may also be issued for these purposes.

S.B. 125 Each school district must prescribe written rules of behavior for pupils attending school within its district and must prescribe the appropriate punishments for violations of these rules. Copy of the rules and prescribed punishments must be distributed to each child and be available for public inspection at each school within the district.

S.B. 232 Provides for the disposition of revenue received by the state from federal land leases for gas, geothermal, mineral and oil resources. Money in this account is spelled out for manner of distribution.

A.B. 122 Decreases the filing fee for candidate for trustee of a county school district from $40 to $15.

A.B. 131 Changes the terminology in the statutes from vocational education to occupational education. Urges the establishment of more occupational classes.

S.C.R. 14 Urges the board of trustees in each school district to eliminate those elective courses offered by public schools in this state which do not teach academic, artistic or vocational skills or physical training.

S.C.R. 18 Encourages school districts to remove disruptive pupils from the classroom, to provide an alternative for such pupils, and to expel pupils if they continue to be disruptive.

A.C.R. 8 Urges the school districts in the smaller counties to cooperate with each other to establish regional programs for vocational education.

A.B. 540 Appropriates monies from the state general fund and monies from the state highway fund to provide cost-of-living salary
increases to most state and University of Nevada System employees during the next biennium.

A.B. 724 Revises the procedure for computing the level of basic support of each school district by adding another option which considers the 2 next preceding school years in a school district where enrollment declined for 2 consecutive years.

A.B. 726 Contains appropriations and authorizations of state aid for school districts during the 1985-1987 biennium. The bill increases the average basic support guaranteed per pupil from $1,926 in the fiscal year 1985, to $2,201 in fiscal year 1986, and to $2,305 in fiscal year 1987.

S.B. 216 Repeals certain sections and makes a number of changes in the statutes relative to the commission on postsecondary education.

S.B. 124 Requires the suspension or expulsion of a pupil who commits battery on an employee of a school or who possesses a dangerous weapon or sells or distributes any controlled substance on school premises.

S.B. 493 Requires a hearing officer appointed to hear cases concerning certificated public school employees to complete a course in administrative law.

S.B. 522 Appropriates monies from several funds to provide a single payment as an incentive for continued service to employees of the state.

A.B. 5 Establishes a uniform speed limit of 15 miles per hour in school zones when schools are in session.

A.B. 13 Allows a retired public employee to reinstate insurance, other than life insurance, held by the employee and his dependents after the employee retires.
<table>
<thead>
<tr>
<th>Bill</th>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.B.</td>
<td>14</td>
<td>Allows the continuation of group insurance coverage for dependents of public employees after the employees retire.</td>
</tr>
<tr>
<td>A.B.</td>
<td>50</td>
<td>Provides 3-year contracts for post-probationary teachers and administrators beginning after June 30, 1985. This measure requires an annual evaluation of each teacher and administrator and if he receives an overall satisfactory evaluation, the contract is automatically extended for 1 year.</td>
</tr>
<tr>
<td>A.B.</td>
<td>121</td>
<td>Repeals the prohibition against the payment of salaries to teachers and other certificated personnel in advance.</td>
</tr>
<tr>
<td>A.B.</td>
<td>163</td>
<td>Authorizes the state board of education to require the superintendent of any school district to hold a Master's degree.</td>
</tr>
<tr>
<td>A.B.</td>
<td>199</td>
<td>A consolidation of current and new laws which establishes a separate section in the <em>Nevada Revised Statutes</em> to deal exclusively with child protection (i.e., mandates reporting of suspected child abuse).</td>
</tr>
<tr>
<td>A.B.</td>
<td>410</td>
<td>Allows a broader range of investments to be made for public school employees who choose to participate in the school district's group investment program.</td>
</tr>
<tr>
<td>A.B.</td>
<td>474</td>
<td>Makes an appropriation to the White Pine County School District to pay the cost of equipment and personnel for an experimental educational program for rural schools.</td>
</tr>
<tr>
<td>S.J.R.</td>
<td>19</td>
<td>Memorializes Congress to grant Nevada an additional 6,205,522 acres of public land for the benefit of the public schools.</td>
</tr>
<tr>
<td>A.C.R.</td>
<td>3</td>
<td>Urges the superintendent of public instruction, state department of education, to conduct research to determine whether the methods used to diagnose problems resulting from dyslexia and other specific disabilities in learning correlate with the methods used to correct such problems.</td>
</tr>
<tr>
<td>A.C.R.</td>
<td>4</td>
<td>Urges additional public and private support for nonprofit corporations and</td>
</tr>
</tbody>
</table>
institutions of higher learning in this state which conduct research and develop programs to assist pupils who have dyslexia or other specific disabilities in learning.

A.C.R. 5 Urges Nevada's school districts to use pupils as tutors to assist other pupils who have learning disabilities.

S.B. 112 Appropriates monies to the state department of education for the expenses involved in the recruiting of a new superintendent of public instruction.

A.B. 228 Raises the annual salary of the superintendent of public instruction, state department of education, in the unclassified service of the state to a maximum of $56,500.

A.B. 137 Authorizes the commission on economic development to grant money to post-secondary educational institutions to develop short-term programs designed to teach business skills.

Nevada Legislature - Sixty-Fourth Session 1987

The review of the 1987 legislative session culminated in identification of forty educational bills and resolutions passed in the Senate and Assembly. They were as follows:

A.B. 81 Revises provisions governing exceptions to requirements for competitive bidding by local governments.

A.B. 113 Authorizes use of telegraphic copy or abstract of governor's warrant of arrest for extradition.

A.B. 116 Declares Martin Luther King, Jr.'s birthday and day after Thanksgiving to be legal holidays.

A.B. 278 Limiting deductibles and copayments charged under certain contracts for insurance.
A.B. 361 Authorizes formation of election districts by certain county school boards.

A.B. 390 Changes composition of public employees' retirement board.

A.B. 411 Revises provisions governing proof of immunization of pupils.

A.B. 415 Prohibits involuntary transfer of noncertificated employee of school district as form of discipline.

A.B. 417 Modifies list of subjects of mandatory collective bargaining for local government employees.

A.B. 421 Revises provisions governing dismissal of educational personnel.

A.B. 535 Accelerates date for preparation of annual audit of school district.

A.B. 552 Requires each county school district to establish course of instruction for pupils in public schools concerning Acquired Immune Deficiency Syndrome and human reproductive system.

A.B. 617 Makes various changes concerning bids on certain projects for public works.

A.B. 684 Declares intent of legislature concerning size of classes in lower grades and requires certain school districts to submit plans for reduction.

A.B. 811 Revises provisions governing unfair practices of insurers.

A.B. 892 Apportions state distributive school account in the state general fund for biennium 1987-89, makes an appropriation and authorizes certain expenditures.

S.B. 23 Revises provisions governing collection and distribution of tax on transfer of estates of decedents.

S.B. 56 Revises provisions governing redevelopment of communities and tax increment areas.
S.B.  68 Requires enrollment of certain children under name appearing on identifying documents.

S.B.  111 Authorizes superintendents of public instruction to grant exemptions from requirement that licensed personnel directly supervise unlicensed personnel.

S.B.  113 Amends requirements for notice to parent of pupil's absence to notice of pupil's truancy.

S.B.  138 Permits reduction of minimum number of days of free public school in cases of emergency.

S.B.  152 Requires driver and passenger in certain motor vehicles to wear safety belts.

S.B.  155 Requires certain policies of group health insurance to provide for continued coverage under certain circumstances.

S.B.  165 Requires Interim Finance Committee to conduct interim study to determine appropriate methods of funding occupational education in Nevada.

S.B.  166 Modifies program of proficiency examinations for pupils in public schools.

S.B.  168 Makes various changes relating to licensure of educational personnel and approval of certain educational programs for teachers.

S.B.  236 Requires commissioner of insurance to conduct study of methods to contain rates for casualty and property insurance.

S.B.  275 Authorizes public agencies and nonprofit medical facilities to enter into co-operative agreements for purchase of insurance or self-insurance.

S.B.  292 Authorizes reinstatement of insurance for certain retired employees and permits continuance of insurance for dependents of such employees.
S.B. 328 Requires employers to extend certain benefits to pregnant employees under certain circumstances.

S.B. 330 Makes various changes relating to contracts of insurance.

S.B. 467 Creates commission on professional standards in education to prescribe standards for licensing of teachers.

S.B. 511 Revises provisions governing comparative negligence.

S.B. 585 Extends time for filing for amended budget by local government for changes resulting from action of legislature.

S.B. 586 Temporarily revises provision governing annual increase in rates of contribution to public employees' retirement system.

S.B. 589 Makes technical corrections to Senate Bill No. 586 of this session.

S.B. 597 Provides for increases in salaries of employees of the state.

S.C.R. 3 Directs legislative commission to study provision and funding of special education for handicapped minors and payment of costs of education of children in medical facilities.

S.C.R. 40 Directs legislative commission to conduct interim study on public elementary and secondary education in Nevada.

Finally, a content analysis of the Brief Analysis Of Education-Related Legislation Enacted During the 65th Session of The Nevada Legislature was conducted. It was determined that a total of 123 pieces of legislation were effected during the sixty-fifth session. The 123 were as follows:
S.B. 3 Related to homesteads; increased the amount exempt; increased the value of a dwelling exempt from execution; and provided other matters properly relating thereto.

S.B. 8 Relating to state personnel; revised provisions governing the salaries of classified employees of the state.

S.B. 23 Relating to juvenile courts; prohibited the termination of employment of a person who appears in juvenile court with a child.

S.B. 25 Relating to public health; prohibited the smoking of tobacco in public buildings except in designated areas.

S.B. 55 Required schools to admit handicapped minors to programs of special education; reducing the minimum age for admission to such programs.

S.B. 61 Implemented SJR No. 22 of the 64th session concerning the taxation of net proceeds from the extraction of minerals; making various changes concerning the collection of the tax on the net proceeds of minerals; revising the provisions governing the assessed valuation of taxable property.

S.B. 73 Made various changes in the laws governing the control of communicable diseases; required certain regulations and reports.

S.B. 74 Required the board of trustees of each school district to adopt a program providing for the accountability of the school district to the residents of the district.

S.B. 85 Required the certification of nursing assistants; required certain training and qualifications for nursing assistants; provided for their regulations.

S.B. 115 Required that an employee who prepares a report on the performance of an employee who holds a position in the classified service to be trained in its proper preparation; filing of reports.
S.B. 133 Appropriation to the department of education for contract services and the validation of competency tests for the initial licensing of prospective teachers, administrators, and other licensed personnel.

S.B. 140 Required notices of public meetings to include detailed agendas; required minutes of public meetings to be retained for a certain period of time.

S.B. 164 Required a person or educational institution claiming an exemption from the provisions of the Private Elementary and Secondary Education Authorization Act to file that exemption with the state board of education.

S.B. 218 Authorized a post-retirement increase for certain persons who are receiving small benefits.

S.B. 219 Required school district to provide for the legal defenses of their employees in certain criminal actions.

S.B. 237 Created a board (displaced homemakers); required the establishment of centers in certain counties to provide various services to displaced homemakers.

S.B. 247 Established the telecommunications division of the department of general services; established advisory board and made appropriations.

S.B. 269 Changed the deadline for the submission of annual budgets by certain special districts to the department of taxation; delayed the certification of tax rates by the Nevada tax commission and the due date of property taxes for the 1989/90 fiscal year.

S.B. 405 Expanded the class of persons to whom records of health care must be provided; made various changes regarding the practices of nursing.

S.B. 433 Revised the definition of "handicapped minor"; extended programs for academically
talented children to children gifted in areas other than academics.

S.B. 532 Revised the maximum salary for members of state board; related to other stipulations of state boards.


S.B. 552 Made appropriations from the state general fund and the state highway fund to the State Board of Examiners for increases in the salaries of certain employees of the State of Nevada.

S.B. 553 Apportioned the state distributive school account in the state general fund for the biennium 1989-91.

S.J.R. 22 Proposed to amend Nevada constitution to establish a tax on the net proceeds of minerals extracted at rates separate from the tax on property.

S.C.R. 7 Directed the Department of Human Resources to establish a formula for sharing, between the state and counties, the costs of housing juveniles in certain facilities.

S.C.R. 8 Encouraged the county school districts to increase their use of techniques to test and diagnose conduct-disordered and emotionally disturbed children.

S.C.R. 22 Commended the Parent-Teacher Association in Nevada.

S.C.R. 41 Directed the legislative commission to conduct an interim study of the state budget process.

S.C.R. 44 Required an interim study of the state budget process.
S.C.R. 47 Directed the legislative commission to conduct an interim study of bicycle trails in this state.

S.C.R. 52 Directed the legislative commission to conduct an interim study of the Youth Services Division and the juvenile justice system in Nevada.

A.B. 8 Related to taxation. Exempted slide-in campers, camper shells and certain household goods and furniture from property taxes.

A.B. 27 Increased the authorized duration of short-term financing from 5 to 10 years; limited the term of short-term financing under certain circumstances.

A.B. 31 Established an additional penalty for certain crimes.

A.B. 40 Required the department of industrial relations to license and regulate persons who engage in projects for the control of asbestos; required the department to adopt regulations in compliance with federal law for the licensing of certain related occupations.

A.B. 50 Increased the subsistence allowance for state officers and employees who are traveling on state business.

A.B. 81 Required certain local governments to prepare capital improvement funds.

A.B. 88 Created the fund to finance the construction of treatment works and the implementation of pollution control projects; authorized an alternative method of borrowing money or purchasing or leasing property for local governments; authorized certain local governments to invest money in certain obligations of local governments.

A.B. 90 Prohibited the board of trustees of a county school district from authorizing the expulsion, suspension or removal of a pupil from the public school system for a truancy.
A.B. 91 Authorized the delivery of a truant to an agency providing family counseling.

A.B. 95 Authorized and requested the governor to proclaim the fourth Friday in September as Nevada Indian Day.

A.B. 99 Established that persons who render child care services are responsible for the welfare of the children they serve; established a specific limit on the maximum time for mandatory reporting of suspicion of child abuse or neglect.

A.B. 100 Revised various provisions concerning practice and procedure; provided for informal supervision of a child alleged to be delinquent or in need of supervision.

A.B. 109 Revised the filing fees for certain candidates for district office.

A.B. 112 Revised various provisions concerning practice and procedure.

A.B. 113 Increased the minimum age for commitment; provided for the commitment of certain children to the custody of the department of human resources for placement.

A.B. 125 Required pupils and teachers in public schools to wear protective devices for their eyes in certain classes.

A.B. 143 Authorized the investment of state money in repurchase agreements under certain circumstances; prohibited the investment of certain state money in reverse-repurchase agreements; authorized the private sale of bonds.

A.B. 163 An act making appropriation to Douglas County for the expansion of China Springs Youth Camp.

A.B. 199 Established an earlier deadline for the submission of proposed regulations to the legislative session; extended the period for adopting temporary regulations during a legislative session.
A.B. 205 Provided for the taxation of exempt real property when leased or loaned by the owner.

A.B. 223 Required the termination of employment of an officer or employee of the state of a political subdivision who has been convicted of the unlawful sale of a controlled substance.

A.B. 285 Authorized and requested the governor to proclaim the second Monday in October as Columbus Day; declared Oct. 12, 1992 to be a legal holiday.

A.B. 310 Authorized a board of trustees to combine a school bond question and a school capital construction tax question into a single proposition for submission to the voters; required that certain money be applied toward the retirement of general obligations of a school district.

A.B. 326 Specified the amount to be paid by certain employers for group insurance for the next biennium.

A.B. 328 Authorized the imposition of a property tax upon voter approval to raise revenue for renovating, replacing, and constructing certain capital assets.

A.B. 346 Prohibited persons from carrying or possessing certain weapons on the property of a school; provided certain exceptions; provided a penalty.

A.B. 349 Allowed, under certain circumstances, a pupil who began kindergarten or first grade in another state to continue his education in this state regardless of the age of the pupil.

A.B. 363 Created the commission on substance abuse education, prevention, enforcement and treatment; creating the office of the coordinator of the program for substance abuse education, prevention, enforcement, and treatment.
A.B. 368 Authorized the labor commissioner to increase the minimum wage in accordance with federal law.

A.B. 372 Authorized local governments to impose impact fees; provided the procedure for the imposition of those fees.

A.B. 395 Allowed a school flexibility in enforcing the prohibition against possession of dangerous weapon by a pupil.

A.B. 421 Limited the liability of referees and other sports officials for civil damages.

A.B. 473 Expanded certain provisions requiring the suspension of the driver's license of a juvenile who commits certain unlawful acts; expanded certain provisions prohibiting the initial issuance of a driver's license to a juvenile who commits certain unlawful acts.

A.B. 482 Revised the period of redemption for property sold for delinquent assessments or installments of assessments; exempting property owned and used by a school district from assessments for local improvements districts and general improvement districts.

A.B. 488 Revised provisions concerning the financial responsibility for a pupil who resides on an Indian reservation and attends school in a different school district; provided for the apportionment of money for such pupils based upon enrollment.

A.B. 496 Made various changes relating to the evaluation and reemployment of certain employees; repealed a provision concerning certain postprobationary employees.

A.B. 502 Authorized the state treasurer to deposit a warrant directly through an electronic transfer.

A.B. 505 Allowed state employees to transfer their sick and annual leave to other employees under certain circumstances.
A.B. 517 Provided that a postprobationary employee of a school district retains that status upon his employment by another school district.

A.B. 518 Required the governor to proclaim the third week in September as "Constitution Week"; made an appropriation.

A.B. 527 Expanded the authority of the local government employee-management relations board to adopt rules and enforce its orders; permitted certain matters to be decided without a hearing; abolished the Employee-Management Relations Advisory Committee.

A.B. 529 Created the fund for local cultural activities; made an appropriation.

A.B. 551 Authorized the governor to execute the Interstate Compact for Education.

A.B. 570 An act making appropriation to the department of education for distribution to public broadcasting stations.

A.B. 584 Exempted volunteers from the provisions concerning the criminal history of sexual offenses of persons who work with children.

A.B. 614 Allowed under certain circumstances a high school pupil to substitute credit for a course taken at a community college or university for a course required for high school graduation.

A.B. 625 Changed the name of a security officer of a school district to a school police officer.

A.B. 629 Prohibited harassment; prohibited a person from damaging or defacing certain property; provided penalties.

A.B. 631 Related to interscholastic activities; authorized under certain circumstances membership in an out-of-state association for interscholastic activities; required the adoption of related rules and regulations.
A.B.  633  Allowed any employee with 5 years of contributing creditable service to purchase up to 5 years of service.

A.B.  658  Prohibited the board of trustees of a school district from allowing a teacher's aide to serve as a teacher.

A.B.  683  Extended the period of payment of excess annual leave.

A.B.  687  Prohibited the termination of employment of a person who appears at a parent conference requested by a school administrator; prohibited the termination of employment of a person for receiving certain notice of an emergency regarding his child.

A.B.  702  Amended certain definitions related to postsecondary educational institutions and required various other stipulations of private educational institutions.

A.B.  711  Prohibited the board of trustees of a school district from changing the grade given to a pupil by a teacher unless certain procedures are followed.

A.B.  723  An act relating to the revenue sharing trust fund; repealed the fund; transferred the money in the fund to the state distributive school account.

A.B.  737  An act relating to taxes on retail sales; provided for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption from the tax for textbooks sold in the University of Nevada System.

A.B.  742  Raised the cost threshold requiring the advertisement for sealed bids on construction projects for the state.

A.B.  745  Exempted school districts and their officers from the payment of court fees.

A.B.  752  Authorized the creation of a general improvement district for the provision of facilities for public schools; allowed
a school district to transfer its tax rate and indebtedness relating to facilities for schools to such a general improvement district.

A.B. 759 Required the textbooks contain lessons on the achievement of persons from all racial and ethnic backgrounds.

A.B. 787 Resolved an ambiguity concerning whether the transfer of an employee is within the scope of mandatory bargaining between a local government employer and an employee organization.

A.B. 801 An act relating to local governmental finances.

A.B. 807 Revised the procedure for the mediation of a dispute between a local government employer and an employee organization.

A.B. 808 Required each local government employer to report certain information to the local government-employee relations board.

A.B. 813 Provided for the conditional and reciprocal licensing of teachers and other educational personnel.

A.B. 820 An act relating to retirement.

A.B. 859 Revised provisions concerning a request for a hearing by a state employee who is transferred, dismissed, demoted, or suspended.

A.B. 899 An act relating to state employees.

A.B. 901 Authorized the conditional sharing of certain confidential information; changing the name of Nevada girls training center; abolishing the requirement of a minimum age for treatment by the state of an emotionally disturbed child.

A.B. 934 Authorized the state board of education to accept and use gifts and grants to expand and promote its program to improve the literacy of adults in Nevada.
A.B. 935 An act related to the executive department; establishing an advisory council on education relating to the Holocaust.

A.B. 959 An act making appropriations from the state general fund and the state highway fund for the support of the civil government of the State of Nevada for identified fiscal years.

A.B. 964 Required a reduction in the pupil-teacher ratio in certain classes; required each school district to develop a plan to reduce the size of classes; creating the trust fund for class-size reduction.

A.C.R. 7 Urged the school boards to provide the necessary resources for occupational education of children with special educational needs.

A.C.R. 9 Urged the state board of education to require that pupils be given the opportunity to participate in youth organizations for occupational education.

A.C.R. 10 Urged the boards of trustees of local school districts to allow academic credit for courses of occupational education and urged the board of regents to allow those credits to apply toward admission to the University of Nevada System.

A.C.R. 14 Encouraged the county school districts to seek sources of money for programs for children whose parents are employed after school hours.

A.C.R. 15 Directed the legislative commission to study the requirements for reapportionment in Nevada before the legislature convenes in 1991.

A.C.R. 23 Commended Basic High School's Marine Corps Junior Reserve Officers' Training Corps for being selected as the top unit in the nation.

A.C.R. 32 Directed the legislative commission to conduct an interim study on teenage pregnancy in this state.
A.C.R. 34 Congratulated the Carson High School's girls basketball team for winning the state "AAA" Championship.

A.C.R. 36 Congratulated the Boulder City High School's boys' basketball team for winning the state "AA" Championship.

A.C.R. 37 Congratulated the Rancho High School's football team for winning the state "AAA" Championship.

A.C.R. 38 Congratulated the Elko High School's girls' basketball team for winning the state "A" Championship.

A.C.R. 41 Congratulated the Mineral County High School's girls' basketball team for winning the state "A" Championship.

A.C.R. 43 Commended Hugh O'Brian and the Hugh O'Brian Youth Foundation.

A.C.R. 44 Congratulated Yerington High School's boys' basketball team for winning the state "A" Championship.

A.C.R. 47 Directed the legislative commission to study the availability of affordable child care in this state.

A.C.R. 55 Required the Department of Transportation to conduct an interim study of school zones and school crossings.

A.C.R. 61 Expressed the intent of the legislature concerning legislation requiring additional occupational education.

The review of the literature in accordance with this study was concluded with a review of the Nevada Revised Statutes. "Title 34" within the Nevada Revised Statutes identified statutes which pertained to education in the State of Nevada. Volumes 23 and 24 of the Nevada Revised Statutes contained therein all statutes related to
education. The following chapters under "Title 34 Education" were reviewed and analyzed:

385. State Administrative Organization
386. Local Administrative Organization
387. Financial Support of School System
388. System of Publication
389. Courses of Study
390. Textbooks
391. Personnel
392. Pupils
393. School Property
394. Private Educational Institutions and Establishments
395. Education of Handicapped Persons
396. University of Nevada System
397. Western Regional Higher Education Compact
398. Intercollegiate Athletics
399. Interstate Compact for Education.

A closer look at Chapters 385 to 395 (Chapter 394 was excluded as it pertained to private schools) was conducted to ascertain the impact of statutes, which had been mandated, on the public schools in Nevada. Each of the chapters were outlined and provided.

Chapter 385 "State Administrative Organization" contained the following:
General Provisions
385.005
385.007

Department of Education
385.010
385.014

State Board of Education
385.017 - 385.125

Superintendent of Instruction
385.150 - 385.250

Deputy Superintendents, Professional Staff and Other Personnel
385.290 - 385.345

Program for Accountability of School District to Residents of District
385.347
385.355

Chapter 386, "Local Administrative Organization,"

included the following:

School Districts
386.010
386.030

Boards of Trustees
386.110 - 386.415

Association for Interscholastic Activities
386.420 - 386.470.

Chapter 387, Financial Support of School System,

pertained to the following:

State Money
387.013 - 387.045

Federal Money
387.050
387.067

Programs of Nutrition for Children
387.070 - 387.105
Apportionments and Allowances from State Distributive School Account
387.121 - 387.126

Sources and Use of Money by County School Districts
387.170 - 387.227

Budgets, Short-Term Financing and Expenditures
387.300 - 387.325

Financing of Construction of Schools and Other Projects
387.328
387.3285
387.3287

Tax on Residential Construction
387.329 - 387.332

Issuance of Bonds
387.335
387.400
387.510

Joint Facilities and Projects
387.531 - 387.591

Chapter 388, "System of Public Instruction," included:

General Provisions
388.020 - 388.075

School Year; Minimum Number of Days; Holidays
388.080
388.090
388.110

Prohibited Instruction
388.150

Occupational Education
388.330 - 388.400

Education of Handicapped Persons
388.440 - 388.520

Instruction of Children Detained in Detention Homes, Juvenile Forestry Camps and Training Schools
388.550
388.560
388.570
Program of Information Concerning Missing Children 388.585

Education and Counseling of Displaced Homemakers 388.605 - 388.655

Reduction of Pupil-Teacher Ratio in Certain Classes 388.700 - 388.730


Chapter 390, "Textbooks," included:

General Provisions 390.005

Selection and Purchase of Textbooks 390.140 390.160

Use of Textbooks 390.220 390.230

Chapter 391, "Personnel," was lengthy in its content and identified the following:

General Provisions 391.005

Commission on Professional Standards in Education 391.011 - 391.029

Licensing of Educational Personnel 391.031 - 391.051

Qualifications and Requirements of Teachers and Other Employees 391.060 - 391.095

Employment and Salaries of Teachers and Other Employees 391.100 - 391.205

Powers, Duties and Supervision of Personnel 391.210 - 391.275

Educational Conferences 391.210 - 391.295
Suspensions, Demotions, Dismissals and Refusals to Reemploy; Reemployment
391.311 - 391.3197

Suspension and Revocation of Licenses
391.320 - 391.361

Benefits and Annuities
391.375
391.380

Chapter 392, "Pupils," incorporated the following statutes:

General Provisions
392.010
392.015
392.025

Attendance:
Compulsory and Excused Attendance; Retention
392.040 - 392.125
Truants
392.130 - 392.160
Birth Certificates and Records of Attendance; Name for Enrollment
392.165
392.167
Enforcement and Penalties
392.170 - 392.220

Transportation
392.300 - 392.410

Health, Safety and Discipline of Pupils
392.420 - 392.467

Unlawful Acts
392.470
392.480
392.490

Chapter 393, "School Property," identified:

Care, Management and Control of School Property
393.010 - 393.070

Use of School Property for Public Purposes
393.071 - 393.0719
School Buildings  
393.080 - 393.130  

School Sites  
393.140  
393.155  

Equipment, Supplies and Printing  
393.160 - 393.210  

Sale, Lease or Rental of Real Property Belonging to a School District  
393.220 - 393.325  

Lease or Rental of Real Property of School District Having Rental Value of $5,000 or Less A Year  
393.3251 - 393.3255  

Exchange of Real Property Belonging to School District  
393.326 - 393.3293  

Division of Property upon Abolishment of County or Change of Boundaries of County  
393.370  
393.380.  

Finally, Chapter 395, "Education of Handicapped Persons," was identified by statutes 395.001- 395.060.  

A total of 425 statutes were identified within the Nevada Revised Statutes which impacted public education (K-12). It was noted that the Nevada Revised Statutes Chapters that dealt with private institutions and the University of Nevada System were not reviewed for the purposes of this study. Additionally, at the time of writing for this study, the Nevada Revised Statutes, 1987 copyright, were used. An analysis of the material contained within Chapter 2 was conducted and presented in Chapter 4 upon the provision of an explanation as to the research methodology contained within Chapter 3.
CHAPTER 3

Methodology

Chapter 3 was designed to present and explain the methodology used for the purpose of this study. The purpose, as has already been stated, was the identification of the effects of educational policy considered and/or enacted by the Nevada Legislature over a period of fifteen years (1975-1990) on the schools of Nevada.

For the purpose of this study, the methodology employed was that of the historical research approach. As indicated in Chapter 2, historical research was defined by Skager and Weinberg as "that perspective which acquaints us with the condition under which certain educational forms evolved" (33, 1971, p. 52). Historical inquiry had the capacity to reveal information about relationships among time, situation, educational techniques, and in the instance of this present research, the relationship between legislation and educational practice.
It was also noted that the historical research approach more than adequately met the criteria for both a retrospective and prospective analysis of policies considered and enacted by government bodies to be conducted. Retrospective policy analysis equated to looking back at policies enacted by governments and tracing their effects; prospective policy analysis was defined as the attempt to predict the consequences of policies currently being considered and/or implemented. Skager and Weinberg provided concise information as to the purposes of historical research:

Historical knowledge allows the student of education to relate the present to its sources and to see specific activities and practices in the light of how they came to be. . . . An awareness of history of educational practice and systems allows one to reflect upon the relevance of his educational world to the problems of the present. Historical research gives us that perspective, from which we can evaluate the present and promote innovations for the future (23, 1971, p. 50).

It was noted that the historical research approach would be the vehicle by which both a retrospective and prospective policy analysis could be conducted for the Nevada legislative sessions, 1975-1990.

Identification of sources of material to be used in conjunction with this study led to both the selection of primary and secondary sources. Skager and Weinberg defined these two types of sources of material in the following manner:
Primary sources are original, or underived. They consist of relics or remains from the past. . . . Secondary, or derived sources, are reports of persons who were not actual witnesses to the event they write of, but who used primary sources or other secondary sources in preparing their material (23, 1971, pp. 53-54).

Primary sources used for the purpose of this study were identified as the following:

Nevada Legislative Senate Final History
Nevada Legislative Assembly Final History
Index and Tables For Bills and Resolutions Introduced in the Senate And Assembly
Nevada Legislature Fifty-Ninth Session, 1977
Nevada Revised Statutes
Nevada Revised Statutes Annotated 1989 General Index Vol. 21
Summary Of Legislation Nevada Legislature Sixty-Third Session 1985
Educational Bills And Resolutions Passed In The Senate And Assembly Nevada Legislature Sixty-Fourth Session 1987
Nevada Legislature Senate Journal, 1981

Secondary sources identified and used in accordance with this study were as follows:

Brief Analysis Of Education-Related Legislation Enacted During the 65th Session of The Nevada Legislature
Legislative sessions as covered by the media, specifically the 65th session, 1989
Documents prepared by both the local and state levels of the teachers' associations (CCCTA and NSEA) regarding the 65th Nevada Legislative session.

The application of both external and internal criticism (32, 1971) to the aforementioned sources of data led to the following observations. Primary sources identified for this study were considered to be both authentic and genuine because the state government prepared and distributed these documents. Secondary sources required the application of internal criticism, as they were prepared and reported on by entities outside of the realm of the state government.

**Analysis and Treatment of the Data**

Once primary and secondary sources had been identified for this study, a thorough and methodical content analysis ensued. Content analysis was defined as:

the surveying of documentary material such as textbooks, periodicals, and the records of all sorts. The researcher is interested in a quantitative and qualitative survey of material appearing in printed form. Such analysis can be used to describe trends in content; to trace the development of a certain practice, style, or belief; to detect bias or propaganda in materials being studied; and to reveal focus of attention (32, 1971, 109).
Davitz and Davitz defined content analysis in a more concise way:

Classifying the information contained in any communication according to a defined set of categories and following explicit rules of coding (7, 1977, p. 34).

A content analysis of identified primary and secondary documentary sources of information and data was conducted to ascertain trends, identify the development of the practice of hyperrationalization, and to reveal the focus of attention on education at the legislative level within the State of Nevada. The following legislative sessions were considered in this study:

- Nevada Legislature Fifty-Eighth Session 1975
- Nevada Legislature Fifty-Ninth Session 1977
- Nevada Legislature Sixtieth Session 1979
- Nevada Legislature Sixty-First Session 1981
- Nevada Legislature Sixty-Second Session 1983
- Nevada Legislature Sixty-Third Session 1985
- Nevada Legislature Sixty-Fourth Session 1987
- Nevada Legislature Sixty-Fifth Session 1989

The 58th, 59th, 60th, and 62nd sessions involved a content analysis of both the Nevada Legislative Senate
Final History and the Nevada Legislative Assembly Final History upon determination of legislative bills directed at education as outlined in the Index and Tables For Bills and Resolutions Introduced In The Senate and Assembly Nevada Legislature for each respective session. For the purpose of the 61st session, a content analysis of the Nevada Legislature Senate Journal and the Nevada Legislature Assembly Journal for the same year was conducted. Legislative bills directed at education during the 63rd session were analyzed in accordance with the document, Summary of Legislation Nevada Legislature Sixty-Third Session 1985. A content analysis of Educational Bills and Resolutions Passed In The Senate and Assembly Nevada Legislature Sixty-Fourth Session 1987 was conducted to ascertain educational legislation for the 64th session. Finally, the document, Brief Analysis Of Education-Related Legislation Enacted During the 65th Session Of The Nevada Legislature, was analyzed for the 65th session. Documents to be analyzed were identified in view of authenticity and availability for this study.

Content analysis of each of the aforementioned sources led to the identification of considered and/or enacted education-related legislation for each of the Nevada legislative sessions during the years, 1975-1990. Additionally, considered and/or enacted legislation was analyzed in accordance with the educational traditions.
identified (local control of education, teacher professionalism, role of governance structure separate from general government, and the belief that education was important as an end in itself) as endangered in view of increased legislation aimed at education. Finally, a content analysis of the *Nevada Revised Statutes* led to the identification of all education-related statutes within Nevada. Chapter 4 served as the forum for which results of all of the preceding were presented.
CHAPTER 4

Report of Findings

The intention of this study was to identify whether the schools of Nevada were hyperrationalized during the selected time span of the years, 1975-1990. Hyperrationalization, a conceptualization permitting the examination of the development and proliferation of procedures and regulations, led logically to the use of the historical research approach for this study. The conceptualization and the methodology enabled the researcher to identify legislative acts and reveal their prescriptive pervasiveness. Accordingly, a content analysis was undertaken of legislative sessions conducted during the years, 1975-1990 to identify legislative bills considered and/or enacted which impacted education. Chapter 4 was designed to report the findings of said analysis in answer to the specific questions which were identified at the onset of this study. Subsequently, each question was addressed in turn and discussed in view of the findings which resulted
from the analysis of the legislative sessions during the years, 1975-1990.

The first question formulated by this particular study was:

What specific educational topics/practices were addressed by the legislative sessions during the 1975-1990 years?

Legislative bills (considered and/or enacted) which were directed towards education were classified into the following categories: materials, students, administrative/teachers, curriculum, general rules and regulations, and testing. The preceding categories were used in accordance with identified educational traditions purported to erode in view of hyperrationalization of schools. The findings were as follows: The fifty-eighth session of the Nevada Legislature (1975) saw the identification of a large number of bills directed towards student issues. These issues encompassed: student incentive programs; due process for suspension and expulsion of students; conditions and procedures for suspension and expulsion of students; age ranges of special education students to be addressed in the schools; services for special education; interscholastic activities; and the creation of an attendance board to identify ways in which to solve attendance problems of students.

General rules and regulations with regard to education were also addressed. Specifically, the issue of public
records had a great deal of emphasis placed on it during this session. Procedures for access to, correction of, destruction and disposition thereof, identification of penalties for falsification of records, retention of records, removal of time limits for prosecution of individuals involved in the falsification of documents, and identification of records to control property and equipment were all addressed during the fifty-eighth session.

A third topic addressed was that of teacher professionalism (administrative/teachers), suspension and revocation proceedings of teacher certificates and diplomas, identification of additional causes of suspension and clarification of procedures to revoke certification, and changes in provisions related to educational personnel.

Curriculum was impacted during this session with the inclusion of the following: required courses of study, educational programs on the environment, allowance for the use of the electronic calculator in certain courses, establishment of kindergarten, and the recognition of the community school concept. Finally, testing was also addressed within the bill which restricted the use of scholastic aptitude tests in public schools. It was evident that the fifty-eighth session of the Nevada Legislature impacted education. Educational traditions (local control of education, teacher professionalism, role of governance structure separate from general government, and the belief
that education was important as an end in itself) were eroded during this session in view of identified bills considered and/or enacted.

The fifty-ninth session of the Nevada Legislature provided a great number of bills directed towards education. Once again, it was evidenced that a great number of bills intruded upon schools' procedures and policies with regard to the student population. Items addressed under this category were: lowered age limits for compulsory attendance; provision of waivers in certain circumstances for admittance of students; prohibition of hazing; control of interscholastic activities; development of Nevada Student Incentive Grant; provision of monetary grants to lower the pupil-teacher ratio; authorization of corporal punishment; provision to lower pupil-teacher ratio in remedial reading courses; lowered age for enrollment of physically handicapped students; revision of provisions for handicapped students; and provision of hearings for suspension and expulsion of students. It was evident that P.L. 92-142 "Education For All Handicapped Children Act" played a part with regard to legislative attention aimed at education during this session. Numerous bills which encompassed special education were addressed by legislators.

Curriculum was focused on as well by virtue of the following identified bills: required course of study for high schools, development of early childhood programs
development of elementary counseling programs, development of minimum program standards for Learning Disabled students, inclusion of special education programs for handicapped contracted by school district, establishment of alternative schools, establishment of kindergarten and attendance thereof, provision for a silent period for voluntary individual prayer, and (interestingly enough) development of a course in family planning at certain levels and family planning centers. The latter bill lost during the legislative session; however, this same issue once again surfaced during subsequent years in response to the nationwide issue of abortion and the Clark County specific issue of the rights of individual high schools to make the determination as to issues addressed or advertised in school newspapers.

With regard to teacher professionalism/administration the following occurred: changed procedures and grounds for disciplining or dismissing administrators and teachers; probation for administrators; establishment of qualifications for remedial reading teachers; provided safeguards for discipline of educational personnel; examination of certain school personnel to determine the proficiency in specified subjects; revision of probationary status for certain educational personnel; and development of a committee to study professional licensing of teachers.
Testing has been specifically addressed upon requirement of comprehensive testing to determine competency in specialized subjects. Additionally, Congress was memorialized to prohibit busing for racial balance. It was noted that the desegregation issue was currently being reconsidered within the school district at the time of the writing of this study.

The sixtieth session of the Nevada Legislature in the year 1979 saw an increase in bills directed at both teacher professionalism/administration and local control of education (general rules and regulations). Bills considered to have impacted teacher professionalism/administration dealt with the following: revision of provisions relative to education; revision of discipline and reemployment procedures for certain educational personnel; provision for administrators and teachers to enter into agreements on behalf of various student activities, clubs, etc.; revision of provisions for demotion, suspension, etc., of personnel; exclusion of riffed teachers from dismissal procedures; provision for school district employees to give valid mailing addresses for dismissals; requirement of fingerprinting of applicants; and revision of disciplinary and reemployment procedures.

Determination of bills which had addressed topics/issues that could have been categorized under local control of government (general rules and regulations) led to the identification of the proceeding: required permits to
conduct informational seminars; request for the gathering of information on the utilization of time during the seniors' day; consideration of the practicality of smaller school districts; exemption of records for disclosure; confidentiality of certain books/records; revision of criminal penalties (buses); clarification of state board and superintendent of public instruction; provision for mandatory negotiation when school trustees had not prescribed certain regulations; provision for change of title of security officers; changed calculation of computation of sick leave; urged U.S. Supreme Court from jurisdiction to review certain cases that involved prayer; provision for responsibility of state to collect data as to pupil achievement; required identification of substantial relationship to profession to deny or revoke license due to public offense; revision of labor negotiation laws; and required annual equipment listing.

Rules and regulations with regard to students in public schools were identified through the following: provision for earlier admission of special education students; revision of terminology and grouping of special education students; provisions extended for special education students; provision for maximum age for participation of programs for the handicapped extended; identification and recognition of students with outstanding achievement; extension of public school attendance requirements; provision for minimum age
lowered for compulsory attendance; revision of immunization requirement of students; identification of penalty for parent for nonsubmission of proof of immunization unless otherwise exempted; adoption of disciplinary codes for pupils; and requirement of notice of students failing or who had performed unsatisfactorily to be mailed home.

The impact on curriculum resulted in: establishment of a metric system advisory council, reallocation of monies from driver education to elementary counseling programs, development of state standards for public school curriculum in basic subjects, establishment of a course in human growth and development, development of a course of study for junior high and middle schools, and provision of request for current event instruction.

Appropriation for the testing proficiency of pupils was addressed during this session, as well.

The sixty-first session saw the consideration of thirty-three education-related bills. Local control of education (rules and regulations) was impacted in the following manner: appropriation of money for the study of the Nevada Plan of financing education; relaxation of treatment of truancy in public schools; provision of state aid for elementary school counseling; extension of the commission on professional standards in education; revision of amount of sick leave which employees may accrue; provision for use of money for assistance to school district with
construction and furnishing of schools; enlarged number of school districts in which tax on residential construction for school buildings be imposed; establishment of demonstration teacher internship program; provision for association of interscholastic group to be in proportion to student population; provision for more autonomy for local school district; provision for state financing and administration of special education for severely handicapped; provision for special assistance to school district to provide instruction for kids in detention homes; provision for financial support for education of handicapped students exceeding school time; exemption of school buses from state standards when federal standards are met; provision for prisons to contract for education; and provision for students living on Indian reservations to attend closest school.

Teacher professionalism/administrative impact was addressed by the following: abolished state textbook commission, extended permissible period of suspension of certificated employees in school district, revised provisions relating to probation of teachers and administrators, clarified procedures for suspension or revocation of certificates by state board of education, revised certification and employment of personnel of school district, and provided for certification of psychologists.
Student personnel (control of, provision for, etc.) was addressed upon: revised classes and terminology of handicapped minors, provided for discipline of students, amended physical exam provisions, provided for local determination of causes for suspension/expulsion of students, provided earlier age of participation in special education and later age, as well, revised retention of pupil procedure, and provided for early admission of academically talented minors to public schools.

Few bills were considered and/or enacted with regard to curriculum: provided for qualification of home study program, encouraged improved instruction of pupils in reading, writing, and math, special education programs for academically talented, repealed aid for driver's education, and provided money for vocational education equipment. Testing was impacted upon the sole bill: extended requirement for proficiency of pupils and provided certain exemptions from exams.

Educational bills considered and/or enacted by the sixty-third session of the Nevada Legislature totaled forty-one. Bills specific to general rules and regulations (local control of education) appeared to have held the top priority of this session. They were as follows: developed commission to study financing education; extended existence of the commission for professional standards in education; amended existing law to use monies from capital projects
to purchase certain items; provided for disposition of revenue from certain sources; decreased filing fee for individual running for office; provided state general fund monies for cost-of-living increases; revised procedure for computing level of basic support; increased average of basic support per pupil; changed commission on postsecondary education; provided monies for single payment as incentive for continued work; provided for uniform speed limit when school in session; provided for retired employees to get certain insurance; allowed continuation of group insurance to dependents of retirees; repealed provision as to advance payment to teachers and certificated personnel; required superintendent must hold Master's degree; provided separate section of Nevada Revised Statutes to deal with child protection; broadened range of investments for those in state investment program; memorialized Congress for acres to benefit schools; required study to determine reasons for special education being rectified by methods available; provided additional private/public support for preceding study; provided monies to be used to locate new superintendent; raised salary of superintendent; and provided monies from economic committee to support courses designed to teach business skills.

Instructional materials were impacted by bills that appropriated monies for textbooks, equipment, training
and curriculum development. The topic of teachers/administration was addressed by: hearing officer must complete course in administrative law; and three-year contracts for postprobationary teachers and administration.

Bills directed at students were as follows: required written rules and prescribed consequences written and provided to all, urged disruptive students removed, required alternative setting for them, required suspension/expulsion of students for certain infractions, and urged peer tutoring for students with specific learning disabilities.

A number of bills were considered and/or enacted regarding curriculum: encouraged increase in number of English credits to graduate; the same was stated for the content areas of math and science; urged computer science requirement to graduate; urged more occupation classes and changed name from vocational education to occupational education; urged getting rid of certain courses (electives) not tied to reading, math and science; asked smaller school districts to cooperate and establish vocational education programs; and provided monies for White Pine for experimental rural educational program.

In 1987, the sixty-fourth session passed forty bills and resolutions which impacted education. General rules and regulations were identified during this session by the following: revised provision for competitive bidding; provided use of telegraphic copy of abstract of governor's
warrant of arrest or extradition; declared Martin Luther
King's birthday and the day after Thanksgiving as holidays;
limited deductibles and copayments charged under certain
contracts of insurance; formed election districts for county
school board; changed composition of public employee's
retirement board; modified list of subjects of mandatory
collective bargaining for local government employers;
accelerated date for preparation of annual audit of school
district; changed bids on certain projects for public works;
provided for governing unfair practices of insurers; made
apportions for certain expenditures, estates of decedents
- revised provisions governing collection and distribution
of tax; provided for governing redevelopment and tax
increment areas; permitted minimum reduction of minimum
number of days of free public school in case of emergency;
required safety belts for certain individuals; continued
coverage of health policies under certain conditions;
required Interim Finance Committee to study ways to finance
occupational education; required study on how to contain
rates for casualty and property insurance; authorized
reinstating certain retired insurance for dependents;
changed insurance contracts; provided for revisions —
comparative negligence; extended filing of budget in
response to legislation; increased contributions to
retirement; technical changes to preceding; increased state
employees' salaries; required study on funding of special
education; and required study on public elementary and secondary education.

Three bills regarding students were addressed: one revised the proof of immunization of students, another required enrollment of children by documented name, and a third amended the procedures for handling students' absences and truancies.

With regard to administration/teachers the following occurred: prohibited involuntary transfer of noncertified as discipline; revised dismissal of educational personnel; provided superintendent exemptions that licensed personnel directly supervise unlicensed personnel; changed licensure and approval of certain educational programs for teachers; extended certain benefits to pregnant employees; and provided for commission on professional standards to prescribe standards for teachers.

Testing was addressed by one bill which modified the program of proficiency exams. Curriculum was addressed by two bills: the course of study in AIDS, and the required lowering of teacher-pupil ratios.

Finally, 123 pieces of legislation which impacted education to some degree were passed during the sixty-fifth session in 1989. A multitude of bills treated rules and regulations. Areas addressed under this topic were as follows: salaries of classified employees; prohibition of termination of employees appearing in court with child;
prohibition of smoking except in designated areas; the
creation of mining taxes; provision for certain rules and
regulations regarding communicable diseases; development
of programs that provided for the accountability of school
district to residents of district; requirement of notices
of public meetings; requirements of postretirement increases
for those receiving small benefits; requirement of school
district to provide legal defense of employees in certain
criminal actions; developed a board of displaced homemakers
and telecommunications division; changed deadline for
submission of annual budget; expanded records of health
care persons; revised maximum salaries of members of state
boards; authorized expenditures of various officers,
departments, etc.; made appropriations from certain funds
for increases in salaries of certain employees; apportioned
state distributive fund; required tax on minerals extracted
separate from property tax; provided for housing juveniles
in certain facilities to be shared; and commended the PTA.
Legislation required studies on traumatic head injuries,
on the budget process, on bicycle trails, and on youth
services, and the juvenile court system. Legislation
provided for exemptions on certain taxes, increased
authorization of short-term financing, and provided
additional penalties for certain crimes. Legislation
addressed the asbestos issue; state subsistence increase
- traveling on bus; capital improvement plans; funds to
finance pollution control, Nevada Indian Day, and the filing fees for certain candidates. Also addressed by legislation were revised practices and procedures authorized for certain investments; provision of monies to expand China Springs Youth Camp; requirement of earlier deadline for submission of proposed regulations to legislative session; provision for taxation on exempt real property when leased/loaned; addressed Columbus Day holiday; and the requirement of submission of certain items to voters. Legislation also specified the amount to be paid by certain employers for group insurance; imposed property tax with voter approval for certain capital improvements; created commission on substance abuse; increased the minimum wage; required impact fees; limited liabilities on referees and other sports officials; suspended driver's licenses of juveniles for unlawful acts; exempted school district property; required students living on Indian reservation to attend closest school; required state treasurer-direct deposit; provided state employees permission to transfer annual sick leave to other employees under certain circumstances; proclaimed "Constitution Week"; expanded authority of employer management relations board; developed fund for local cultural activities; and developed Interstate Compact for Education. Legislation provided monies for school districts to distribute to PBS; changed title/name of security officer; addressed Interscholastic Activities Association;
permitted employee with five years service to purchase
five years; extended period of paid excess leave; prohibited
person going to school for required parent conference from
being fired; amended certain definitions; and prohibited
Board of Trustees from changing grade given by teacher
unless procedure followed. Additionally, legislation
developed a revenue-sharing trust fund; addressed taxes
on retail sales; required sealed bids for construction;
exempted school district officials from paying court fees;
provided for general improvement for facilities; acted
on local government finances; required mediation of dispute
between employer and employee organization; required certain
information to employee-management board; and retirement.

Bills and resolutions impacted students in schools
by: reduced minimum age of enrollment to special education;
extended academically talented programs; prevented
expulsion, suspension, or removal due to truancy; required
delivery of truant to family counseling agency; outlined
custody of certain children to human resources department;
allowed students who began school in other states to enroll;
permitted school to enforce prohibition against possession
of dangerous weapon by a pupil; and allowed high school
to substitute credit earned at community college for high
school credit.

The areas of testing and curriculum received attention
from the legislature through the following: encouraged
schools to increase techniques to test/diagnose conduct of disordered and emotionally disturbed students; required textbooks to contain lessons from all races/ethnic backgrounds; developed advisory council on Holocaust; reduced pupil-teacher ratio; urged schools to provide necessary resources for occupational education of special education; urged creation of opportunities to participate in youth organization and occupational education; and urged schools to allow academic credit for occupational education for application towards college.

Finally, during this session, administration/teacher topics addressed were identified by the following bill/resolution topics: provided for nursing assistant certification and training; required person who prepares report on performance of employee in classified position be trained to do so; validated competency test for licensing prospective teachers; identified time to report suspected child abuse; required informal suspension of child that is delinquent; required pupils/teachers wear protective glasses in certain classes; termination for an unlawful sale of controlled substance; prohibited carrying of weapons on school campus; changed evaluating and reemployment of certain employees, retention of postprobationary status - employment in another district; exempted volunteers from provision of criminal history of sexual offenses; prohibited harassment; prohibited defacement/destruction of school
property; disallowed use of substitute teacher aides for teachers; clarified transfer of employee; addressed reciprocal licensing; provided request for hearing by dismissed, demoted, or suspended employee; addressed state employees act; outlined conditional sharing of confidential information; permitted state board to use grants and gifts to improve education; appropriated monies for latchkey students; requested reapportionment study; requested teenage pregnancy study; commended Basic High School ROTC; commended all state championship teams; required studies on affordable child care, on school zones and crossings, and on additional occupational education.

As was determined by all of the preceding, a large number of educational topics/practices were addressed by the legislative sessions during the years, 1975-1990. A noted increase in the numbers of such topics/issues was noted with each legislative session. As had already been identified, the fifty-eighth, fifty-ninth, sixtieth, sixty-first, and sixty-second sessions examined in the study included legislative bills and resolutions both considered and/or enacted. Not every bill and resolution was passed during the respective session. The comparison of total number of bills and resolutions in the aforementioned sessions and of those in the following three sessions, notably the sixty-third, sixty-fourth, and sixty-fifth session pointed out the conclusion that an even larger
number of educational pieces of legislation were considered in the latter sessions due to the large number of bills identified that were, in fact, passed. Graph 1 illustrated just this point.

Consideration of the second question posed by this study followed:

To what extent did legislation reflect a hyperrationalization of schooling during the last fifteen years?

Initially, confirmation of the hyperrationalization of schooling in the State of Nevada required the identification of four characteristics by which bills and resolutions could be categorized. The four characteristics of hyperrationalization were: laws prescriptive and procedural by nature; laws intrusive into the educational realm; legislated programs deemed to be beyond educational reasoning; or laws accompanied by an inordinate amount of bookkeeping and/or paperwork. Initially, specific examples of bills and resolutions were identified out of the most recent sessions which fit neatly under one or more of the aforementioned categories. These were provided as follows:

The 64th session (1987) saw the enactment of AB 415, AB 421, AB 552, and SB 166. These particular bills were representative of legislation characterized as being prescriptive and/or procedural by nature. A closer look at each was undertaken. AB 415 prohibited the involuntary
Graph 1

Number of Legislative Bills and Resolutions Considered and/or Enacted during Nevada Legislative Sessions, 1975-1990

*Denotes years in which data represented the number of bills and resolutions enacted during the legislative session.
transfer of noncertificated employees of the school district as a form of discipline. The bill prescribed an additional condition which would not warrant an involuntary transfer as had already been determined and was contained within Chapter 391 of the Nevada Revised Statutes. Additionally, the following two items were added: a noncertificated employee could be reassigned for less than thirty days in response to temporary requirements for work and if a noncertificated employee believed an involuntary transfer or reassignment was made as a form of discipline, he was entitled to a hearing on that issue (8, 1987). AB 421 revised provisions governing the dismissal of educational personnel. This bill removed the presumption of just cause for dismissal with regard to postprobationary employees. The procedures for dismissal were specific within this bill (7, 1987). AB 552 required each school district to establish a course of instruction for pupils in public schools concerning Acquired Immune Deficiency Syndrome and the human reproductive system. Additionally, the requirements of a notice of the course to parents/guardians and a form for consent was to be included in the registration materials for each pupil. A board was to be developed consisting of five parents of children who attend schools in the district, four representatives (one from each of four of the following professions: medicine or nursing, counseling, religion, pupils who attend district schools, or teachers)
to advise the district as to the content of and materials to be used for this course. Finally, all instructional materials to be used in a course had to be available for inspection by parents/guardians of pupils at reasonable times and locations before the course was taught, and appropriate written notice of the availability of the material must be furnished to all parents and guardians (7, 1987). The procedure to follow with regard to the development of this course was very specific as outlined by this bill. Finally, SB 166 modified the program of proficiency examinations for pupils in public schools, and provided for other matters properly relating thereto (7, 1987).

The 65th session (1989) saw the passage of SB 55, SB 74, SB 433, AB 90, and AB 759. SB 55 mandated that eligible handicapped minors at the age of three must be admitted to special programs established for such minors except for gifted and talented minors who may be admitted at the age of four (32, 1989). SB 74 required the board of trustees of each school district to adopt a program providing for the accountability of the school district to the residents of the district and made an appropriation thereto (32, 1989). This act required local school districts in conjunction with associations of licensed educational personnel to adopt a program of educational accountability and to disseminate information on the program to the residents of the district
This bill was prescriptive in that it mandated the adoption of a program of accountability by the school districts of Nevada. SB 433 revised the definition of handicapped minor to extend programs for academically talented children to children gifted in areas other than academics. Additionally, it deleted references to academically talented and inserted "gifted and talented" (32, 1989). AB 90 prohibited boards from authorizing the expulsion, suspension, or removal of any pupil from school solely because of truancy (3, 1989). Finally, AB 759 amended the current statute with the addition of the requirement that the selection of textbooks approved by the State Board of Education after 7/1/90 must "accurately portray(s) the cultural and racial diversity of our society by men and women from various racial and ethnic backgrounds." The measure of compliance focused on the test of "accurate portrayals" in text content. It did not require all texts (e.g., algebra) to address the issue of racial and ethnic diversity (3, 1989). All of the aforementioned bills were prescriptive or procedural by nature with regard to the impact felt by education.

The second characteristic, intrusion into education, was revealed in an analysis of the 63rd and 64th legislative sessions. During the 63rd session (1985) the following bills and resolutions were deemed to be intrusive with respect to education: SB 125, SCR 14, SCR 18, SB 124,
AB 163, and ACR 3. SB 125 provided that each school district must prescribe written rules of behavior for pupils attending school within its district and must prescribe the appropriate punishments for violations of these rules. Copy of the rules and prescribed punishments must be distributed to each child and available for public inspection at each school within the district. The effect of the bill was to ensure uniformity of rules of behavior and punishments for their violation throughout the school district (31, 1985). As a result of this, the "Behavioral Guidelines for Secondary Students" was developed by the Clark County School District. SCR 14 urged the board of trustees in each school district to eliminate those elective courses offered by public schools in this state which do not teach academic, artistic, or vocational skills or physical training (31, 1985). SCR 18 encouraged the school district to remove disruptive pupils from the classrooms, to provide an alternative for such pupils, and to expel pupils if they continued to be disruptive (31, 1985). SB 124 required the suspension or expulsion of a pupil who committed battery on an employee of a school district or who possessed a dangerous weapon or sold or distributed any controlled substance on school premises (31, 1985). AB 163 authorized the state board of education to require the superintendent of any school district to hold a Master's degree (2, 1985). ACR 3 urged the superintendent of public instruction, state board of
education, to conduct research to determine whether the methods used to diagnose problems resulting from dyslexia and other specific learning disabilities correlated with the methods used to correct such problems (2, 1985). During the 64th session (1987) SCR 40 directed the legislative commission to conduct an interim study on public elementary and secondary schools in the state. Study was to include an evaluation of: organizational structure of public instruction, duties of county school districts, and duties and rights of the parents, pupils, and teachers of those districts (8, 1987). All of the identified bills and resolutions intruded into the educational realm inasmuch as they mandated and/or requested items which should have originated out of education at the direction of trained and educated professionals.

Legislation which required programs beyond educational reasoning were identified within the 64th and 65th sessions, respectively. AB 684 (64th session) declared the intent of the legislature concerning the size of classes in lower grades and required certain school districts to submit plans for reduction (8, 1987). Specifically, AB 684 stated:

The legislature hereby declares that in order to ensure that each Nevada child is afforded an adequate educational opportunity it is necessary to reduce the size of each class from kindergarten through third grade to a maximum ratio of one teacher for every 22 pupils in a classroom. The legislature recognizes that such a goal is unachievable without substantial continuing increases in state financial aid for public education (8, 1987, p. 33).
Subsequently, during the proceeding legislative session (65th), AB 964 was enacted. This enactment began with:

>a resolution expressing the intent of the Legislature to achieve a 15:1 ratio in core curriculum areas with retaining the right of local districts to affectuate that reduction. It also acknowledged the impact of such a reduction on facilities and within the fiscal resources available. The initial targeting for reduction is in at-risk kindergarten followed by Grade 1. Subsequent to the reduction in kindergarten and Grade 1, the Legislature announced its intent to continue reduction in Grades 2 and 3 followed by reductions to 22:1 in 4-6 and 25:1 in Grades 7-12 (J 3, 1989).

It was interesting to note the difference in the configuration between the two aforementioned bills during a two-year time span between the sessions. The latter bill became more detailed, lengthy, and specific. The initial bill specified one ratio which was not contained within the second.

SCR 8 and AB 125 were also identified under this third category. SCR 8 (65th session) encouraged county school districts to increase their use of techniques to test and diagnose conduct-disordered and emotionally disturbed children in the public schools (32, 1989). It was noted, however, that

the state board of education regulations for administration of special education services did not include a child who is diagnosed as conduct-disordered ONLY within the eligibility guidelines for special education services (32, 1989).

AB 125 required school districts to COMPEL teachers and students to wear protective eyewear in certain occupational
education and science instructional settings where eye protection is a consideration (32, 1989). These latter two pieces of legislation required programs (conditions) beyond educational reasoning.

It was noted that a multitude of bills and resolutions fit into the category of the requirement of an inordinate amount of bookkeeping and paperwork. The following were representative of this category. The 1987 session saw the enactment of SB 68 which required enrollment of certain children under the name appearing on identifying documents (8, 1987). SB 113 amended requirements for notice to parents of a pupil's absence to notice of pupil's truancy (8, 1987). SCR 3 directed the legislative commission to study the provision and funding of special educational programs for handicapped minors and the payment of the costs for the education of certain children in medical facilities (8, 1987).

Other specific examples of hyperrationalization of the schooling in Nevada during the past fifteen years were identified as well and were discussed as follows. Specifically, due to the increased amount of bills and resolutions directed specifically towards special education, an increase in the number of special programs, classifications of special students, age ranges to be addressed by the school system for special students and due process for these students were noted. One could easily
track the development of special education, due to legislative action, upon examination of the Special Students Services Manual and all information contained therein. This document had grown tremendously. Additionally, the amount of required paperwork for special education had increased.

Occupational education programs were developed in answer to legislative bills and resolutions throughout the 1975-1990 years. Programs such as these required development of curriculum, appropriated monies, trained professionals, equipment and materials, facilities, and the required paperwork that accompanied virtually any educational program.

Other effects noted during identified years were as follows: lowered pupil-teacher ratios; specified the number of credits for high school graduation (numbers and required coursework); installation of examinations (procedures, time periods, grades in which exams are to be administered, reporting of results, etc.); enrollment requirements of students into specific programs/grade levels; curriculum changes (permissible v. nonpermissible courses, inclusion of courses to address current needs - i.e., AIDS); identification and development of special programs to address special needs (opportunity schools, Clark County School District Drug/Alcohol Program, EIC for high school students); development of Sunset High School; programs
for "latchkey" students; programs for at-risk youth; self-esteem programs, etc.; due process with regard to the disciplining of students; and due process with regard to the disciplining of educational personnel, as well.

Essentially, as the number of bills and resolutions grew that impacted education, the concurrent number of programs, staff, paperwork, etc., had grown, as well. The school system was increasingly called upon to address issues (educational, legal, social, economic, and those of special interest groups) which had been addressed in some shape or form by the Nevada Legislature through the consideration and/or enactment of legislation.

The following question was addressed:

Had a bureaucratic and legalistic conception of schools evolved and accelerated as a result of legislative action/consideration during the past fifteen years?

This question led to an affirmative answer, as evidenced in accordance with Max Weber's classical conceptualization of bureaucracy as applied to the following informational organizational charts of the Clark County School District representative of the following dates: 8/1978; 1983; 8/22/1989; 12/1989; and 3/1990 (Figures 1 through 13).

The Clark County School District was selected to apply Max Weber's characteristics of a bureaucracy due to this district being both the largest district and a prime example of bureaucratization.
Figure 1
Organizational Structure of the Clark County School District – March 1990
Figure 2
Organizational Structure of the Clark County School District - March 1990
Figure 3
Organizational Structure of the Clark County School District - March 1990
Figure 4
Organizational Structure of the Clark County School District - December 1989
Figure 5
Organizational Structure of the Clark County School District – December 1989
Figure 6
Organizational Structure of the Clark County School District - December 1989
Figure 7
Organizational Structure of the Clark County School District, August 22, 1989
Figure 8
Organizational Structure of the Clark County School District, August 22, 1989
Figure 9
Organizational Structure of the Clark County School District, August 22, 1989
Figure 10

Organizational Structure of the Clark County School District - 1987
Figure 11
Organizational Structure of the Clark County School District - 1986
Organizational Structure of the Clark County School District - 1983

Figure 12

COMMUNITY
Citizens — Parents — Students

BOARD OF SCHOOL TRUSTEES

Private Legal Counsel

Legal Counsel

Administrative Assistant

Graphic Arts

SUPERINTENDENT OF SCHOOLS

Communication Specialist
Public Information Office

Communication Specialist
Superintendent's Office

ASSOCIATE SUPERINTENDENT
Elementary Education

ASSOCIATE SUPERINTENDENT
Secondary Education

ASSOCIATE SUPERINTENDENT
Administrative and Special Student Services

ASSOCIATE SUPERINTENDENT
Personnel Services

ASSOCIATE SUPERINTENDENT
Business and Finance Services

ASSOCIATE SUPERINTENDENT
Facilities and Transportation Services

DIRECTORS
Northeast Zone
22 schools

Northwest Zone
18 schools

Southeast Zone
18 schools

West Zone
12 schools

Curriculum Services

DIRECTORS
Northeast Zone
10 schools

Southeast Zone
15 schools

West Zone
12 schools

Curriculum Services and Vocational Education Student Activities

DEPUTY ASSOCIATE SUPERINTENDENT
DIRECTORS
Special Education Programs and Services

Special Schools and Programs

Pupil Personnel Services

Research and Development and Federal Programs

Television Services

DIRECTORS
Classified Personnel
Employee Management Relations

ASSISTANT BUSINESS MANAGER AND COMPTROLLER

DIRECTORS
Accounting

Budget

Food Service

Management Information Systems and Data Processing

Purchasing and Warehousing

Auditing

Benefits

Reprographics

DIRECTORS
School Planning

Construction

Supplies and Equipment

Maintenance and Operations

Landscape and Grounds

Security

Transportation
Figure 13
Organizational Structure of the Clark County School District - August 1978
Analysis of the preceding organizational charts required the identification and/or definition of characteristics of a bureaucracy. For the purposes of this study, Max Weber's interpretation was utilized. Six characteristics were identified relative to Weber's work:

1. Principle of fixed official jurisdictional areas, which are generally ordered by rules - by laws or administrative regulations.
   A. Fixed distribution of official duties for regular activities required for bureaucratic purposes.
   B. Authority to give commands required for duties.
   C. Provision is made for regular continuous fulfillment of these duties.

2. Principles of office hierarchy and levels of graded authority mean a firmly ordered system of super and subordination (if there is supervision of the lower offices by the higher ones). Office hierarchy is monocratically organized.

3. Management of modern office is based upon written documents ("the files") which are preserved in original form.

4. Office management - distinctly modern - usually presupposes thorough expert training.

5. Official activity demands the full working capacity of the official.

6. Management of the office follows general rules, more or less stable, exhaustive and can be learned (36, 1946).

Comparison and application of the preceding identified characteristics to the organizational structure of the Clark County School District, in particular, led to the following conclusions. As to the first characteristic whereby official jurisdictional areas are in existence
with individuals in positions to give commands, it was evident upon looking at the organizational charts of the Clark County School District that this was the case. Clear parameters existed with individuals operating within them in positions to issue commands. The rules, laws, and administrative regulations that governed these areas and individuals were evidenced with the emphasis placed upon the Clark County "Regulations and Policies Staff Handbook" and the *Nevada Revised Statutes*.

The second characteristic, firmly ordered system of super and subordination, was identified by virtue of the organizational structure at hand and the established procedure that accompanied the structure whereby individuals in various positions were required to report to immediate supervisors. Additionally, the district evaluation process emphasized this area, as well. Specific guidelines existed which outlined individuals responsible for evaluations of various personnel, timelines, procedure for, and format required (forms).

With respect to the management of the office based upon "files" which are preserved in original form, the Clark County School District served as a prime example due to the inordinate amount of required paperwork—even more emphasized with respect to special programs which felt the impact of both the state and federal levels of required red-tape. Additionally, a notation was made with
regard to the volumes of material distributed by the Clark County School District; one example was that of the weekly Board of Trustees agendas and board minutes. Within modern-day school districts, files were found to be in existence from the central offices on down to individual teachers in their classrooms.

Expert training and distinctly modern office management were evident, as well. A multitude of in-services and training sessions were utilized to train individuals in various positions (i.e., computer in-service provided at school sites on incorporation of updated student population computer programs with regard to attendance, etc.; training provided for individuals involved in the computerization of the various divisions - personnel files; substitute service, and so forth). Whereas school systems were not identified as being on the cutting edge in view of modernization, they were identified as continually moving in that particular direction. Various divisions, departments, schools, etc., were identified as incorporating new and modern equipment into their programs in striving towards remaining abreast of the times.

Finally, it was clearly apparent that official activity demanded the full capacity of the official, and that the management of the office followed general rules which could be learned by concerned individuals. Individuals were held in strict accountability for the responsibilities
of their divisions, departments, schools, and so on, as evidenced by both inquiries made into and responses demanded by individuals in superior positions. Additionally, the inclusion of the legal realm as identified by both Board Legal Counsel and Legal Counsel representative of the school district operations pointed to a legalistic conception of schools. This came to pass due to increased litigation brought by the system itself, various personnel, parents and students, special interest groups, and so forth, that has been evidenced throughout the years and due to the increased amount of educational legislation which had impacted and increased the number of rules/regulations under which a school system must function.

In summation, the determination that both a bureaucratic and legalistic conception of schools had accelerated as a result of the effect of legislative action/consideration during the past fifteen years was made in view of data provided. Escalation of the number of divisions and accompanying personnel corresponded to the increased number of legislative actions during the past fifteen years. As additional requirements (in the form of statutes, rules, and regulations) were imposed on the school systems, additional divisions were created to respond to and handle the ever-increased demands. Along with the creation of divisions came the increased number of inherent personnel, responsibilities and paperwork.
The third question addressed by this study was that of:

What statutes existed that impinged upon educational traditions and practices in the State of Nevada?

The four traditions identified earlier in this study were: local control of education, teacher professionalism, role of governance structure separate from general government, and the belief that education was important as an end in itself. A thorough analysis of the Nevada Revised Statutes warranted the following findings.

Statutes that existed which impinged upon the educational tradition of "local control of education" were identified under the following chapters: "Title 34 Education": Chapter 386 Local Administrative Organization, Chapter 387 Financial Support of School System, Chapter 388 System of Public Instruction, Chapter 390 Textbooks, Chapter 391 Personnel, Chapter 392 Pupils, Chapter 393 School Property, and Chapter 395 Education of Handicapped Persons. Statutes that existed which had an impact on the tradition of teacher professionalism were included in the following: Chapter 389 Courses of Study, Chapter 390 Textbooks, Chapter 391 Personnel, Chapter 392 Pupils, and Chapter 395 Education of Handicapped Persons. Role of governance structure separate from general government was impinged upon by statutes within the following chapters of the Nevada Revised Statutes: Chapter 385 State
Administrative Organization, Chapter 386 Local Administrative Organization, Chapter 387 Financial Support of School System, and Chapter 388 System of Public Instruction. Finally, the tradition of the belief that education was an important end in itself was affected by Chapter 388 System of Public Instruction and Chapter 389 Courses of Study. Specifically contained within Chapter 385 State Administrative Organization, under "Program for Accountability of School District to Residents of District," was 385.347 Establishment; requirements; and reports. It was also noted that Chapter 385 would have a new section added due to the enactment of SB 74 during the 65th session which called for the adoption of a program providing for the accountability of the school district to residents of the district. This bill came into existence due to AB 964 which required the lowering of teacher-pupil ratios and the enormous amount of funding required thereto. It was determined that the aforementioned chapters were not discriminate with regard to the educational traditions affected. Said chapters often cut across the boundaries of identified educational traditions and had an impact on more than just one.

A closer look was made with regard to statutes that affected the areas of curriculum, administrative practices, and standardized testing. The following results were identified. Curriculum was essentially affected by statutes
found in Chapter 389 Courses of Study. Several examples were: 389.010 Enforcement of courses of study by trustees, 389.020 Instruction in American Government, 389.030 Instruction in American Government, 389.035 Satisfactory completion of courses in American government and American history required for graduation, 389.050 Instruction in high school in citizenship and physical training; employment of teacher of physical training, 389.060 Instruction in physiology and hygiene, 389.065 Instruction on Acquired Immune Deficiency Syndrome; human reproductive system; related communicable diseases; and sexual responsibility, and 389.080 Instruction in economics of American system of free enterprise. Additionally, the curriculum was impacted by statutes which addressed occupational education, and education of handicapped minors contained within Chapter 388 System of Public Instruction. Curriculum was also impacted and addressed by statutes under "Reduction of Pupil-Teacher Ratio in Certain Classes" as the need for additional sections/classes was required. It was also determined that statutes under Chapter 387 Financial Support of School System would have impacted curriculum. One example identified was: 387.205 Authorized uses of money in county school district fund.

Administrative practices were essentially discerned to be affected by virtually all of the Nevada Revised Statutes that addressed education, as individuals within
the administrative ranks were required to be knowledgeable of and responsive to all educational areas (financial support, pupils, personnel, courses of study, textbooks, and so forth). Several specific examples were: 391.3125 Evaluations of licensed personnel: Development of policy; number of evaluations; notice to probationary employee that he may not be reemployed; recommendations and assistance; copy of evaluation, 391.313 Admonition of licensed employee: Duty of administrator; removal from records; when admonition not required, and 391.314 Suspension of licensed employee; dismissal or reinstatement; salary during suspension; forfeiture of right of employment for certain offenses; period of suspension.

Finally, statutes that addressed standardized testing included the following: 389.010 Achievement and proficiency examinations; Requirements; effect of failure to demonstrate adequate achievement or to pass; disclosure of questions and answers prohibited; exceptions, and 389.017 Achievement and proficiency examinations: Submission of results to superintendent of public instruction.
CHAPTER 5

Summary, Conclusions and Recommendations

This study was conducted to discern the impact of educational policy both considered and/or enacted by the Nevada Legislature over a period of fifteen years (1975-1990) on the schools of Nevada. Essentially, the question as to whether the operation of schools in Nevada had been hyperrationalized was addressed in view of educational policy considered and/or enacted.

Summary

Educational policy considered and/or enacted in the State of Nevada during the years, 1975-1990 covered a myriad of topics and issues. Topics and issues encompassed various areas which fell under the following identifiers (chapters found within Title 34 Education of the Nevada Revised Statutes): State Administrative Organization, Local Administrative Organization, Financial Support of School System, System of Public Instruction, Courses of Study,
Textbooks, Personnel, Pupils, School Property, Private Educational Institutions and Establishments, Education of Handicapped Persons, University of Nevada System, Western Regional Higher Education Compact, Intercollegiate Athletics, and the Interstate Compact for Education. For the purposes of this study, consideration of Private Educational Institutions and Establishments, University of Nevada System, Western Regional Higher Education Compact, Intercollegiate Athletics, and the Interstate Compact for Education were not included. Attention was specifically directed at educational policy which impacted the public school system within the State of Nevada.

It was noted that along with the consideration of a myriad of educational issues and topics by the Nevada Legislature (1975-1990), the influence of previously identified forces (social/economic, political, antecedent movements, and legal) had been felt. This correlation was evident due to the types of educational issues and topics covered during the eight sessions of the Nevada Legislature (58th-65th sessions). Specific examples for each of the forces ensue: During the 59th session, SB 490 provided for the establishment of early childhood education programs and AB 495 required that courses in family planning be given at certain levels in public schools and required the establishment of family planning centers at high schools. It was important to note that the latter
bill subsequently lost during the respective session, but this particular issue was noted to have recently resurfaced in 1990 with the involvement of the PTA organization. Several other examples of bills and resolutions impacted by social/economic factors were SB 85 (65th session) which required the certification of nursing assistants; required certain training and qualifications for nursing assistants; provided for their regulations and SCR 8 (65th session) which encouraged the county school districts to increase their use of techniques to test and diagnose conduct-disordered and emotionally disturbed children. This was but a small sampling of bills and resolutions considered and/or enacted by the Nevada Legislature which fell under the social/economic category.

Attention to the second category, political, culminated in the following examples: AB 787 and AB 964 (65th session). The first bill resolved an ambiguity concerning whether the transfer of an employee is within the scope of bargaining and the latter bill required each district, together with the local association, to develop a class size reduction plan to achieve a ratio of 1:15 in grades 1-3, including at-risk kindergarten; 1:22 in grades 4-6; and 1:25 in grades 7-12. These two particular bills mirrored the NSEA's impact on the legislature as a political group.
The third force which had prevailed upon legislation and was directed at education was that identified as antecedent movements. Legislation that had felt the impact of this particular force included bills and resolutions aimed at topics which were at the forefront of the public's attention and were deemed to be addressed within the schools. Examples included legislation directed at special education, development of specific courses (i.e., AIDS and human reproductive system), requested studies on students who had suffered from traumatic head injuries and on the testing/diagnosing of conduct-disordered and emotionally disturbed students, and so forth.

Finally, the fourth force, that of legal impact, was felt by legislation directed at due process with regard to both educational personnel and the student population, special education issues (most recently, the suspension/expulsion procedures for special education students to comply with Nevada Revised Statutes 392.466 and NAC 388.265), studies requested to address the method by which Nevada's schools were funded, curriculum issues, and so forth. It was evident that all of the four forces had contributed to the impact felt upon legislation directed and/or considered for education.

The question as to whether educational traditions (local control of education, teacher professionalism, role of governance structure separate from general government,
and the belief that education was important as an end in itself had eroded was answered in the affirmative due to the consideration and subsequent enactment of a variety of legislation which encompassed topics labeled under said traditions. The research conducted under the auspices of this study left no doubt that any and all educational topics were open to scrutinization and subsequent reform under the guise of mandates by the Nevada State Legislature. Educational traditions were clearly vulnerable to political inspection and were discerned to have been continually eroded with respect to their sanctity within the field of education. In other words, any and all educational issues were considered by the legislature, with none being considered as being one in which the educational realm should have had total control.

Conclusions

Were the schools of Nevada hyerrationalized during the 1975-1990 time frame? The research data suggested an answer in the affirmative to this question. Specifically, the pattern of continued growth with respect to the types of educational issues covered by the legislature and numbers of bills and resolutions considered and/or enacted pointed to the hyerrationalization of schooling in Nevada. Bills and resolutions considered and/or enacted during the sessions from 1975 to 1990 were
prescriptive and procedural in nature, intrusive into the educational realm, required programs beyond educational reasoning, and required much paperwork/bookkeeping.

Research data pointed to the evolvement and acceleration of both a bureaucratic and legalistic conception of schools as a result of the effect of legislative action/consideration during the identified time period. School programs developed in sync with enacted legislation, as well. Policies and regulations grew as legislation was enacted with regard to education. Essentially, the bureaucratic characteristics of Nevada's schools was strengthened, as the decisions about the people and resources involved with education were based on the ever-increased number of rules and procedures with goals specified in measurable outcomes. The hyperrationalization of schooling in Nevada had materialized.

Recommendations

Recognition of the hyperrationalization of schools and subsequent effects had moved to the forefront of public attention, not only within the State of Nevada but nationwide. Assistant Secretary John MacDonald identified the new "three R's of Education" as being reform, restructuring, and risk-taking. He went on to state:

This means reorienting schools so they focus on results, not on procedures. . . . It means giving each school's principal and teachers the discretion to make more decisions (17, 1990, p. 8).
The report, "The Progress of Reform: An Appraisal of State Education Initiatives," pointed to the following conclusion:

- Despite calls for less state regulation and more power for schools to improve themselves, most states are still calling the shots on education reform. . . . State reform packages generally lacked coherence, and only a few states such as Washington, Arkansas, Maine and Massachusetts have programs encouraging local districts to find creative ways of improving classroom instruction (12, 1990, p. 7).

Finally, John Chubb and Terry Moe discussed in a forthcoming book that:

- None of the reforms suggested by various commissions or passed by legislatures will solve the basic problem with the public schools. . . . The schools are subject to political control and many layers of bureaucracy (15, 1990, p. 10).

Recommendations proposed out of this study are as follows: Initially, the Clark County School District was focused upon with regard to the bureaucratization and legalistic conception of organizational structure due to educational legislation during the 1975-1990 years. A recommendation is made to study and discern the patterns of organizational structures of the remainder of or all seventeen school districts in the State of Nevada during the stated time frame. A second recommendation is that of isolating one particular aspect, program, or division (i.e., special education, teacher supervision, etc.) and tracing its development along with the consideration and enactment of legislation during a specified time period.
Thirdly, the recommendation is made to research and identify what is occurring in one of the states identified as encouraging school-level creativity and reform (Washington, Arkansas, Maine and Massachusetts) and discerning the impact of the legislature on the educational system in view of the movement towards less state control and more control at the school level - what had been the effect of the concept of hyerrationalization on the school system and what is the current status? Finally, the recommendation is made to study what the future impact on education will be in view of the ever-increasing opinion of various entities or individuals that more control needs to rest at the local, rather than the state, level with regard to education. Will a noticeable lessening of what has been termed hyerrationalization be observable within the State of Nevada in the upcoming years and accompanying legislative sessions? Will the erosion of educational traditions slow down or cease in its entirety - what educational topics will continue to be addressed by the state legislature and which will be left to the local discretion? A multitude of potential problems with accompanying studies exist with relation to the hyerrationalization of schools in the State of Nevada.


8. **Educational Bills and Resolutions Passed in the Senate and Assembly Nevada Legislature Sixty-Fourth Session, 1987.**


10. Index and Tables for Bills and Resolutions Introduced in the Senate and Assembly Nevada Legislature Fifty-Ninth Session, 1977.


APPENDICES

Bills and Resolutions enacted during the Sixty-Third, Sixty-Fourth and Sixty-Fifth Nevada Legislative Sessions that were identified within the text as confirming the hyperrationalization of schooling in the State of Nevada. Bills and Resolutions provided are as follows:

Sixty-Third Session: SB 124, SB 125, SCR 14, SCR 18, AB 163 and ACR 3.

Sixty-Fourth Session: AB 415, AB 421, AB 552, AB 684, SB 68, SB 113, SB 166, SCR 3 and SCR 40.

Sixty-Fifth Session: SB 55, SB 74, SB 433, AB 90, AB 125, AB 759, AB 964 and SCR 8.
AN ACT relating to education: requiring the suspension or expulsion of a pupil who commits a battery on an employee of a school or who possesses a dangerous weapon or distributes any controlled substance on school premises; requiring the adoption of disciplinary measures for a pupil who possesses a controlled substance or intoxicating liquor; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY. DO ENACT AS FOLLOWS:

Section 1. Chapter 392 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. Except as otherwise provided in this subsection, any pupil who commits a battery which results in the bodily injury of an employee of the school or who is found in the possession of a dangerous weapon, except as provided in subsection 2, or sells or distributes any controlled substance, while on the premises of any public school must, for the first occurrence, be suspended from that school, although he may be placed in another kind of school, for at least a period equal to one semester for that school. For a second occurrence, he must be permanently expelled from that school, but he may be required to attend another kind of school. Any pupil in grades one to six, inclusive, or any pupil who is participating in a program of special education for children who are impaired either emotionally or mentally in growth and development may be suspended from school or permanently expelled from school pursuant to this subsection only after the board of trustees
of the school district has reviewed the circumstances and approved this
action.
2. Subsection 1 does not prohibit a pupil from having in his posses-
sion a knife or firearm with the approval of a teacher or administrator
of the school.
3. As used in this section:
(a) "Battery" has the meaning ascribed to it in paragraph (a) of
subsection 1 of NRS 200.481.
(b) "Controlled substance" has the meaning ascribed to it in NRS
453.041.
(c) "Dangerous weapon" includes a knife, blackjack, slung shot,
billy, sand-club, sandbag, metal knuckles, explosive substance, dirk,
dagger, pistol, revolver or other firearm.
Sec. 3. 1. The board of trustees of each school district shall adopt
and enforce measures for disciplining any pupil who is found in the
possession of an intoxicating liquor or a controlled substance, while on
the premises of any public school in its district.
2. As used in this section:
(a) "Controlled substance" has the meaning ascribed to it in NRS
453.041.
(b) "Intoxicating liquor" has the meaning ascribed to it in NRS
202.055.
Sec. 4. NRS 392.467 is hereby amended to read as follows:
392.467 1. The board of trustees of a school district may authorize
the suspension or expulsion of any pupil from any public school within
the school district. [In accordance with rules and hearing procedures
complying with requirements of due process of law.]
2. No pupil may be suspended or expelled until he has been given
notice of the charges against him, an explanation of the evidence and
an opportunity for a hearing, except that a pupil who poses a contin-
ing danger to persons or property or an ongoing threat of disrupting
the academic process or who is selling or distributing any controlled
substance or is found to be in the possession of a dangerous weapon as
provided in section 2 of this act may be removed from the school imme-
diately upon being given an explanation of the reasons for his removal.
and pending proceedings, to be conducted as soon as practicable after
removal, for his suspension or expulsion. [Pursuant to this section.]
3. The provisions of chapter 241 of NRS do not apply to any hear-
ing conducted under this section. Such hearings [shall] must be closed
to the public.
SENATE BILL NO. 125—SENATORS RYAN, RAGGIO AND RAWSON

FEBRUARY 12, 1985

Referred to Committee on Human Resources and Facilities

SUMMARY—Requires school districts to prescribe disciplinary code and distribute copies thereof. (BDR 34-60)

FISCAL NOTE: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No.

AN ACT relating to education; requiring school districts to prescribe rules of behavior for their pupils and punishments for violations of the rules and to provide pupils with copies of the rules; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 392 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Each school district shall prescribe written rules of behavior required of and prohibited for pupils attending school within their district and shall prescribe appropriate punishments for violations of the rules. If suspension or expulsion is used as a punishment for a violation of the rules, the school district shall follow the procedures in NRS 392.467.

2. A copy of the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments must be distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year.
SENATE CONCURRENT RESOLUTION NO. 14—SENATORS RYAN, RAWSON, RAGGIO AND TOWNSEND

JANUARY 28, 1985

Referred to Committee on Human Resources and Facilities

JMMARY—Urges board of trustees in each school district to eliminate certain elective courses in public schools. (BDR 190)

ENATE CONCURRENT RESOLUTION—Urging the board of trustees in each school district to eliminate those elective courses offered by public schools in this state which do not teach academic, artistic or vocational skills or physical training.

WHEREAS. The scope and quality of the education which Nevada's youth receive is a matter of great concern to all Nevadans; and

WHEREAS. The growing complexity and competition of the world which graduates from schools in Nevada face must be considered in formulating the academic curriculum of Nevada's schools; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING. That the board of trustees in each school district is hereby urged to eliminate elective courses from the curriculum in high schools and junior high schools which do not teach academic skills or worthwhile artistic or vocational skills or physical training; and be it

RESOLVED. That a copy of this resolution be transmitted by the legislative counsel to each board of trustees in each school district.
SENATE CONCURRENT RESOLUTION NO. 18—SENATORS RYAN, RAGGIO AND RAWSON

FEBRUARY 12, 1985

Referred to Committee on Human Resources and Facilities

SUMMARY—Encourages removal of disruptive pupils from classroom. (BDR 59)

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THAT each school district of the State of Nevada is encouraged to provide a system of discipline whereby pupils who consistently disrupt a class may be removed from that class and placed in an alternate setting designed to deal with their disruptive behavior; and

RESOLVED, That each school district is urged to expel disruptive pupils if they continue their disruptive behavior after being placed in an alternative class provided by the district.
AN ACT relating to superintendents of schools; authorizing the state board of education to require the superintendent to hold a master's degree; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 391.110 is hereby amended to read as follows:

391.110 1. The board of trustees of a school district may:

(a) Employ any person certificated for the position of administrator to serve as the superintendent of schools of the school district. [In school districts having 7,000 or more pupils, the superintendent of schools must hold at least] The state board of education may require the superintendent of any school district to hold a master's degree. [In school administration or education.]

(b) Define his powers and fix his duties.

(c) Fix his salary.

2. No superintendent of schools may be employed for more than a term of 1 year unless he has first served 2 years satisfactorily as a certificated teacher or administrator in the school district. If he has served 2 years satisfactorily in the school district as a certificated teacher or administrator he may be employed for a term of not to exceed 4 years.

3. A superintendent of schools may be dismissed at any time for cause.

4. A superintendent of schools may administer oaths or affirmations relating to public schools.
Public school education has always been perceived by the public as an institution to which laymen from all walks of life would provide input, good or bad, insightful or ignorant, solicited or unsolicited. The assumed responsibility phenomenon helped legitimize the continued contributions by the public of new concepts and ideas by which schools could supposedly solve glaring problems purportedly being experienced.

The institution of education has always embraced the introduction of new concepts (either wholeheartedly or begrudgingly) and consequently became subject to the inevitable bandwagon of professionals who have continually searched for the ever-elusive manner by which all individuals could effectively be educated. Educational bandwagons (those individuals or forces making recommendations to improve education) are not new phenomena; rather, they have demanded acknowledgement from educators since the onset of public education. A most demanding and significant force has been the political establishment. The past two decades of political involvement have resulted in the hyperrationalization of schools (a concept originated by Arthur Wise). Consequently, educators no longer have complete command of the field of education.

This study served to look at the impact of educational policy considered and/or enacted by the Nevada Legislature over a period of fifteen years (specifically, 1975-1990). Essentially, the study was designed to provide both a retrospective and prospective analysis of regulatory laws (legislative) considered
and/or enacted with regard to education in the state of Nevada during the years reflected above. Hyperrationalization was equated to an effort by legislators to rationalize beyond the bounds of their knowledge concerning the field of education. Additionally, the amount of erosion with regard to educational traditions was determined. This determination was made with regard to how much of the so-called educational traditions were taken out of the realm of education and placed in the political realm. Educational traditions, as developed by Arthur Wise, were identified as follows: local control of education, teacher professionalism, the role of governance structure separate from general government and the belief that education was important as an end in itself.

The entire analysis was accomplished by a study of the development of education in Nevada during 1975-1990 as directed and mandated by legislative acts. Data gathered were organized to reflect patterns of educational legislation (considered and/or enacted) and subsequent effects upon educational programs and practices.