

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON EDUCATION

February 13, 2002

8:04 a.m.

MEMBERS PRESENT

Representative Con Bunde, Chair
Representative Brian Porter
Representative Joe Green
Representative Peggy Wilson
Representative Gary Stevens
Representative Reggie Joule
Representative Gretchen Guess

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE CONCURRENT RESOLUTION NO. 23

Proposing amendments to Uniform Rule 20 of the Alaska State Legislature; and providing for an effective date for the amendments.

- MOVED HCR 23 OUT OF COMMITTEE

HOUSE BILL NO. 342

"An Act relating to appropriations for operating expenses for primary and secondary public education; and providing for an effective date."

- MOVED HB 342 OUT OF COMMITTEE

HOUSE BILL NO. 352

"An Act extending the dates for assignment of performance designations of public schools and the dates for reports and monitoring based on those designations; and providing for an effective date."

- MOVED HB 352 OUT OF COMMITTEE

PREVIOUS ACTION

BILL: HCR 23

SHORT TITLE:LEGISLATIVE COMMITTEES:SPLIT HOUSE HESS

SPONSOR(S): EDUCATION

Jrn-Date	Jrn-Page		Action
02/11/02	2204	(H)	READ THE FIRST TIME - REFERRALS
02/11/02	2204	(H)	EDU, HES
02/13/02		(H)	EDU AT 8:00 AM CAPITOL 120

BILL: HB 342

SHORT TITLE: EDUCATION FUNDING

SPONSOR(S): REPRESENTATIVE(S) STEVENS

Jrn-Date	Jrn-Page		Action
01/18/02	2007	(H)	READ THE FIRST TIME - REFERRALS
01/18/02	2007	(H)	EDU, HES, FIN
02/13/02		(H)	EDU AT 8:00 AM CAPITOL 120

BILL: HB 352

SHORT TITLE: SCHOOL PERFORMANCE REPORTS

SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
01/23/02	2042	(H)	READ THE FIRST TIME - REFERRALS
01/23/02	2042	(H)	EDU, HES
01/23/02	2042	(H)	FN1: ZERO(EED)
01/23/02	2042	(H)	GOVERNOR'S TRANSMITTAL LETTER
02/13/02		(H)	EDU AT 8:00 AM CAPITOL 120

WITNESS REGISTER

BRUCE JOHNSON, Director
Quality Schools/Quality Students
Association of Alaska School Boards
316 West Eleventh Street
Juneau, Alaska 99801-1510

POSITION STATEMENT: Testified in support of HCR 23; testified
in opposition to HB 342; testified in support of HB 352.

EDDY JEANS, Manager
School Finance and Facilities Section
Education Support Services
Department of Education and Early Development
801 West Tenth Street, Suite 200
Juneau, Alaska 99801-1894

POSITION STATEMENT: During hearing on HB 342, explained that the bill has a zero fiscal note.

DAVE JONES, Director of Finance
Kodiak Island Borough School District
722 Mill Bay Road
Kodiak, Alaska 99615-0000

POSITION STATEMENT: Testified in support of HB 342.

ED McLAIN, Ph.D.
Deputy Commissioner
Department of Education and Early Development
801 West Tenth Street, Suite 320
Juneau, Alaska 99801-1894

POSITION STATEMENT: Presented HB 352 to the committee on behalf of the administration.

MARK LEAL, Director of Assessment
Teaching and Learning Support
Department of Education and Early Development
801 West Tenth Street, Suite 200
Juneau, Alaska 99801-1894

POSITION STATEMENT: Presented HB 352 to the committee on behalf of the administration.

NICK STAYROOK, Executive Director
Planning and Evaluation
Fairbanks North Star Borough School District
520 Fifth Avenue
Fairbanks, Alaska 99701-4756

POSITION STATEMENT: Testified in support of HB 352.

ACTION NARRATIVE

TAPE 02-6, SIDE A
Number 0001

CHAIR CON BUNDE called the House Special Committee on Education meeting to order at 8:04 a.m. Representatives Bunde, Green, Wilson, Stevens, Joule, and Guess were present at the call to order. Representative Porter arrived as the meeting was in progress.

HCR 23-LEGISLATIVE COMMITTEES:SPLIT HOUSE HESS

Number 0200

CHAIR BUNDE announced the first order of business to be HOUSE CONCURRENT RESOLUTION NO. 23, Proposing amendments to Uniform Rule 20 of the Alaska State Legislature; and providing for an effective date for the amendments.

[This was the first hearing for HCR 23, which was sponsored by the House Special Committee on Education; however, there was considerable related committee discussion under HCR 11 on February 6, prior to the introduction of HCR 23.]

Number 0231

REPRESENTATIVE GUESS explained that Section 1 removes the current [House and Senate] Health, Education and Social Services Standing Committees [from the list of committees in both houses]. Section 2 replaces the Senate Health, Education and Social Services Standing Committee; it also lists the House standing committees to include Health and Social Services, to address programs and activities of the Department of Health and Social Services; and Education, to address programs and activities of the Department of Education and Early Development and the University of Alaska. She reported that Tamara Cook, Director, Legislative Legal and Research Services, had proposed this language. Representative Guess concluded, "I believe it does what this committee wanted."

Number 0302

CHAIR BUNDE offered that the committee could seek answers to legal questions from Ms. Cook.

Number 0330

BRUCE JOHNSON, Director, Quality Schools/Quality Students, Association of Alaska School Boards (AASB), indicated AASB had submitted written testimony. He said AASB supports HCR 23; [education] issues are complex and deserve the full attention of committee. He encouraged passage of HCR 23.

Number 0369

CHAIR BUNDE stated that his experience in chairing both committees has evidenced for him the privilege of the focus afforded by the House Special Committee on Education (HEDU). He recounted the full calendar in the House Health, Education and Social Services Standing Committee (HHES).

Number 0439

REPRESENTATIVE GREEN acknowledged his support for [HCR 23], but raised the question of establishing a standing committee for education, as opposed to the subject's remaining in a special committee such as the House Special Committee on Oil and Gas. Oil and gas has been a major issue in the state, and yet it remains a special House committee.

REPRESENTATIVE GREEN suggested HEDU has many more things to do than members can accomplish this session. He speculated that perhaps in several years, much of the major work will be accomplished and the subject of education might not warrant a standing committee's status. The legislature always has the freedom to designate special committees; he said he'd brought this up for discussion.

Number 0522

REPRESENTATIVE WILSON emphasized her belief that a standing education committee should be established. She offered that North Carolina separates the two committees; in the years she served there, a shortage of issues was never a problem. She remarked, "Children are our most important ... product."

Number 0566

REPRESENTATIVE STEVENS noted that he serves with Representatives Joule and Wilson on HHES, which he believes has a full plate. The state has a constitutional responsibility to education; a standing education committee would recognize the subject's importance to the legislature and the state. He expressed his support for the establishment of a standing education committee.

Number 0643

REPRESENTATIVE GUESS pointed out redundancy in HHES and HEDU - the policy discussion occurs twice. She offered that HCR 23 helps the subjects of both education and health and social services. [Education] represents a large part of the state's budget. She acknowledged that the issues addressed in HHES are complicated. She expressed her belief that many years of struggle are ahead to determine "how to do this right." She said she doesn't foresee a decreased workload for HEDU in the next ten years. She added that another benefit is that some proactive measures have been taken to address education issues.

Number 0737

CHAIR BUNDE expressed his belief that the interim meetings to address teacher shortage issues would not have been possible if education issues fell only into HHES. He pointed out that education spending ranks second behind permanent fund dividend (PFD) funding - the state spends \$4.7 million per school day to pay for schools.

Number 0830

REPRESENTATIVE GREEN at first said he is in favor of continuing the House Special Committee on Education. He pointed out that 80 percent of the state's income is from oil and gas revenues, and yet oil and gas doesn't have a standing committee. The discussion of finances "rings hollow" with him, he noted. He indicated that if enough education issues continue in the years ahead, then education might warrant a standing committee. He concluded, however, "The concept of what we need to do, unbridled from other issues, ... that sells me."

Number 0960

REPRESENTATIVE JOULE said the House has the luxury of more members [than the Senate], which prevents members from being spread too thin. He highlighted the matter of time that can be devoted to issues [of education]. He continued, "I think we're ... embarking on a ... time in reform of education." He offered that this [reform] would evolve in the future; members need to devote time to address the future the state is building for its children. "This is the right thing to do," he concluded.

Number 1034

REPRESENTATIVE WILSON suggested the ultimate question is, "Is it good for kids?" She added, "That tells it all, right there."

REPRESENTATIVE WILSON moved to report HCR 23 out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, HCR 23 was reported out of the House Special Committee on Education.

HB 342-EDUCATION FUNDING

Number 1090

CHAIR BUNDE announced the next order of business to be HOUSE BILL NO. 342, "An Act relating to appropriations for operating expenses for primary and secondary public education; and providing for an effective date."

Number 1099

REPRESENTATIVE STEVENS presented HB 342 as the bill's sponsor. He explained that HB 342 provides for early funding of education; this has been considered [by the legislature] in the past. He recounted his frustration as school board president in determining the school district's budget for the upcoming year with funding from the borough and the state. He'd also served as borough mayor, caught between demands of the school district and the legislature's slowness in funding. House Bill 342 would require the governor to submit a separate appropriation bill to the legislature for education before the fourth day of each regular session. It asks the legislature to pass and send to the governor a bill funding the following fiscal year by April 1. School districts would be required to have budgets to the municipality by May 1.

Number 1182

REPRESENTATIVE STEVENS offered that the problem lies in districts' having to base upcoming budgets on assumptions of funding. The state is facing changes in education and teacher shortages, he said. He expressed surprise at the opposition to HB 342, which he attributed to political strategy. Surmising that other opposition has to do with the Constitutional Budget Reserve (CBR), he remarked, "The CBR is not going to be there much longer, so maybe we don't need to worry about it for too much longer."

REPRESENTATIVE STEVENS said the present system gives school boards very little time to plan; education requires planning. An enormous amount of the state budget goes to education, and this bill would "ease things up considerably." The district would know how much money it had early in the bargaining process. He echoed Representative Wilson's sentiment, asking, "What's best for kids?"

Number 1284

EDDY JEANS, Manager, School Finance and Facilities Section, Education Support Services, Department of Education and Early Development (EED), stated that HB 342 has no fiscal impact on

EED. He commented that Representative Stevens had covered the issue well.

Number 1309

MR. JOHNSON returned to submit AASB's position on HB 342. He paraphrased from a written statement and said:

Our association is supportive and appreciative of the work that the bill's sponsor continues to undertake on behalf of education and the children of our state.

That being said, our association is not in support of early funding for education at this point in our state's history. We do not believe that public education will be well served by HB 342. Our members believe strongly that adequacy of school funding is paramount to the urgency of knowing a funding level by April 1 of a given year.

Many of us recognize that our schools are transitioning from an accreditation-based system to a standards-based system in an effort to support the concept of "no child left behind," the mantra of our President; that our school systems are currently mid-stream in this transition, at a time when recent history has shown that our funding level hasn't kept pace with inflation over the past decade - making it extremely difficult for schools to meet the needs of all children; and finally, that our schools are balancing a variety of unfunded and underfunded mandates, as well as many additional responsibilities that require more resources to achieve the desired result.

Education initiatives currently being undertaken in Alaska beg for additional funds for school districts to do their job well. Our association, as well as the majority of Alaskan citizens, believe that education is the highest priority. In times of scarcity, the educational needs of our children are best served by adequate funding, not by an accommodation of early funding that, by definition, could easily short-change education given the current fiscal condition of our state.

Number 1412

REPRESENTATIVE GUESS asked Mr. Johnson if he would still disagree with this policy if the legislature guaranteed that education funding would be the same whether funded on May 15 or April 1.

MR. JOHNSON replied that if the amount were determined and set, AASB could agree to that. Nonetheless, this is not how the system works. The final days and hours of the [legislative] session are key in determining funding allocations. He offered that education is well served to be "at the table" and involved in that funding conversation.

MR. JOHNSON explained that municipalities' funding is unknown [until the end of session], so districts are told to plan budgets on the same municipal funding as the previous year; in June, this amount may be changed when funding is known. He added that supplemental education funding might be available at the end of the session [and might be precluded by early funding]. He reiterated, "We would prefer, as an association, to be at the table at the end of the session ... advocating for what we believe is right for children."

Number 1500

REPRESENTATIVE JOULE inquired whether AASB would perceive itself to be at the table if the date were moved to an earlier time.

MR. JOHNSON answered that the association would be invited and present at the table in the earlier funding scenario. He acknowledged that the legislature's task of balancing competing needs is enormous. He said:

From our perspective, if you were to simply dispatch [with] education by April 1 of each year, it would be very easy to say, "Our situation is so challenging in the state, ... take flat funding and be happy with that." We don't think that puts us in the best position ... at the end of the session.

Number 1550

CHAIR BUNDE queried, "You want to stay alive to the last minute in hopes that you can bargain politically to increase funding?"

MR. JOHNSON replied, "Absolutely."

Number 1582

REPRESENTATIVE STEVENS noted that the intention of HB 342 is not to underfund education. He cautioned that last-minute bargaining in the legislature might not serve education well.

Number 1624

REPRESENTATIVE GUESS agreed with Representative Stevens that this [legislation] is good education policy. She remarked, "If we want to be able to hold people accountable for how they're spending money, they need to be able to have the time to plan appropriately for their budget. It saddens me that this isn't going to move forward because it's not good politics."

REPRESENTATIVE GUESS emphasized that the CBR argument is the weakest argument. She indicated that the legislature might want to reevaluate the way it does business - with the final 72 hours determining much of the funding. She concluded, "Unfortunately, because of testimony like we heard today, no one will risk making good policy because of the politics that we choose to have in this body."

Number 1700

REPRESENTATIVE JOULE offered that an early deadline might be helpful by isolating the issue of education and focusing the efforts of the lobbying. He acknowledged that school boards, administrators, and teachers have been an effective lobby in mobilizing the state and subsequently the legislature. He offered his opinion that the early funding date might help education's position.

CHAIR BUNDE said, "What you're saying [is] rather than being at the end where everybody is at the table, ... your voice may not be as loud because of all the voices there."

Number 1800

REPRESENTATIVE PORTER offered that the legislature is facing "one heck of a fiscal dilemma." He reported that many other states and some Canadian provinces have made up to 25 percent across-the-board budget reductions, including education. This [funding deadline] might be a better idea for the next five years [as the state faces budget shortfalls], he suggested.

Number 1858

DAVE JONES, Director of Finance, Kodiak Island Borough School District, testified via teleconference. He noted that the Kodiak district is currently in the budget process. He characterized the district's position regarding state funding as "uncertainty" that affects the district's ability to educate students.

MR. JONES told members that Quality Schools funding and Learning Opportunity Grant (LOG) funding are not part of the Foundation Formula. This funding may or may not be funded each year. Teachers who are hired with these grant monies are placed in an uncertain position each year - they can wait [to seek other employment] in hopes that the funding is renewed, or they can seek a more secure position funded with Foundation Formula monies.

Number 1898

MR. JONES noted that the April 1 commitment would eliminate six weeks of uncertainty, and it would reduce staff turnover. He explained that the middle school and high school principals have each requested one new teacher to help students pass the High School Graduation Qualifying Exam (HSGQE). An April 1 commitment of Foundation Formula funds by the legislature would put his district in the "recruitment wars" six weeks earlier; in today's market, those six weeks are critical for recruiting the better teachers. By May 15, he noted, many teachers have already committed to teaching positions for the following school year.

MR. JONES reported that he is the president of the Alaska Association of School Business Officials (ALASBO). He stated that he'd told the ALASBO board of directors about HB 342, and had received only positive comments about it. Statewide, he offered, people would like to have the extra six weeks to plan. Mr. Jones said he would like to see this passed to help Alaskan districts educate students.

Number 1999

CHAIR BUNDE reminded members that they'd heard comments in support of earlier funding in the House Special Committee on Education hearings on recruitment and retention of teachers.

Number 2007

REPRESENTATIVE JOULE asked, "What happens if we fail to pass a bill by April 1?"

REPRESENTATIVE STEVENS expressed his understanding that this would be a suggestion to the legislature, and it is not binding to the legislature in any way.

Number 2032

REPRESENTATIVE WILSON said, "This really is a dilemma." She added that politics truly is involved with fiscal decisions made by the legislature. The legislation would give districts certainty in planning budgets, but the uncertainty of funding issue is a reality. She asked: How do districts know they've received as much as possible? She concluded that there is no quick answer to this dilemma.

CHAIR BUNDE added that "pink slips" don't add to teacher morale or retention.

Number 2113

REPRESENTATIVE STEVENS noted that one year during his tenure as a school board member, all first-year teachers were pink-slipped. The district intended to rehire most of these teachers, but the pink slips were distributed nonetheless, because of budget uncertainty. In light of the teacher shortage in the state, more funding certainty would serve districts well. He said, "'We're giving you a pink slip.' If I were a teacher, the first thing I'd do is check around Seattle. ... Many people are doing that."

REPRESENTATIVE STEVENS offered that other states pay teachers as much or more than Alaska. He referenced the comment by Mr. Jones indicating districts could be in the job market six weeks earlier - a tremendous advantage. The "cream of the crop" may be gone after that, he concluded.

Number 2185

REPRESENTATIVE GREEN drew attention to the state's dependence on oil revenue, characterizing the prognostication of oil prices as a "crapshoot." He suggested Alaska could not expect a sudden increase in oil prices, and pointed out that the state, in recent years, has been spending more than it has been taking in. He offered his experience at the end of session, that discussion doesn't focus on increasing education spending by cutting other

expenditures. Typically, he noted, the discussion instead centers on "holding the line" on education funding. He predicted that this would not change in the future, and he suggested that waiting until the end puts education funding in greater jeopardy. He noted the uncertainty of recruiting good teachers. He suggested an early start will help the state.

Number 2263

REPRESENTATIVE PORTER informed members that his son is teaching in Oregon. After teaching in Anchorage for five years and being pink-slipped two or three of those years, his son left the state.

CHAIR BUNDE closed public testimony on HB 342 and sought the wish of the committee.

REPRESENTATIVE GREEN moved to report HB 342 from committee with individual recommendations and the accompanying zero fiscal note. There being no objection, HB 342 was moved out of the House Special Committee on Education.

HB 352-SCHOOL PERFORMANCE REPORTS

Number 2299

CHAIR BUNDE announced that the next order of business would be HOUSE BILL NO. 352, "An Act extending the dates for assignment of performance designations of public schools and the dates for reports and monitoring based on those designations; and providing for an effective date."

Number 2320

ED McLAIN, Ph.D., Deputy Commissioner, Department of Education and Early Development (EED), presented HB 352. He explained that the bill moves the implementation date of the school designations to January 2005. One aspect addresses essential skills and brings alignment with the focus of SB 133, particularly at the high school level. House Bill 352 also aligns the date for reporting and monitoring progress with the general reporting dates to the public and the legislature.

DR. McLAIN explained that the date-change request followed conversations with the school designator committee, the legislative forum, and school and educational leaders. This delay will do three things. First, it will allow EED time to

align with the federal designation system incorporated in U.S. House Resolution 1 {H.R. 1}, the No Child Left Behind Act. This resolution, also referred to as the reauthorization of the Elementary and Secondary Education Act (ESEA), includes a school designation system; EED wants to be certain it can align with that. The House Special Committee on Education will be meeting with the ESEA federal personnel, he said, noting the importance of having one designation, rather than both a state and a federal designation.

DR. McLAIN explained that second, the delay will allow EED to incorporate growth information into the designation. School status information already exists for public use, he noted. Third, the delay will allow for "capacity building" for data collection and management by schools, districts, and the state. As this data becomes higher-stakes, its accuracy becomes more important, he added.

DR. McLAIN recounted the state's first experience with the federal designation for Title I schools and the steep learning curve this entailed [for educational personnel]. He offered that these new designations are much more extensive in nature; EED wants to "get this right." Dr. McLain explained that Mark Leal has been chairing the school designator committee.

Number 2440

MARK LEAL, Director of Assessment, Teaching and Learning Support, Department of Education and Early Development, pointed out three documents in the committee packet. One is a summary of school designations and gives an overview of the school designator committee.

TAPE 02-6, SIDE B
Number 2462

MR. LEAL said this document summarizes school designations in two pages. The second document, "Description of School Designator System and Questions and Answers," answers common questions asked regarding school designations. The third document, "SAMPLE Alaska School Report Card," attempts to answer the biggest question about school designations: Why do we concentrate so much on test scores?

MR. LEAL emphasized that the school designator committee has focused on the results in student achievement, rather than looking at process or context of the school. He offered that

process and context are important, but many process and context items are based on the "effective schools" research in the mid-'80s and '90s. These items include parent and community involvement, school-business partnerships, site-based management, and other elements of effective schools. The standards movement has transferred the focus from process and context to student achievement of the standards. He explained that both are important; a school that received a "poor" designation based on student performance would want to review those context and process issues in the school to see how they might be affecting student performance.

Number 2353

MR. LEAL stressed that the list of school context and school quality issues on the sample report card is for illustrative purposes only. It is not intended to be a comprehensive or final list; the designation will be based on student performance and a variety of context and quality issues. Some of these issues are already an element of the report card.

Number 2307

CHAIR BUNDE offered his opinion that schools are primarily a reflection of the communities. When a school is in crisis, it is because the community is in crisis. He added that the legislative and administrative intent behind the [school reporting mandate] was not a "gotcha" for schools. He remarked, "Obviously, we'd like to suffer from 'Lake Wobegon syndrome' where all our children are above average." The focus of this will not be on average or above-average schools, he said, but on schools deemed to be in crisis. He asked Mr. Leal to estimate how many schools would be currently designated "in crisis" if the designation criteria were enacted.

Number 2250

DR. McLAIN responded that half the schools would be below average. He offered that this is one reason EED is requesting the date change; EED wants to focus on growth. Some schools are in a community in crisis. If EED proceeds with the status scores alone, a variety of schools will be identified as deficient. A focus on growth will allow reward and recognition for that growth. The growth will also serve as a foundation for future progress. He said, "That's what the growth focus ... allows us to do, so that we don't forever have a school ...

[designated] down simply because of the population or ... the community mechanics."

Number 2191

CHAIR BUNDE said:

You think a two-year [delay] will ... get these people to wake up and smell the coffee and focus on growth? ... Is ... your delay going to give you different testing mechanisms? My concern is, if this mechanism is going to be bad for our schools, it'll probably be bad for our schools in two years.... Is just delaying sufficient? Or does the whole legislation have to be changed substantially?

Number 2250

DR. McLAIN acknowledged that EED has wrestled with similar questions. He said, "It is not simply to delay and not do anything differently." The federal legislation also contains designation pieces; EED wants to ensure alignment with those and to [have an effect on] the federal designations. He said Alaska has requested a seat on the rule-making committee to have some input to ensure that the designations are not simply punitive. Status scores are already in place; those are available to the public. He remarked, "When we disaggregated that data, that started to raise the attention about the differing achievement levels."

DR. McLAIN said EED has asked schools to focus their Learning Opportunity Grants specifically on intervention strategies, to focus on students who were not succeeding. He said, "Will the world be suddenly reborn in two years? I don't think that's what we're talking about. But there is ... an awareness that there was not six months ago. There is a new legislation behind us now, ... the federal legislation pushing us that we want to align to."

Number 2087

CHAIR BUNDE said the last time he'd addressed this, his attempts had been characterized as advocating public embarrassment of schools. He continued:

If we take this legislation with schools that are in crisis and take it to its ultimate conclusion,

nationally the results have been mixed when a state or a municipality takes over [a] school district ... in crisis. It was my view, ... and I think shared by some that have looked into this arena, that the "schools in crisis" really does ... little more than just focus a bright light on this school, which may serve to publicly embarrass them. And some research has said that helps.... What is the ultimate possible sanction, and how [will that] help a school in the administration's view?

Number 2030

DR. McLAIN replied that this matter of sanctions is a critical question; it is one reason for the delay request. He said U.S. H.R. 1 identifies a series of steps that, practically speaking, don't make a lot of sense. The proposed solutions in U.S. HR 1 include providing transportation for students to attend another school, for example, which doesn't make much sense to a single school in an isolated setting.

DR. McLAIN noted that Alaska hopes to have impact on these proposed solutions. Another provision calls for the replacement of staff in a failing school. Alaska's problem, however, is with retention of teachers and stability. This solution is therefore problematic. The state legislation calls for failing schools to develop - with community input - a plan [for improvement]. He said, "We agree wholeheartedly with you that this is not just what goes on ... in the school...; it is a community issue. And so the plan would call for that."

Number 1968

DR. McLAIN indicated the supports EED could provide to failing schools depend upon actions of the legislature. Other initiatives include proposing that the Alaska Center for Excellence in Schools do research and act as a broker for resources to help [failing schools].

DR. McLAIN noted that EED has requested monies for a fund slated for assistance for targeted instruction and intervention in low-achieving schools. This funding request also includes monies slated for high-achieving schools, to provide support for successful strategies and use them as a model for other schools. He noted that EED still needs to determine how much flexibility is allowed in the federal legislation. He noted that this is a major focus for EED.

CHAIR BUNDE remarked, "You don't make hollow threats when you want to get people to comply with important public policy." He said he looks at this possible state takeover as "pretty much a hollow threat." He added, "I guess it doesn't hurt, but it sure doesn't help any."

Number 1866

REPRESENTATIVE GUESS asked how EED is dealing with the issue of transience. She referenced page two of EED's "School Designators - Summary of Issues," which discusses growth of [a class from year to year]. She noted her understanding that EED is working on [individual] student identification. She emphasized the importance of appropriate accountability in schools with high student turnover rates. She requested an update of EED's efforts in this area.

Number 1838

MR. LEAL replied, "That's been a real thorny issue for the committee." The consultants the committee has been working with have done preliminary studies with Alaskan data and data from other states. These consultants have found very little statistical difference between a matched-student growth model and a growth model that compared groups of students one grade to the next, he reported. Alaska, however, presents some special dilemmas with small school size. The reason for this small statistical variation between the two groups is because in most states, transient students' profiles are quite similar.

MR. LEAL said the committee is addressing this issue by allowing the unique student identifier to calculate matched-student growth. He continued, "If there was an indication that by matching it up, that the school was really providing more growth than it was through the original calculation, then ... we could talk to the school about that or look at exactly what was happening there." He stated that EED does not want to send the message that transient students don't count. So this is a dilemma in having a system that is perceived as fair without sending the unintended message that only non-transient students count. He said other states have dealt with this issue in a variety of ways.

Number 1733

REPRESENTATIVE GUESS offered her opinion that this is one of the most important reasons for this delay. She emphasized the importance of this doing this part right; the state doesn't know how to do this yet, because there is such a migrant population. She asked about the use of Aid to Families with Dependent Children (AFDC) as a school context designation and whether EED was considering reporting on poverty. She indicated that poverty is a large issue when addressing school context.

MR. LEAL responded that the AFDC component in the school context is the place where EED will report on poverty. Currently, the information received by EED is self-reported; usually, this is through free-and-reduced-lunch counts and other things. There would need to be some measure of economic level of the school.

REPRESENTATIVE GUESS sought clarification that there was no plan to use an AFDC count.

MR. LEAL replied, "No. ... All of these are placeholders for items that we would want to [measure]." He said the purpose of the school report card is to show that schools are more than test scores. Many things affect test scores. He said, "We're looking at the school designation based on student performance, and these other ... school quality factors and school context factors would fit into the mix and ... may affect the designation." He offered the example of high parental participation in a school with low student achievement; EED does not want to be in a position of identifying this school as exemplary - the focus is student achievement. He stated that parent participation plays a role in student achievement and needs to be listed as an element of school quality while retaining the focus of student achievement.

Number 1600

REPRESENTATIVE GUESS reported her understanding that research shows parental involvement in the home is a greater factor in student success than is parental involvement in the school.

Number 1591

CHAIR BUNDE clarified that low student achievement does not directly correlate with low socioeconomic status. Many other factors play a role in student success.

MR. LEAL said a designation system using only status indicators would highlight socioeconomic factors. A designation system

based on both status and growth would provide a more accurate reflection of a school's accomplishments.

CHAIR BUNDE commented that many times "A" and "B" students don't exhibit expected growth.

Number 1538

REPRESENTATIVE GREEN referred to Representative Guess's comment and offered that in his geographically small district, a disparity exists among schools with regard to student turnover rates. One school might have a turnover rate of 30 percent; another, 100 percent. When comparing these two schools, one might surmise that the latter school has a deficient program. He expressed concern that unless both schools' nontransient students' achievement were compared, an inaccurate designation might be imposed. He asked what EED plans to do with this issue as a result of the proposed delay that it wouldn't have otherwise done. He also asked how this issue is addressed currently.

Number 1467

MR. LEAL indicated there is no mechanism in place for addressing this issue; a system that calculates growth is not being used. He said, "When we report test results for a school with a transient rate of 100 percent, ... that's the status scores - that's the snapshot in time of that school's performance." By calculating growth, he indicated, the progress of students who were present in that school or district could be measured.

MR. LEAL reported that the center for assessment is finding that much of student movement occurs between schools within a district. Some occurs district-to-district and state-to-state, but the majority is within a district. The unique [student] identifier will allow student growth to be measured by groups or individual students. So the assessment of a school with a high transient rate would include the matched-student growth; this school still needs to be accountable in some manner, he noted. This school needs to be assessed in its effectiveness with its student population.

Number 1385

MR. LEAL said, "In some manner, we need to be able to measure how effective they are with those students. We can't say, 'Because you have a transient population, we don't know how you

do, or we don't care how you do.'" He added that EED is trying to build in mechanisms to measure growth. It has initiated the [student] identifier, and some sophisticated databases need to be built at the state level to manage test results. The two years will allow for this development, he noted. He pointed out that EED is concerned about the issues of transience and small schools that will reduce the reliability of the system.

Number 1323

REPRESENTATIVE GREEN inquired whether a transient student who has low achievement scores as a result of his transience would be consequently identified as a special education student.

Number 1286

MR. LEAL replied that this student would not be identified as a special education student unless he was tested and then identified as such.

Number 1260

NICK STAYROOK, Executive Director, Planning and Evaluation, Fairbanks North Star Borough School District, testified via teleconference. He stated that he is a member of the school designator committee. He referenced a resolution dated January 15 from the Fairbanks North Star Borough School District requesting a delay in the school designations law.

MR. STAYROOK noted his district's concurrence with the governor's transmittal letter that outlines the reasons needed for the delay. He indicated his committee believes growth is an important factor when looking at school quality. No growth information currently exists. He said the assessment system has been evolving for several years; growth data will be available by next year. He explained why the district views this as important:

If we went forward with designations based simply on status - and the law does have a consequence that schools will begin to make school improvement plans based on these designations - we may be having many schools in the state producing school improvement plans based on status only, whereas when we get the growth data, [we might] find out that they didn't really need to do school improvement plans, and vice-versa.

MR. STAYROOK added that the school board resolution also draws attention to the issue of specialized schools. Many districts across the state implement alternative programs. Fairbanks has a high-school-level alternative program. At-risk students are the targeted population for this alternative program; many of these students are low-performing students. He said, "We're just afraid that these kinds of specialized schools are going to result - inherently - in an 'in crisis' or 'deficient' classification." He added that correctional facilities and special education schools would face this same dilemma.

MR. STAYROOK said the committee is also grappling with the issue of small schools. The current analysis for creating the designations is solely based on student achievement test scores on benchmark tests, norm-referenced tests, and the HSGQE test. He noted that of the approximately 500 schools in the state, 135 have enrollments of fewer than 50 students. This means that, on average, about four students are being tested at each grade level. He suggested that attempting to determine statistical validity of growth or achievement scores based on four students at a grade level is invalid.

Number 1035

MR. STAYROOK offered that additional measures need to be used for small schools. He indicated measures of parental satisfaction would be added, along with student measures, in determining the quality of a school. He pointed out that the Fairbanks district has recently incorporated parent evaluation forms for schools, which have been a valuable tool for correcting parent-identified issues.

MR. STAYROOK explained that the items for which schools will be held accountable in their designations will be the things that schools will concentrate on for improvement. Therefore, if designations are narrowly defined to consist of achievement in reading, writing, and math, those are things to which schools will pay particular attention. Other areas such as science, social studies, art, music, or other important subjects may be less emphasized and possibly ignored, he noted. He referenced an editorial by Darroll Hargraves, executive director of the [Alaska Council of School Administrators], that addressed the issue of narrow [curricular] focusing. Mr. Stayrook highlighted the importance of designation systems and the intent of them.

MR. STAYROOK explained that the reauthorization of the ESEA is requiring a school accountability system. He expressed his opinion that one important thing to consider in the ESEA is the difference in the achievement gap among students of different ethnicity, gender, and [family income] levels. The Fairbanks district has been tracking this and has an initiative to close the achievement gap between these students. If closing this achievement gap is important in Alaska, that might be an element in the designation for each school. He remarked, "In other words, it's not good enough just to bring up the average performance of students in the school, but it's also important to close the gap in achievement between different types of students."

Number 0885

CHAIR BUNDE asked Mr. Stayrook if he was comfortable that this [delay] issue would not be revisited with the same argument.

MR. STAYROOK replied that he was certainly comfortable with the two-year extension. He offered that this was due to the current lack of a growth score. He said:

Recent studies done by our test contractor will allow us to produce growth scores from the spring of '02 ... to the spring of '03. We think that we'll begin to have the growth scores there, and that having another year to pilot test this around the state - supply designations to schools, let them begin to working on their plans ... - would certainly make ... the entire legislation much more palatable.

MR. STAYROOK said he saw no need to delay beyond 2004. This delay brings other dates into alignment with the HSGQE dates. Those results also can be incorporated into the designations specified in the summer of 2004, he concluded.

TAPE 02-7, SIDE A
Number 0001

CHAIR BUNDE announced that public testimony on HB 352 would be closed following Mr. Johnson's following testimony.

Number 0020

BRUCE JOHNSON, Director, Quality Schools/Quality Students, Association of Alaska School Boards (AASB), testified in support

of the delay of the school designations, for reasons already outlined by other witnesses. Noting that two AASB members have served on the designator committee, he said:

It's been a hardworking group of people that have been very serious to try to do this in a fair ... manner. ... Our very first meeting, we invited a couple [of] consultants from other states - one of them was from California - and we asked them how they dealt with small schools in California. And what we found out was that any school of 100 or fewer students was not included in the designation system. Obviously, we didn't feel that that would match the intent of the legislation that we were attempting to implement at that point in time.

MR. JOHNSON said he'd offered the foregoing to help members understand the challenges Alaska faces with small schools in the designation system. Turning attention to the issue of growth, Mr. Johnson said he believes all people agree that the role of public education is to add value to a child. That has been somewhat narrowly defined in terms of achievement as a primary factor; he offered that he did not dispute that prominence.

Number 0150

MR. JOHNSON indicated a school's job is to add that value, regardless of the child's background, first language, or family income. He suggested more time is needed to determine [appropriate designations]. He concurred that a system built only on status is inherently unfair. He said a system that includes growth will give schools a "fighting chance" to move beyond the two lower designations of "in crisis" or "deficient." Two years from now, the state will have a much better system, he concluded.

Number 0250

CHAIR BUNDE sought assurance from Mr. Johnson that this issue would not be revisited in two years.

MR. JOHNSON offered his opinion that everything should be in order over the next couple years; the assessment system should be in place to chart growth. Challenges will still exist in the realms of small schools and other matters. He said:

One of the issues on the handout ... provided by Mr. Leal shows a confidence rating. How confident are we that the rating that was given to school "X" -- let's say that's a small school, K-12 with 50 students in it. Early on, those confidence ratings are not going to be very high. And I think they're going to be, perhaps, broad categories of low confidence, medium, or high - or something like that.

MR. JOHNSON noted that as more data is collected and studied, the confidence rating will be a fair and appropriate designation. He emphasized, "We need to get going with this." He indicated this type of process is going on in other states. The recommendation originated with the administration, he said, acknowledging that the original timeline might have been overly ambitious.

Number 0380

CHAIR BUNDE closed public testimony on HB 352.

REPRESENTATIVE PORTER commented that he thought he'd be supportive of this bill, but it is disquieting to him. He said, "The ... term that keeps ringing in my ears is, 'No pain, no gain.'" He said attempts to minimize pain - in terms of embarrassment to a school district or an individual student - is how this [need for an extension] was originally created. He remarked, "Many people need wake-up calls in many different areas, but I would think that the ordinary results of the testing that we have done is an indication that our education system, in general and in specific areas, needs a wake-up call."

REPRESENTATIVE PORTER acknowledged that some students have low performance through no fault of their own. He offered his perception that many students have low performance because of a lack of sufficient motivation for them to perform higher than they can get by with. These students are passed from grade to grade and eventually out of the system.

Number 0536

REPRESENTATIVE PORTER offered that the "growth score" idea is good, but he hopes it doesn't result in an excuse, "Well, you're okay because you've come from zero to one," while the bar is at ten. He remarked, "I'm all for saying something positive, but not at the risk of leaving the impression that that's okay, because it's not."

REPRESENTATIVE PORTER said Mr. Johnson is correct to some degree that the education system should be designed to increase the value of a child's life. He added, "To me, that means the value that education is intended to place into it, in being able to survive in the world because of their academic skills, not [to] smooth their psyches so that they will never have to experience any pain."

REPRESENTATIVE PORTER concluded with an anecdote: His son was doing poorly in math in the third grade. He discovered his son wasn't doing the required homework, and that the homework took two hours to complete redundant math problems each night. His son was not the only student doing poorly. Upon questioning the teacher, he was told the teacher was preparing his child for life. He'd responded, however, that preparing his son for life was his job as a father; he wanted the teacher to prepare his son for the fourth grade.

Number 0688

REPRESENTATIVE JOULE moved to report HB 352 out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, HB 352 was moved out of the House Special Committee on Education.

Number 0741

REPRESENTATIVE WILSON requested clarification on the school [indicator] of high school persistence versus the dropout rate. She queried whether the use of persistence might be masking a problem.

MR. LEAL offered that the use of persistence is for consistency; high test scores and low dropout scores are the goal. The dropout rate will be calculated and then used to recalculate the persistence rate. This will allow all the scores to be a positive number. He explained his committee's belief that scores are easier to read if all higher scores indicate higher performance, rather than having one indicator be that the lower the score is, the better the performance is.

REPRESENTATIVE WILSON offered that she didn't want the emphasis lost [by using the persistency rate].

Number 0852

CHAIR BUNDE said he'd appreciate assurance that this issue will not require revisitation in two years' time.

DR. McLAIN pointed out that the federal legislation has its own timelines that will [require the completion of the designations by the administration-proposed timeline]. [HB 352 was moved out of the House Special Committee on Education.]

ADJOURNMENT

Number 0900

There being no further business before the committee, the House Special Committee on Education meeting was adjourned at 9:39 a.m.