

**ALASKA STATE LEGISLATURE  
HOUSE SPECIAL COMMITTEE ON EDUCATION**

February 27, 2002  
8:08 a.m.

**MEMBERS PRESENT**

Representative Con Bunde, Chair  
Representative Brian Porter  
Representative Joe Green  
Representative Gary Stevens

**MEMBERS ABSENT**

Representative Peggy Wilson  
Representative Reggie Joule  
Representative Gretchen Guess

**OTHER LEGISLATORS PRESENT**

Representative Fred Dyson  
Representative Mike Chenault  
Senator Bettye Davis

**COMMITTEE CALENDAR**

HOUSE BILL NO. 416

"An Act relating to reemployment of and benefits for retired teachers and principals who participated in retirement incentive programs; and providing for an effective date."

- MOVED CSHB 416(EDU) OUT OF COMMITTEE

BRIEFING BY THE U.S. DEPARTMENT OF EDUCATION AND ALASKA DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT ON THE "NO CHILD LEFT BEHIND ACT"

**PREVIOUS ACTION**

BILL: HB 416

SHORT TITLE: REEMPLOYMENT OF RETIRED TEACHERS

SPONSOR(S): EDUCATION

Jrn-Date	Jrn-Page		Action
02/13/02	2242	(H)	READ THE FIRST TIME - REFERRALS
02/13/02	2242	(H)	EDU, HES

02/20/02 (H) EDU AT 8:00 AM CAPITOL 120  
02/20/02 (H) Heard & Held  
MINUTE(EDU)  
02/27/02 (H) EDU AT 8:00 AM HOUSE FINANCE  
519

**WITNESS REGISTER**

SUSAN SCLAFANI, Ph.D., Counselor  
to the U.S. Secretary of Education  
U.S. Department of Education  
Washington, D.C.

POSITION STATEMENT: Briefed members on the "No Child Left Behind Act of 2001" and its impact on Alaska.

ED McLAIN, Ph.D., Deputy Commissioner of Education  
Office of the Commissioner  
Department of Education and Early Development  
801 West 10th Street, Suite 320  
Juneau, Alaska 99801-1894

POSITION STATEMENT: Briefed members on the "No Child Left Behind Act of 2001" and its impact on Alaska.

**ACTION NARRATIVE**

TAPE 02-9, SIDE A  
Number 0001

CHAIR CON BUNDE called the House Special Committee on Education meeting to order at 8:08 a.m. Present at the call to order were Representatives Bunde, Porter, Green, and Stevens.

HB 416-REEMPLOYMENT OF RETIRED TEACHERS

Number 0107

CHAIR BUNDE announced the first order of business, HOUSE BILL NO. 416, "An Act relating to reemployment of and benefits for retired teachers and principals who participated in retirement incentive programs; and providing for an effective date." Chair Bunde further announced that there would be no testimony that day, although Kodiak was online as a listen-only site.

[HB 416, sponsored by the House Special Committee on Education, had been heard on February 20, at which time Amendment 1 was adopted; however, there was considerable related committee

discussion on January 30 and February 6 prior to the bill's introduction.]

CHAIR BUNDE requested a motion to adopt Amendment 2, 22-LS1472\C.1, Craver, 2/22/02, which read:

Page 2, following line 5:

Insert a new bill section to read:

"\***Sec. 2.** AS 14.25.043 is amended by adding a new subsection to read:

(d) A retired teacher who participated in a retirement incentive program under ch. 26, SLA 1986; ch. 89, SLA 1989; ch. 65, SLA 1996; ch. 4, FSSLA 1996; or ch. 92, SLA 1997, and who is subsequently reemployed under this section shall be paid at the rate new teachers are paid according to the negotiated salary schedule of the school district or regional education attendance area that hires the teacher."

Renumber the following bill sections accordingly.

Page 2, line 8, following "**Act**":

Insert "**; AS 14.25.043(d)**"

Number 0216

REPRESENTATIVE GREEN moved to adopt the foregoing as Amendment 2.

CHAIR BUNDE explained that the intent, which he believed to reflect the committee's intent, is that teachers who have retired under the RIP [retirement incentive program] option can be reemployed by a school district at whatever salary level that district has negotiated for teachers new to the district. He asked whether any committee member had a different view of it.

Number 0249

REPRESENTATIVE PORTER pointed out that if a school district has the ability to negotiate a higher level for a specific need, this wouldn't preclude that from happening. He said the intent of "the whole operation" is to save the district some money.

CHAIR BUNDE concurred regarding whatever negotiated agreement exists for that particular district. He then stated, "What we're leaving unsaid is, we want to prevent the very unlikely possibility that someone would use this as some 'good old boy' network to perhaps unfairly reward someone by letting them retire and then go back to work the next day at their higher salary."

Number 0351

REPRESENTATIVE STEVENS remarked that this might not lead to a lot of new hires, but he knows several teachers who have taken the RIP option and are now teaching Outside; this would allow them the opportunity to return to Alaska [to teach], which they hadn't had before. He added that there will always be a substantial savings just because districts won't have to pay retirement or insurance benefits.

CHAIR BUNDE emphasized that it doesn't solve all the teacher recruitment problems but is another tool that districts may choose to use.

Number 0428

REPRESENTATIVE GREEN pointed out that although members have been hearing about the importance of mentoring, that won't be needed for these experienced teachers. In fact, they would add to the mentoring pool.

CHAIR BUNDE agreed they might, indeed, be hired as mentors.

Number 0451

CHAIR BUNDE asked whether there was any objection to Amendment 2. There being no objection, Amendment 2 was adopted.

Number 0500

REPRESENTATIVE PORTER moved to report HB 416, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 416(EDU) was moved out of the House Special Committee on Education.

BRIEFING BY THE U.S. DEPARTMENT OF EDUCATION AND ALASKA DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT ON THE "NO CHILD LEFT BEHIND ACT"

CHAIR BUNDE announced the next order of business, a briefing by the U.S. Department of Education (DOE) and the Alaska Department of Education and Early Development (EED) on the "No Child Left Behind Act [of 2001]". [The official title of this federal Act, passed as House Resolution 1 (H.R. 1), is the "2001 Reauthorization of the Elementary and Secondary Education Act (ESEA)."]

Number 0616

SUSAN SCLAFANI, Ph.D., Counselor to the U.S. Secretary of Education, U.S. Department of Education, told listeners she was delighted to visit Alaska and speak with committee members. She offered to begin with a brief overview of the rationale for the [federal Act]. She suggested members would find the [Act] to be a coherent one, based on four major principles set forth by the U.S. President.

DR. SCLAFANI said the first principle is accountability for results, which Alaska has been addressing in its school-reform efforts. This [Act] is different in that it calls for each state to have - in addition to rigorous content and performance standards - annual assessment for children in grades three through eight in mathematics, reading, and language arts.

DR. SCLAFANI noted that the [Act] also adds science to the assessment in 2007, although this assessment is only administered once each in elementary school, middle school, and high school. This is founded on the concern of Congress for national security issues that arise when looking at a lack of young people prepared for and interested in careers in the sciences. She said the U.S. is dependent on people coming into the country on "H-1B" visas to the existing job corps. There are areas of national government in which the U.S. cannot hire non-citizens, however, because of security and defense issues. She remarked, "We believe that, frankly, in states that have not had a focus on science already in their own programs, that this will help put science back on the agenda."

DR. SCLAFANI explained that H.R. 1 also calls for the results of student achievement to be made public; this allows parents, community members, and legislators to be aware of the progress of each school and to take appropriate action. The reports will look at the aggregated results of schools as well as disaggregated results by subpopulation.

DR. SCLAFANI acknowledged this as an area in which legislators will want to have more discussion; Alaska has some unique challenges in that arena. The decision by Congress was that the goal, within 12 years, is that all children who are tested will reach the proficiency standard set by the state. She added that she'd mentioned 100 percent of the students tested because the [Act] requires testing of 95 percent of every subpopulation, understanding that some children with cognitive disabilities might not be able to take the same assessment as others and demonstrate proficiency at the state level. She continued, "We want to be sure that the progress of all children is being monitored and that we have high standards for all of our children."

Number 1004

DR. SCLAFANI turned attention to the second principle, local control and flexibility. She offered that the clear evidence to [the U.S. Department of Education (DOE)] is that naming a specific program to implement across the nation does not recognize the diversity of our country. Alaska's challenges are very different from those of New Jersey; likewise, Maine's challenges are very different from California's. It has not been effective in the past to [mandate a program's implementation from Washington, D.C.] she noted. Class-size reduction is an example, she said; it has been included in a block grant for teacher quality.

DR. SCLAFANI explained that class-size reduction does little to help states without a teacher supply to reduce class size; she also mentioned the lack of facilities in which to house additional classrooms. However, the [earlier] mandate from Washington, D.C., was that funds were only given to states that implemented class-size reduction as mandated by the federal government. Congress has agreed that these funds, plus Eisenhower [Professional Development State Grants] funds, as well as additional funding will be rolled into a Teacher Quality grant that gives states flexibility regarding the improvement of quality in the teaching force and principals. In addition is a \$10-million competitive grant program for the identification, training, and retention of principals.

DR. SCLAFANI mentioned that the quality of the principal is key to the quality of the school. She added, "But we want to be sure that you have the flexibility to do that." She noted that states also have the flexibility in H.R. 1 to use up to 50 percent of funds from any title, except Title I funds, for any

appropriate [Elementary and Secondary Education Act] (ESEA) purpose. This gives states the flexibility to move money around. For example, if Safe and Drug-Free Schools (SDFS) is not a large concern, up to 50 percent of SDFS money can be used in higher priority areas.

DR. SCLAFANI explained that also part of H.R. 1 is the consolidation of some smaller, more specific programs into the larger block grant. She noted that this consolidation did not go as far as she had hoped. The overall number of programs in ESEA was reduced from 55 to 45; she indicated this reduction effort would continue. She explained that one of the challenges through the legislative process is that there are set-asides in the bill; about \$275 million is specified for particular school districts or universities. She noted that attempts to curtail these set-asides have been somewhat successful.

Number 1239

DR. SCLAFANI moved to the third principle in the ESEA legislation, to ensure that schools, school districts, and states are making use of existing research on effective practice. She explained that good research exists is reading, where 15 years of research indicate the appropriate way to teach children to read in English. This is a challenge for Alaska, she added; the research does not exist for how to develop language proficiency in other languages. Enough is now known about teaching reading in English that teachers should be using those proven strategies.

Number 1330

DR. SCLAFANI stated that in addition to Title I and Teacher Quality funds available, a separate grant of approximately \$900 billion exists; Alaska will clearly get a portion of these funds, specifically for training teachers in reading [instruction] in grades K-3. These grades are the foundation program and critical to children's success. She offered the belief that many children in special education simply didn't learn to read in the early grades. A discrepancy analysis for the learning disabled means that schools wait until children are in the third or fourth grade, identify their achievement to be below their potential, and place them in special education. The goal is to ensure that [instruction] is done correctly the first time, by having teachers well trained in strategies that work.

DR. SCLAFANI reported that states are free to use Teacher Quality or Title I funds to work with teachers in grades four through twelve who are dealing with children who did not learn to read well the first time. It's a challenge to do it right the first time, while recognizing that children have gone beyond that point who [still have not learned to read]. Concomitant with that, she noted, is the question of what should be done with early childhood education.

DR. SCLAFANI said she was delighted to hear that Alaska has joined its early-development program with the education program to allow a clear articulation of what happens to children prior to the pre-K-12 environment, as well as what happens to them later. The amount of \$75 million competitive dollars is in the bill to seek to set up centers of excellence around the nation that deal with how to create effective programming - whether in daycare, Headstart, or pre-kindergarten centers in the public school system - that includes the early language development that is so critical to later student success. She suggested Alaska might want to apply for those funds as it looks at its programs. While many urban and suburban districts - along with a few rural ones - will apply for these funds, she said there is a need to talk about what to do in a state like Alaska, where geography and distance are issues.

Number 1585

DR. SCLAFANI explained that the final piece on proven educational methods is that "scientifically research-based programming" appears 111 times in this bill; this is the first time this has ever happened. She said:

Congress has gotten the message that we've got to move away from religion on some of these issues into science. We had to have the reading wars, and now in some places we have math wars. And we have people who believe strongly in one extreme or the other. And what we're saying is, let's use the science to tell us which one helps children learn. It's not what you believe that matters - it's whether children are learning that matters.

DR. SCLAFANI explained that throughout the Act, the focus is on children and what is happening to them. Besides teacher training, it looks at recruitment and retention of teachers. She acknowledged that this is a major challenge in Alaska. If Alaska wishes to try different compensation systems, retention

stipends, or other ways of drafting contracts to encourage teachers to stay beyond a single year, Alaska will have the freedom to do so, she said; money is available for this. "Again, it's trying to give you as much flexibility as possible to meet the specific needs," she added.

DR. SCLAFANI turned attention to the fourth principle of the bill, expanded choices for parents. This will be easy to implement in Anchorage or Fairbanks, she acknowledged, and very difficult in more remote areas. She explained that if a school isn't improving after the first year of "school improvement," parents [whose children] stay at that school have the option of funding for supplemental services.

DR. SCLAFANI reported that Bill Sanders (ph) at the University of Tennessee has conducted a strong study over a long period of time of the results of achievement testing, through criteria-referenced tests, in the Tennessee schools. Mr. Sanders took a matched set of third-grade students who had the same achievement and demographic profiles. He then looked to see what happened to the child who had three years of excellent teachers - as measured by his or her ability to improve student achievement - and what happened to the child who had mediocre teachers. Mr. Sanders found that by sixth grade, the group with excellent teachers were 50 to 70 percentile points ahead of the children with mediocre to poor teachers.

DR. SCLAFANI summarized that teacher quality is the critical issue. It is known that if a child is in an instructional program that is not meeting his/her needs, help must be provided to that child as soon as possible. "We don't want to allow those deficiencies to pile up to the point where the child is crippled," she said. As children are being prepared for today's complex society, they will need problem-solving and literacy skills in order to be successful.

Number 2033

DR. SCLAFANI noted that supplemental services are available through ESEA funds; they need not come solely out of Title I funds, although some money [from Title I] must be reserved for this purpose. In places where there are not community-based organizations or a private-sector organization, the school district can provide supplemental services. It is a challenge in a one-teacher school to ask that teacher to provide supplemental services to a child once he/she has failed to provide the good service the first time, she explained. A way

will need to be identified to perhaps do so-called distance learning for these children - something to help them get back on track despite inadequacies at the school level. This is occurring while the state and the district are working with the school to improve its quality. The opportunity for [supplemental services] is included because it is vital to provide options to children to get the academic skills they will need to be successful.

Number 2131

DR. SCLAFANI noted that this is the principle behind the Act. She offered that it was exciting to see how bipartisan the support for this bill was; some compromises were made along the way, but not compromises to the principles. The compromises came in how far the choice for parents would go, whether the option was beyond public schools and charter schools to private schools; Congress decided not to do that. The basic principles were intact throughout, she offered. The leaderships of the [U.S.] Senate and the [U.S.] House have said this experience showed them what could be accomplished by working together; their next target is going to be early childhood education, she reported. Early investment [in education] is far more critical than remediation later. If first-graders truly are ready for first grade when they arrive, an enormous contribution to the learning of young people will have been made.

DR. SCLAFANI noted that her conversations with education personnel in Washington, D.C., indicate good dialogue has occurred with the Department of Education and Early Development (EED) in Alaska. Alaska's reform programs are moving in the right direction; there are going to be some areas where, because of the way the law is written, there will need to be adjustment, she stated. One of these areas is the issue of yearly assessment using a combination of norm-referenced and criteria-referenced tests; it is going to be difficult to demonstrate that the children are being held to the same standard every year on the assessment of Alaska's state standards.

DR. SCLAFANI observed that it is difficult for any norm-referenced test to be aligned to a state standard; by their very nature they are consensus documents representing standards from many states. It won't give Alaska the rigor it needs to measure what a child has learned from one year to the next, and to predict how to help a child succeed the following year. She said, "That's something that we're working with the department on." She mentioned working with [CTB/McGraw-Hill] to conduct

alignment studies to determine whether Alaska can demonstrate that. She offered that the psychometricians are saying it will be a major challenge to do so.

Number 2457

DR. SCLAFANI said the materials submitted by the state for compliance with the 1994 agreement were being reviewed; she was unable to give members an answer regarding the alignment already demonstrated by Alaska. That review will be juried by experts in the field, she noted.

DR. SCLAFANI told members native-language assessments will be a major challenge for Alaska. She indicated DOE would work with the state to see what can be done; however, some things cannot be done. One of the critical pieces is ensuring that English-language proficiency is developing so that children can start taking assessments in English and have them be a meaningful measure of what they have learned. This will be a challenge in more remote areas, she acknowledged; creating an assessment tool in each of the [Alaska Native] languages might be more costly than cost-effective. This is a continuing dialogue; Alaska is studying the feasibility of this, and she offered that [DOE] would review that.

Number 2750

DR. SCLAFANI pointed out that waivers for students with limited English proficiency (LEP) are for two or three years in many states. The reauthorization of ESEA [by H.R. 1] reduces that to a single year. This does not mean a waiver for an individual child could not be for more than one year, but as a policy, the federal government is saying the waiver is a single-year waiver. This means states will be allowed to not test an LEP child the first year he/she would be eligible for assessment if the committee at the school determines that the child doesn't have sufficient English proficiency to be able to demonstrate accurately his/her progress on that assessment.

DR. SCLAFANI observed that Alaska might have less of an issue with immigrant children coming into the state than it has with children who are already here. However, there might be immigrant children entering the state who have had very little or no prior education; she noted that this is a major issue in many border states. She said, "Clearly, if a child comes to you with no prior schooling and he's ten years old, within a single

year you're hardly going to get him to the age-appropriate test in English. And we recognize that."

DR. SCLAFANI stated that there is some flexibility, but the intent of the law needs to be met by assessing every child's performance so that each child can make progress in English in ways that will enable him/her to continue an education. She observed that Alaska has been working on the participation of all children in the assessment system; this is one of the requirements, that LEP students and students with disabilities are included. She added, "What the bill looks at is how do we compare the numbers of students who are being educated with the number of students who are being assessed." She noted that the new law that will apply in the 2005-2006 assessment calls for 95 percent of the children in any subpopulation to be part of the assessment system.

Number 2844

DR. SCLAFANI turned members' attention to Alaska's rigorous work on the high school exit exam; like Texas, Alaska will use these as a criterion for graduation. She acknowledged that challenges with this include the question of holding students accountable for what schools might not have provided for them. However, allowing children to graduate without the requisite skills gives them the message that they have accomplished something that they actually haven't, whereas the "real world" will tell them differently. She said, "We feel strongly that we must assess, but it's up to each and every state to determine whether that assessment will be a criterion for high school graduation."

DR. SCLAFANI reported that this was tested in Texas courts and found neither discriminatory against minority students nor unconstitutional. She remarked:

It's a heartbreaking challenge, frankly, when you have students who have gone through our high schools who believe they've done everything that they should have done, who have received passing grades to get to senior year, and then discover that they're unable to graduate because they're unable to pass the assessment of skills.

DR. SCLAFANI said this is left for Alaska to make a final determination on. Multiple opportunities to take the assessment are important.

Number 3040

DR. SCLAFANI offered her final point, that Alaska's small [population] size will be a challenge both for reporting and using for accountability the adequate yearly progress requirements in the new law. Alaska has been asked to come up with suggestions for how to hold small schools accountable. Clearly, if asterisks are all that the report furnishes, that does not tell anyone anything about the quality of the school. Yet there must be ways to evaluate that school to know where children are being underserved. She noted that [DOE] will work with Alaska on that. In schools with enough children to be statistically significant without identifying children by the percentages that are on the reports, Alaska should report that information. Where this is impossible, other means of holding schools accountable will need to be identified. She offered to answer questions.

Number 3150

REPRESENTATIVE STEVENS thanked Dr. Sclafani for the overview of the Act. He noted his interest in knowing the schedule for a state to apply for these grants.

DR. SCLAFANI replied that the formula grants will come out on July 1; Alaska will be making decisions as a state as to how to distribute those funds to local districts. She offered that "Reading First" is a good example; reading academies are being offered for states to attend so that states understand exactly what will be required in that bill. She noted that Alaska's Reading First grant will be \$2.15 million - accessible to be used partly from the state level, but primarily distributed to school districts. Alaska will need to use a competitive process with school districts to make sure that the state has reviewed the plans.

DR. SCLAFANI said this is akin to what the state must do with the [U.S. DOE]; the money is the state's, but DOE must approve the plan to ensure that it is a researched-based program that will reach the correct ends. Other grant opportunities will come online, but the majority of the funding goes directly to the state and isn't competitive. She mentioned "technology dollars" that were competitively granted from Washington [D.C.]; this was deemed to be unfair. Consequently, money was added to that, and a technology grant is now available at each state level. Each state must now determine how to disseminate those monies. In many cases, the funds must be used to target the

districts most in need. Moreover, district plans must be approved to ensure that the state knows the money will be well spent.

DR. SCLAFANI said the same has been done with what was Title VII, the funds for language-minority children. Those funds are now distributed to states based on the percentage of language-minority children in each state; states then determine how to get these funds to individual districts, and the districts most in need are again a priority. She said:

What you'll find in this bill is the dollars are targeted as never before. We've removed some of the hold-harmless provisions that had been in previous bills that had kept Title I, particularly, focused on the states with fewer children than they had in the past, because we didn't want them to have to deal with lower funding.

DR. SCLAFANI explained that this Congress has said the dollars must follow the children. Money is now given out proportionally, distributed based on the populations of children.

Number 3550

DR. SCLAFANI explained that Teacher Quality grants will come to Alaska as a lump sum; this is \$13.6 million. Part of this money remains at the state level to create statewide training programs, and the rest will go to schools. Math-science partnership dollars are available in the bill. The U.S. DOE received \$12.5 million, and the National Science Foundation received \$160 million; they are working together and talking about co-funding. She stated that the priorities include improving the quality of teacher preparation in math and science; it requires that states create partnerships with state departments of education and with colleges of arts, sciences, engineering, and education to ensure that people have the critical background in mathematics and science.

DR. SCLAFANI relayed that a small grant is also being funded to help states look at the fact that a single salary schedule will not attract math, science, and technology people into teaching. Young people are able to go to work for large corporations at \$50,000 a year, while a school district is offering \$32,000; these are Lower 48 figures. It is hard for a person to not go where the money is. She said, "We need to start thinking about

12-month contracts; we need to start thinking about higher salaries; we need to start being more creative in recognizing that the law of supply and demand works in education the same way it does everywhere else."

Number 3749

DR. SCLAFANI pointed out that initial meetings [regarding math-science partnership funds] will take place in March. Frequently asked questions and the answers will be posted on the [Internet] so people who cannot attend are not disadvantaged. She expressed her belief that those proposals are due at the end of April; they will be funded by August and available for the following school year.

Number 3800

REPRESENTATIVE STEVENS expressed his hope that EED would bring the House Special Committee on Education "into the loop" so that members are aware of the plans and how these funds will be used.

REPRESENTATIVE GREEN thanked Dr. Sclafani for her candor. He turned attention to the issue of an extended school year that would enable the state to justify increasing salaries. He concurred that teacher quality is one of the biggest issues in education, yet noted that Alaska has a difficult time getting any kind of qualified teachers, let alone high-quality, qualified teachers. He asked: If Alaska finds more teachers but they leave after several years, or if these teachers are not producing the expected student outcomes, what effect will these factors have on the [accountability] component of H.R. 1?

DR. SCLAFANI responded that Alaska has already been a leader in distance learning, but will likely need to create more online opportunities for young people so they aren't held back. This will enable less-qualified teachers to be facilitators of learning that is provided by people with greater expertise.

DR. SCLAFANI acknowledged Alaska's challenges of weather and terrain, but said this is an area in which Alaska might want to spend some technology dollars or perhaps move some other dollars in. Other states experience similar problems in isolated communities. She remarked, "None of us want a large bureaucracy, but we've got to have sufficient capacity in our state departments of education to go out and assist the schools and the school districts that need our assistance." Distance education is one opportunity to address this, such as

television-delivered instruction or use of a CD-ROM rather than a telecommunications link.

DR. SCLAFANI acknowledged that while she supports strategies to attract more math and science people to education, she doubts there will ever be as many certified, qualified math and science teachers in remote areas of the country to meet the need. Other strategies need to be sought such as "master teachers" to augment the education, using teachers present as facilitators for instruction. She said, "And that's, again, why we're saying we'll work with you on how to hold accountable your small schools, because those are the schools in which you have the greatest challenge of highly qualified teachers."

Number 4229

REPRESENTATIVE GREEN brought attention to the important factor of motivation. He recounted that some of his teachers were so motivating that he can still picture them and some of the things they taught. He asked how motivation is being addressed in the Lower 48. "Do you have any kind of a magic bullet that would help us get teachers motivated as well as qualified?" he asked.

DR. SCLAFANI replied that there are some programs, but noted that this is a challenge of selection as well as training. Teachers must be selected for some of these motivational characteristics; she expressed uncertainty that everyone can be turned into a motivator who might not possess those personal strengths to begin with. Training programs do talk about the impact of teachers' responses to students and how critical these responses are to student success. There is a program called Teacher Expectation/Student Achievement that talks to teachers about how critical their actions are regarding positive versus negative responses. She reiterated that motivation is partially a selection issue. This selection is difficult when few candidates are available.

Number 4420

CHAIR BUNDE noted that Dr. Sclafani had mentioned distance education several times. He asked her about statewide [correspondence] schools offering home-school programs and whether these might offer the choice option she'd mentioned.

DR. SCLAFANI answered, "As long as they're public school charters, they can."

REPRESENTATIVE DYSON remarked that he was delighted Dr. Sclafani was here and thanked her for her work. He observed that Alaska has done the first rounds of assessment and that the legislature has before it legislation that will delay for two years the [school designations] implementation. He expressed his understanding that Title I funds for failing schools would be made available to parents to seek supplemental help. He wondered if delaying the school [designations] would preclude parents' access to those Title I funds.

DR. SCLAFANI replied that this would be a dilemma for Alaska. She offered that Alaska is working on a timeline under a waiver that delineates when things need to be done. However, she said she believes the identification of schools is not specifically mentioned in this.

Number 4550

ED McLAIN, Ph.D., Deputy Commissioner of Education, Office of the Commissioner, Department of Education and Early Development (EED), expressed his understanding that EED is not anticipating delaying the Title I designations. That process will continue. Some schools are already in that [school improvement] process. He noted that EED has been very clear with these schools that whatever kind of delay might happen with the state designations will not affect the Title I process.

TAPE 02-9, SIDE B

DR. McLAIN offered that the [challenge] is to mesh the larger accountability system with [the Title I] system to avoid having two separate systems.

DR. SCLAFANI added that the 2005 deadline for a single accountability system for the entire state means that if the system is brought online in three years, the state will meet that timeline. In response to a request for clarification, he added, "If a school is in ... [the] first year of school improvement this year, then next fall those parents have the option of requesting supplemental services if they remain at that school."

REPRESENTATIVE DYSON asked Dr. McLain if the request to delay the [designations] does not run contrary to the [Title I provision for supplemental services].

DR. McLAIN replied, "Absolutely not. That will continue."

REPRESENTATIVE DYSON said, "Respectfully, it sounds like double-talk to me. You're saying, 'Don't put the labels on,' and then you say you are. And I don't get it."

Number 4510

DR. SCLAFANI explained that in 1994 the ESEA reauthorization said that for Title I schools, these categories must be established. The new legislation [H.R. 1] calls for these categories to be extended to all schools. The difference in timelines, she noted, is that Alaska already has criteria for Title I schools and these schools already have designated as needing school improvement or not. That process is ongoing. The greater process of identifying or labeling schools across the state, whether Title I or not, is required by 2005. Alaska's putting the [designations] in place in three years' time will meet that timeline.

REPRESENTATIVE DYSON asked whether there really are two sets of [designations].

DR. SCLAFANI answered, "At this time you have two sets. And what we want is, by 2005, you'll have one set."

Number 4433

DR. SCLAFANI, in response to a question from Senator Davis regarding what Alaska's waivers from the 1994 reauthorization of ESEA do, explained that the first thing is that Alaska has not demonstrated that its system is aligned. This is the submission currently being reviewed. Alaska must demonstrate that it not only has rigorous academic standards, but also has identified performance levels for each child on that set of standards that shows what is basic, proficient, or advanced.

DR. SCLAFANI, in response to a request from Senator Davis, clarified that the 1994 reauthorization includes [designations] for strictly Title I schools. She added that another question is whether Alaska's assessment is aligned to those standards; this submission was just sent in. This submission included the technical manuals for the assessments, the studies that demonstrate whether it is in alignment, and the corrective measures taken for those pieces not found in alignment.

Number 4310

SENATOR DAVIS noted that Dr. Sclafani had mentioned that the funds would go directly to the states, and that a portion can be kept by [EED]. She asked if there is a cap on the amount allowed to be kept by [EED] for administrative services and programs.

DR. SCLAFANI explained that administrative fees are separate from the funds that can be kept by the state to run statewide programs. She noted that these percentages differ, but the administrative percentage is 2 to 5 percent, depending upon the title. In addition, some funds allow the state to keep up to 5 percent, for example, on Teacher Quality grants to run statewide programs; the rest would be distributed to schools. In other cases, the state can keep 15 percent to run statewide programs or award grants on a competitive basis. The administrative dollars are separate from the state's flexibility to keep some of the money at the state level to do statewide programming.

SENATOR DAVIS offered that if Alaska does not have statewide programs in place, then the money received can be distributed to school districts.

Number 4137

DR. SCLAFANI said that is if Alaska determines it doesn't need a statewide program. For example, in Reading First, the state might decide it doesn't make sense to ask each school district to develop its own training program for teachers, but instead might use some of these funds to create a statewide model program and then say to local districts that this is what teachers need to be trained with; then teachers can implement this training in a district. The rest of the money is the [district's] to be used for additional training, to train all of its teachers or [develop] other ways to target the children in early grades, through intervention.

DR. SCLAFANI, in response to a question from Senator Davis regarding principal training, reported that Alaska's Title II/Teacher Quality funds are for teacher and principal quality. Additionally, there is a \$10 million principal-training grant that Alaska can apply for to look at how Alaska might create a recruitment program, a training program, or a preparation program for principals. She noted that there is a great deal of flexibility in this bill.

Number 3956

REPRESENTATIVE PORTER asked about a mechanism for parents to determine that their child is attending a school that, unfortunately, qualifies for them to seek supplemental service.

DR. SCLAFANI acknowledged that this is a challenge. It means Alaska will have to have its assessment results back before the start of the next school year so that time is available to notify parents of this option at any low-performing school. Both the public-school-choice option and the supplemental-services option would be available to these parents. The public-school-choice option includes the challenge of providing transportation.

DR. SCLAFANI recounted that having worked in a large school district, she understands that creating bus schedules takes time, for example. If a school district discovers three days before school starts that students will have to be transported, the district will have great difficulty doing so. The earlier that assessment results can be received - to make the determination that a school is in "school improvement" and to inform parents that they have the option and must respond by a deadline - the more efficiently the transportation services can be arranged. That might mean working with the assessment vendor to get results back more quickly.

SENATOR DAVIS clarified that Dr. Sclafani was speaking only of Title I schools.

DR. SCLAFANI agreed.

Number 3755

REPRESENTATIVE PORTER offered that the committee would be interested in finding out the plan for parental notification.

DR. McLAIN explained that EED has been discussing the [assessment-return] date with the test vendors. The vendors are aware of this bill; they would like to spread the tests out throughout the school year so that not all 50 states say they need these results by the beginning of the school year. Alaska has been discussing with the vendors the possibility of moving some of the testing to an earlier date so the turnaround would be earlier. He noted that the confusion brought up earlier regarding Title I versus other schools is an issue that needs to be communicated. He observed that those sorts of details are behind the request for the delay.

Number 3644

CHAIR BUNDE noted that the turnaround time is already frustrating because the sooner the feedback, the better the learning opportunity. He suggested this might help in other ways.

DR. SCLAFANI brought up another critical issue, the quality of data-management systems in the states. Only six to eight states have a robust student information management system, she reported. Part of having this rich data is getting it back to the people who can use it - the teachers and principals - to revise programming and look at teacher strengths and weaknesses. Those teachers who are strong in teaching certain objectives can work with those who aren't. This will also help to identify the professional-development needs of a school. For example, if a school is in school improvement, it must spend 10 percent of its dollars on professional development. But if schools don't know what they need, the money spent on professional development won't be well spent.

DR. SCLAFANI explained that [DOE] is trying to assist states in identifying what components are critical to their data-management systems. The other part of this issue is how to train people at the schools to be able to interface with that data-management system so that the data entered at the school level is accurate and gets to the state level, in order for the state to make decisions about what is working. She reported that state departments, in general, have few people who can help do this training and development. So while [DOE] can help Alaska to identify the appropriate components, Alaska will need personnel in EED who can teach people at the sites to interact with the system.

Number 3403

REPRESENTATIVE GREEN referred to Dr. Sclafani's comments about the asterisks. He noted that Alaska has a transient population and children who suffer from Fetal Alcohol Syndrome (FAS) or physical abuse. Those factors would skew the ability of that school system to improve, he offered. He mentioned schools in his district with a very high turnover rate. He asked how a federal system would be able to determine whether an Alaskan school or school district is not performing adequately when Alaska has, perhaps, unusual problems.

Number 3229

DR. SCLAFANI explained that the mobility problem is common in larger cities as well. The law has said that students who have been in the school for a year shall be measured. She said, "Now, part of me as an educator is concerned about that because I don't want people to say, 'Oh, well, these transient children won't be measured; therefore, we won't worry about them.'" The law does recognize that schools cannot be held accountable for children they have not had an opportunity to educate. This may exacerbate the small school issue, she said. If one looks only at the stable students in a small school, the numbers will become even smaller. As this information is disaggregated, asterisks will result.

DR. SCLAFANI clarified, "What I was saying is not that we don't want asterisks; we recognize that statistical significance and the privacy requirements will mean that there will be asterisks." She noted that what [DOE] wants from EED is how it will measure the quality of those schools when the objective data cannot be used. Can the state department go in and look at the individual children in that school without the data's being publicized, but discussing what has happened to individual children to see what the school has been able to do with the children it serves? She said:

We recognize that challenge, and ... I hope that as we're working that we don't see as I've seen in some large, urban districts people say, as they once did with students with disabilities, "Oh, they're not part of the accountability system; don't worry about them. Focus on the ones who are."

CHAIR BUNDE offered that Alaska is a bit unique in that the law requires a school to be built for as few as ten students; that has been increased from eight students. Alaska has 20 or 30 schools with twenty or fewer students, he explained. The privacy issue is going to require that [all the published reports] will contain asterisks. He expressed his understanding that it will take a waiver from the federal requirement or that [EED] will have to be very creative in finding a way to identify those students without [revealing their identities].

DR. SCLAFANI confirmed that Chair Bunde was correct about the asterisks. She explained that the waiver will be needed because the data cannot be published. She noted that [DOE] wants the state to create a plan, given that this option does not work, to determine the quality of those small schools. How will the

state determine which schools need school-improvement assistance? Which schools need an improvement plan? She explained that restructuring is called for in the final option if schools do not improve. However, Alaska's problem is that [many schools] restaff every year. She noted that the restructuring is not a good option for Alaska because it is exactly the problem. That is the job for [EED] - to determine which schools are doing a good job and which schools need help.

Number 2905

REPRESENTATIVE PORTER asked if he'd understood Dr. Sclafani to say that within the requirement to test 95 percent of 100 percent of the students, students who have transferred into a district within that year wouldn't be counted as part of that 100 percent.

DR SCLAFANI indicated these [recently transferred] students will be counted for that provision, but their results will not determine the accountability status of that school. They will be assessed.

Number 2835

REPRESENTATIVE STEVENS asked Dr. Sclafani to elaborate on the centers for excellence - what they will do, whether they are a teacher in-service program or connected to the universities, and whether there will be credit available for teachers.

DR. SCLAFANI reported that "Early Reading First" is attempting to set up models for the nation to show what works in early childhood education and in different environments. Between 100 and 125 programs will likely be funded; an urban model will be important that perhaps works collaboratively with daycare centers prior to when children enter the public school system. Rural models will also be funded to answer what a good program does in an isolated community, to work with the existing resources to ensure that children are well served.

DR. SCLAFANI offered that these models will seek to answer how staff is trained and funds are used to commingle health and [social] services funds and education funds, to ensure that a program addresses children's medical challenges that will - unless there is early intervention - lead to later educational problems. These models will be established so that when people raise a specific problem, DOE can point them to a [model] program that has similar issues. It will be a matter of looking

at good programs that with an infusion of additional dollars can be excellent programs, and that can be exemplars for the rest of the country.

Number 2635

CHAIR BUNDE turned attention to written questions he had received. One question notes that some districts are currently in contract negotiations and in the process of offering contracts for the following school year. When can districts anticipate federal funds reaching the districts?

DR. SCLAFANI explained that the monies will come to the state for Teacher Quality and Title I dollars - for programs where there is categorical funding - by July 1. The state will then determine how and when those dollars will go to districts. The state can start planning now for how to allocate those funds so that school districts will know.

CHAIR BUNDE asked Dr. McLain: If the federal monies arrive by July 1, when can local districts begin to anticipate receipt of these funds?

DR. McLAIN indicated passing these funds on to districts is a major focus of the department. He offered that his experience as a district person gives him an understanding of [the district perspective]. He noted that he has been having daily contact with superintendents on their need for expediency.

CHAIR BUNDE asked Dr. Sclafani to expound on the options for parents of children in schools found deficient two or more consecutive years.

Number 2344

DR. SCLAFANI replied that the law requires that schools make adequate yearly progress. This is a system that the state is going to put into place. It requires that the state set an initial bar for performance and say that anyone below that bar is in need of improvement. The bar is raised two years later, and then every three years after that, moving toward the 100-percent proficiency rate. The law also says that schools can be held harmless in a sense - they won't be put into school improvement - if they can demonstrate adequate yearly progress in moving their population of students and each subpopulation forward by the required amount.

DR. SCLAFANI explained that the state will set this required amount. It is basically looking at where a school is at. For example, if a school has 20 percent of its students passing the exam, and this school must reach 100-percent proficiency in 12 years, then the [percentage of students passing the exam] should go up at least 8 percent. On the other hand, schools do not improve by stair steps. A school with good improvement activities could improve by 20 percent one year; the required adequate yearly progress will change. The state determines what that adequate yearly progress requirement is. Once the state has done this, consequences are required for Title I schools.

DR. SCLAFANI told the committee that the state is free to include all schools in the consequences, but federal monies only apply to Title I schools tied to school-choice and supplemental services. A Title I school that has not made adequate yearly progress two years in a row moves into "school improvement." The first year a Title I school is in school improvement, it must offer "public school choice" to parents. The school district must set aside 20 percent of its Title I funding, though it can be taken from other titles; 5 percent is slated for public school choice transportation, and 5 percent is slated for supplemental services in the second year of school improvement. These two amounts, based on 5 percent of the Title I funds, can be supplemented by the remaining 10 percent if the requests are greater than can be funded with the initial 5 percent.

DR. SCLAFANI explained that once that money is gone, the state is not required to continue to provide those options. The state will need to develop a plan that says those most at need will be served first. A school in school improvement might offer the option to the lowest-achieving students, for example, as money is available. A school not making adequate yearly progress after two years in school improvement will then move into "corrective action" in year five. School-improvement plans must be developed collaboratively with the community, the school, the school district, and any chosen outside experts.

DR. SCLAFANI reported that if the planning has not made a difference, a list of possible corrective actions includes: changing the curriculum, because it is clearly not working with the students; changing some of the instructional staff if it can be demonstrated that students in a particular class with a particular teacher are consistently failing; changing the leadership; or restructuring the program by spending time differently or putting more funds into professional development.

DR. SCLAFANI explained that there is a list the school district chooses from. If a school is still not successful after corrective actions are taken in two years, the school moves into restructuring. A school at this point has spent two years of inadequate progress, two years in school improvement, and two years in corrective action; this is the entire elementary career of a child. This is why the supplemental services and the public school choice are so critical.

Number 1927

CHAIR BUNDE explained that Alaska has a unique situation when it comes to transportation issues: transportation [to another school] isn't an option in Alaska. Alaska does have statewide charter schools, however, that in many cases offer a home-schooling option. He noted that he understood Dr. Sclafani to say this would be acceptable as a choice.

DR. SCLAFANI agreed, saying, "If they can do a better job, the bottom line is what's going to help that child learn."

Number 1826

REPRESENTATIVE DYSON said, "I worry about my cynicism. I think ... what you're talking about is genius. I worry about the educational establishment, or portions of it, not wanting to have any schools in that Title I improvement group ... in order to preclude parents having those choices." He noted that allowing parents to make choices will put a huge pressure on the system because people "vote with their feet." He said he is worried about the system's being tilted against giving those Title I parents an option. He asked Dr. Sclafani to address this.

DR. SCLAFANI replied that the only way the option doesn't come into play is if the school is making adequate yearly progress, which is exactly the goal. The only way educators can keep it from happening is by making the kind of progress with students that [DOE] wants them to make.

REPRESENTATIVE DYSON countered, "But ... they can 'paper whip' that thing."

DR. SCLAFANI replied, "I assume you have monitoring systems in place for your assessments ... and consequences for teachers losing certificates if they, in fact, cheat on those tests."

She offered her opinion that people understanding those consequences will not go to that extreme, but a monitoring system must be in place. Some states have a mechanism for looking at each test for excessive erasures and changes - from wrong answers to right answers - that trigger a visit from the state department to that school.

Number 1619

CHAIR BUNDE returned to the written questions and noted that someone wanted more information on what qualifies a school as Title I and how many Title I schools are in Alaska.

DR. McLAIN relayed that the actual number was not readily available, but offered to get that figure. Districts will make a determination by looking at poverty rating and underachievement in schools. He estimated that in the last district he worked in, about half of the schools were [designated Title I] schools. There are 506 schools in the state, so if the Kenai district is representative of the state, then approximately [250 would be Title I schools].

CHAIR BUNDE observed that Kenai might have [a lower number] of Title I schools than other parts of the state.

SENATOR DAVIS pointed out that Anchorage has no more than about 14 schools designated as Title I.

CHAIR BUNDE asked whether this [U.S.] administration is open to discussion of merit pay.

DR. SCLAFANI replied, "Absolutely. In fact, it's in the bill." Under Title II, Teacher Quality, states can develop differentiated compensation systems, merit pay systems, and whatever will help districts keep the good people it has and encourage other good people to come in. She offered that it is debilitating to good teachers to know they are paid the same as people who don't work as hard or who aren't as effective. That is one reason teachers leave. Studies have shown that more teachers leave because of issues in the working environment than due to the money, she reported.

Number 1308

CHAIR BUNDE asked whether the federal government would be asking the state to match funds to provide appropriate services.

DR. SCLAFANI responded:

There is still the maintenance of effort and comparability requirements in this bill. So, you can't do less than you've done before; you can't cut funding for education because we've raised funding. And, in fact, when you look at it in Title I, for example, you're going to move from \$32 million to \$41 million this year.

DR. SCLAFANI explained that states could not subsequently cut back funding by the amount the federal funding is increased. There are no other specific matching grants required, although the state must maintain what it has been doing and make these supplemental funds [available] to focus on the needs of the most at-risk children.

CHAIR BUNDE asked Dr. Sclafani to speak to the accountability requirement for an individual school district.

Number 1150

DR. SCLAFANI responded that a school district will be required to adhere to the state accountability system. School districts with schools that are in school improvement [status] can be labeled - if the state chooses - as districts in need of improvement, if they have a specific number or percentage of schools that are low-performing.

DR. SCLAFANI noted it is up to the state to establish what that looks like. School districts are responsible for the first line of assistance to the schools. When a school goes into restructuring, if the school district has been unable to help a school after all this time, then the state needs to step in and take greater control of how federal dollars are spent to improve the quality of education for students. It leaves the options to the local district and providing assistance as needed, until it becomes clear that the local district cannot provide sufficient assistance; then the state is required to step in.

CHAIR BUNDE asked Dr. Sclafani whether, after her brief exposure to Alaska's challenges, she envisions statutory or funding changes that the [legislature] might want to consider.

DR. SCLAFANI replied, "Access to your data is going to be one area that you are going to have to work on." She offered that most other states need this work as well. It would be a shame

to conduct all this good assessment and then not get the results back to the schools so they can use it to assist individual children as well as improve their school programs.

DR. SCLAFANI added that the other area is Alaska's challenge in improving teacher quality when recruitment and retention is such an issue. She noted that the committee had a good start on that with its dealing with [HB 416] at the beginning of the meeting by seeking to keep the good people who might have been interested in retiring but who have an opportunity with additional funding to come back. This would provide an opportunity to mentor new teachers coming in. She observed that the challenge is to bring back only effective teachers and not continue to reward people who were ineffective.

Number 0913

DR. SCLAFANI noted that her third suggestion would be to use the additional special education grant funding of nearly \$4 million a year for early intervention. This might be something Alaska might want to consider, particularly because [education and early development] have been brought together [in one department]. She explained that it might be appropriate to address emotional and cognitive problems by early intervention so that major problems are avoided later. The issue for Alaska, she said, is determining how to apply the funds most strategically. Finally, she said, Alaska has put good money into its reform program; funding will need to continue for this; turning systems around is expensive.

REPRESENTATIVE GREEN asked whether [H.R. 1] has any criteria for when the state intervenes in a school district.

DR. SCLAFANI replied that [intervention] occurs when the state sees a long history of low performance; it is the state's option.

CHAIR BUNDE reported that EED personnel have offered that Alaska has 278 Title I schools. He noted that the High School Graduation Qualifying Exam (HSGQE) was developed specifically for Alaska. He offered his assumption that this type of test would meet federal qualifications for an assessment tool. He asked if this was the type of thing to look for in Alaska's benchmark tests.

Number 0621

DR. SCLAFANI replied yes. She explained that Alaska needs to first identify the things it wants children to learn and be able to do. These skills can be broken down into ranges, but she suggested that her experience as a teacher has shown her that it is more effective to be very clear, grade by grade, regarding what is expected of children to know and be able to do. The assessment is then built accordingly. She asked: How do we ensure that we know, if a child does well on this test, that he or she indeed has met the requirements of the established standards? That is one challenge of working with a commercial norm-referenced test; a large test-bank is used, but whether those questions require that the student must know the standard to answer the question [is uncertain].

DR. SCLAFANI said in many cases, a good reader can figure out the answer without knowing the standard. On the other hand, is it sufficient to know the standard to be able to answer the question? Both of these sides must be looked at. Building the assessment according to the standards and then conducting reliability and validity studies which assure that the test measures whether or not children have learned the standards is what Alaska will need to do in every grade.

CHAIR BUNDE offered that Alaska's HSGQE took several years and a good deal of money to develop. He asked if monies in the bill are available for developing these tests.

DR. SCLAFANI answered yes. There is money for each of the five years of the Act. She noted that she thinks there is \$371 million for the nation; there is an amount below which the grants will not go to assist in the development of [tests]. This funding will be through 2005 for regular assessments; it will continue for the science assessments.

Number 0430

CHAIR BUNDE explained that some Alaskan districts have asked for a waiver from the "Carnegie units." He noted that Dr. Sclafani had referenced assessment by grades. These districts, however, have a very effective assessment program and are, in many cases, very successful in educating their students. He asked Dr. Sclafani whether she foresees a problem with districts that don't use the Carnegie unit.

DR. SCLAFANI offered that this legislation gives states the flexibility to organize or reorganize schools so they most

effectively educate children. The Carnegie unit is not a requirement. She said:

You can say, "These are the things that children need to know." And if they can demonstrate that they know them and they can move onto the next grade and it's February, that's great. That's what we need to do so that we can help children go as far and as fast as they can. We don't want to limit potential because we say, "Oh, no, this is third grade, and you have to spend so many hours in third grade in order to meet our requirement."

DR. SCLAFANI relayed that some states have already removed the Carnegie unit as a requirement.

Number 0320

DR. McLAIN returned to Chair Bunde's remark about the exit exam. He said this issue is being addressed with the U.S. DOE. One issue has been that Alaska intentionally focused the HSGQE as a "single-cut" test: a student needs to pass it in order to be successful. He explained that EED's reading of the Leave No Child Behind Act is that there seems to be a requirement that Alaska needs to be able to designate whether a student is at an advanced, proficient, or basic [level].

DR. McLAIN explained that EED will be working with DOE to determine the degree of flexibility is available to use an exit exam with a single point [of passing] in a system that seems to imply that there is a way to say a percentage of students are advanced, proficient, or basic. He noted that while all agree the goal is the same, this kind of detail - using one tool for a slightly different purpose - is a challenge that EED's assessment personnel have been working on with DOE.

Number 0204

DR. McLAIN turned attention to the Carnegie unit, noting that he would be addressing this with Dr. Sclafani during her visit. The department was supportive of requests for waivers from graduation requirements, he reported. The question now is whether a student at the elementary level who has not progressed from, for example, level seven to level eight will continue to take the same assessment for multiple years. If so, and if this is best for the child, what does this do for the data on comparability that one would expect to see? He explained that

this type of detail becomes an issue. The department doesn't want to be misleading in presenting to the public that a particular district has 80 or 90 percent of its students proficient when students have tested at the same level for a period of time.

CHAIR BUNDE observed that the reverse is what is seen now with so-called social promotion.

Number 0033

REPRESENTATIVE GREEN returned to the first principle [of H.R. 1] outlined by Dr. Sclafani, accountability including annual assessment for math, reading, and language arts. He asked whether this list includes basic English comprehension.

DR. SCLAFANI replied, "It is a requirement of reading/language arts in English."

REPRESENTATIVE GREEN said, "I'm appalled at the ... lack of knowledge of our own language from people who don't have a second [language]."

TAPE 02-10, SIDE A  
Number 0001

REPRESENTATIVE GREEN offered that some people don't understand English and misuse it. For example, people in his field of engineering might hide behind the fact that they are science-oriented or engineers and the belief that they don't need [comprehensive use] of English. He observed that certain misuses irk him.

CHAIR BUNDE asked if funding in the Act is available for transportation from a deficient school to a school of parent choice in an area where transportation is available.

DR. SCLAFANI replied, "Yes. In fact, you must provide the transportation to a parent that requests it within the school district." She explained that a district must set aside up to 20 percent of its Title I funds for that purpose.

Number 0137

CHAIR BUNDE stated that Alaskans appreciate the apparent flexibility in the Act, because some of Alaska's problems are unique. He added that Alaska would like a seat, should one

become available, on the [negotiated] rulemaking committee. He observed that Florida has two seats on the committee. He extended the committee's thanks to Dr. Sclafani and asked her to thank the [U.S.] Secretary [of Education] and President Bush for leadership in such a critical area for the nation. He thanked Dr. Sclafani for traveling to Alaska and for her discussion of these issues and the direct feedback given to the committee.

**ADJOURNMENT**

Number 0340

There being no further business before the committee, the House Special Committee on Education meeting was adjourned at 9:47 a.m.