

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON EDUCATION

April 24, 2002
8:05 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 BILL NO. 293

"An Act relating to the teachers' housing loan program in the Alaska Housing Finance Corporation; and providing for an effective date."

- MOVED CSHB 293(EDU) OUT OF COMMITTEE

HOUSE BILL NO. 464

"An Act relating to statewide school district correspondence study programs."

- MOVED CSHB 464(EDU) OUT OF COMMITTEE

PREVIOUS ACTION

BILL: HB 293

SHORT TITLE: AHFC LOANS TO TEACHERS

SPONSOR(S): REPRESENTATIVE(S) ROKEBERG

Jrn-Date	Jrn-Page		Action
01/14/02	1951	(H)	PREFILE RELEASED 1/4/02
01/14/02	1951	(H)	READ THE FIRST TIME - REFERRALS
01/14/02	1951	(H)	EDU, FIN
04/10/02		(H)	EDU AT 8:00 AM HOUSE FINANCE 519

04/10/02	(H)	<Bill Postponed>
04/17/02	(H)	EDU AT 8:00 AM HOUSE FINANCE 519
04/17/02	(H)	Heard & Held
04/17/02	(H)	MINUTE(EDU)
04/24/02	(H)	EDU AT 8:00 AM HOUSE FINANCE 519

BILL: HB 464

SHORT TITLE:CORRESPONDENCE STUDY PROGRAMS

SPONSOR(S): REPRESENTATIVE(S)JAMES

Jrn-Date	Jrn-Page		Action
02/19/02	2313	(H)	READ THE FIRST TIME - REFERRALS
02/19/02	2313	(H)	EDU, HES
02/22/02	2370	(H)	COSPONSOR(S): DYSON
02/27/02	2416	(H)	REFERRALS CHANGED TO HES, EDU
03/07/02		(H)	HES AT 3:00 PM CAPITOL 106
03/07/02		(H)	Heard & Held
03/07/02		(H)	MINUTE(HES)
03/13/02	2530	(H)	COSPONSOR(S): COGHILL, KOHRING, GREEN,
03/13/02	2530	(H)	FOSTER
03/14/02		(H)	HES AT 3:00 PM CAPITOL 106
03/14/02		(H)	Heard & Held
03/14/02		(H)	MINUTE(HES)
03/19/02		(H)	HES AT 3:00 PM CAPITOL 106
03/19/02		(H)	-- Meeting Canceled --
03/21/02		(H)	HES AT 3:00 PM CAPITOL 106
03/21/02		(H)	-- Meeting Canceled --
03/22/02	2655	(H)	COSPONSOR(S): FATE
03/26/02		(H)	HES AT 3:00 PM CAPITOL 106
03/26/02		(H)	Heard & Held
03/26/02		(H)	MINUTE(HES)
04/02/02		(H)	HES AT 3:00 PM CAPITOL 106
04/02/02		(H)	<Bill Canceled>
04/11/02		(H)	HES AT 3:00 PM CAPITOL 106
04/11/02		(H)	Moved CSHB 464(HES) Out of Committee
04/11/02		(H)	MINUTE(HES)
04/15/02	2924	(H)	HES RPT CS(HES) NT 5DP
04/15/02	2924	(H)	DP: COGHILL, KOHRING, WILSON, STEVENS, DYSON
04/15/02	2924	(H)	FN1: ZERO(H.HES/EED)
04/17/02		(H)	EDU AT 8:00 AM HOUSE FINANCE 519

04/17/02		(H)	Heard & Held
04/17/02		(H)	MINUTE(EDU)
04/24/02	3117	(H)	COSPONSOR(S): WILSON
04/24/02		(H)	EDU AT 8:00 AM HOUSE FINANCE 519

WITNESS REGISTER

JANET SEITZ, Staff
to Representative Norman Rokeberg
Alaska State Legislature
State Capitol Building
Juneau, Alaska
POSITION STATEMENT: Spoke on behalf of the sponsor of HB 488.

RICHARD SCHMITZ, Staff
to Representative Jeannette James
Alaska State Legislature
State Capitol Building
Juneau, Alaska
POSITION STATEMENT: Spoke on behalf of the sponsor of HB 464.

ED McLAIN, Ed.D., Deputy Commissioner of Education
Office of the Commissioner
Department of Education and Early Development
801 W 10th Street, Suite 320
Juneau, Alaska 99801-1894
POSITION STATEMENT: Answered questions regarding HB 464.

KEN EGGLESTON, Superintendent
Nenana City Schools
PO Box 10
Nenana, Alaska 99760-0010
POSITION STATEMENT: Testified on HB 464.

SHARYLEE ZACHARY
PO Box 1531
Petersburg, Alaska 99833
POSITION STATEMENT: Expressed the need to pass HB 464.

TAMMY ILLGUTH
PO Box 56403
North Pole, Alaska 99705
POSITION STATEMENT: During discussion of HB 464, expressed concerns with having a certified teacher grade all work.

ART GRISWOLD

HC 60 Box 4493
Delta Junction, Alaska 99737
POSITION STATEMENT: During discussion of HB 464, related problems with having a certified teacher grade all work.

KATHLEEN VANDERZWAAG
HC 60 Box 3280
Delta Junction, Alaska 99737
POSITION STATEMENT: During discussion of HB 464, inquired as to review of religious materials by certified public school teachers.

PAUL VERHAGEN
PO Box 563
Nenana, Alaska 99760
POSITION STATEMENT: During discussion of HB 464, recommended the legislature deal with generalities that accomplish only the things necessary to keep the program alive and in very broad general boundaries and leave the specifics to the school district.

JOAN D'ANGELI
PO Box 34711
Juneau, Alaska
POSITION STATEMENT: Characterized HB 464 as allowing what is already allowed.

KEITH SIMILA
3492 Meander Way
Juneau, Alaska
POSITION STATEMENT: With regard to the proposed CSHB 464, he characterized Version R a significant improvement, but related concerns.

ACTION NARRATIVE

TAPE 02-18, SIDE A
Number 0001

CHAIR CON BUNDE called the House Special Committee on Education meeting to order at 8:05 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.

HB 293-AHFC LOANS TO TEACHERS

CHAIR BUNDE announced that the first order of business would be HOUSE BILL NO. 293, "An Act relating to the teachers' housing loan program in the Alaska Housing Finance Corporation; and providing for an effective date."

CHAIR BUNDE reminded the committee that there have been some concerns from the Teachers' Retirement System (TRS) which has said that there is no way it would invest in anything other than secure investments. Therefore, Chair Bunde moved that the committee adopt Amendment 1, which reads as follows:

Page 1, lines 2-4:

Delete **"authorizing the Alaska State Pension Investment Board to invest money of the Teachers' Retirement System of Alaska in certain notes and bonds issued to provide for teachers' housing loans;"**

Page 1, lines 6-10:

Delete all material.

Page 1, line 11:

Delete **"*Sec. 2."**

Insert **"*Section 1."**

Renumber the following bill section accordingly.

There being no objection, Amendment 1 was adopted.

REPRESENTATIVE GUESS asked if this legislation is to help people with the purchase of their first home.

Number 0348

REPRESENTATIVE GREEN moved to adopt Version 22-LS1165\L, Cook, 4/19/02, as the working document. There being no objection, Version L was before the committee.

CHAIR BUNDE noted Amendment 1 amended Version L.

Number 450

JANET SEITZ, Staff to Representative Norman Rokeberg, Alaska State Legislature, answered Representative Guess's question by explaining that the current language of the legislation would refer to any loan as long as the home is owner-occupied and the resident who is employed as a certificated teacher in Alaska's public school system.

REPRESENTATIVE JOULE directed attention to page 2, lines 6-7, and asked if Bethel would meet the population requirement.

MS. SEITZ replied yes and related that the Department of Community & Economic Development's last census shows Bethel's population to be 5,471 [which is below the population limit of 6,000 specified in the legislation].

REPRESENTATIVE STEVENS remarked that [this legislation] is exactly what's necessary because there are many teachers who move from small community to small community.

REPRESENTATIVE GUESS explained that her question was addressing the First-time Homebuyer Program, which helps one obtain their first house so that there is equity to obtain future houses. However, under this legislation one would obtain his/her first house and build equity and later on could receive the no down payment benefit of this legislation on the next house. Representative Guess inquired as to whether someone who moves to a new home would have to sell the previous home [purchased under this legislation] or could it be rented. She noted that under the First-time Homebuyer Program there are restrictions in that one must own the home for a certain number of years before it can be rented.

MS. SEITZ answered, "No, that would be fine as long as the home that was purchased with this loan program is the home that they're occupying." She explained that the goal is to retain teachers in communities, and thereby grow with the community and invest in the community. In further response to Representative Guess, Ms. Seitz said that when the homeowner moves to another home, the homeowner would be required to sell the home [purchased with this loan program] due to the owner-occupied provision. However, if the loan was paid off, it would be the homeowner's house.

CHAIR BUNDE, upon determining there was no further discussion, closed public testimony.

Number 0823

REPRESENTATIVE WILSON moved to report CSHB 293, Version 22-LS1165\L, Cook, 4/19/02, as amended out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSHB 293(EDU) was reported from the House Special Committee on Education.

HB 464-CORRESPONDENCE STUDY PROGRAMS

CHAIR BUNDE announced that the final order of business would be HOUSE BILL NO. 464, "An Act relating to statewide school district correspondence study programs." [Pending from the April 17, 2002, meeting was a motion to adopt an amendment, but it was never addressed.]

REPRESENTATIVE GUESS moved to adopt Version 22-LS1494\R, Ford, 4/23/02, as the working document. There being no objection, Version R was before the committee.

Number 1035

RICHARD SCHMITZ, Staff to Representative Jeannette James, Alaska State Legislature, spoke on behalf of the sponsor of HB 464, Representative James. He explained that Version R includes two substantive changes from the prior version before the committee. In Section 1 there is language saying, "**Nothing in this section precludes a correspondence study student, or the parent or guardian of a correspondence study student, from privately obtaining or using textbooks or curriculum material not provided by the school district.**" This language was also added into the regulations during a recent change to the regulations. He specified that the word "using" was included in Version R in order to be clear that materials purchased for use at home can be used. The language in the prior version, CSHB 464(HES), only referred to "purchasing" the materials. Mr. Schmitz clarified that this language refers to materials that are purchased with the parent's money not with state money. This language change is also found in Sections 3 and 4.

MR. SCHMITZ informed the committee that the other substantive change, the language on page 2, beginning on line 6, was made at the department's request. There was concern that requiring a certified teacher to monitor correspondence students at all stages would be costly. Therefore, the department wanted the certified teacher to have an overall review, but the routine review, such as grading papers and tests, could be handled by trained staff. The new language specifies that a certified teacher would be responsible for a quarterly grade. He noted that the proposed committee substitute (CS) includes language referring to federal and state legislation dealing with special education students who would fall under an education plan that would require grading more frequently than quarterly. In response to Chair Bunde, Mr. Schmitz confirmed that Version R

doesn't preclude a student under an individual education program (IEP) which requires a different monitoring schedule.

Number 1511

REPRESENTATIVE STEVENS posed a situation in which a parent wants to use material that he/she has obtained without purchasing it.

MR. SCHMITZ agreed that such a clarification could be made. He indicated that the language could be changed to refer to material not purchased with state funds.

REPRESENTATIVE WILSON explained that it's important to include such language because homeschool parents often trade and share materials.

CHAIR BUNDE clarified that this legislation addresses correspondence schools not homeschools.

Number 1703

REPRESENTATIVE JOULE asked if the same standards for quality schools apply under this provision.

CHAIR BUNDE explained that there is an approved menu from which correspondence parents can choose materials. If they wish to augment that with privately purchased materials, that would be acceptable just as it is for the parents of students in public school.

REPRESENTATIVE PORTER suggested the following:

Page 2, line 25:
Delete "and"
Insert "or"

Page 2, line 26:
Delete ";"
Insert "not provided by the state"

MR. SCHMITZ indicated that would be acceptable.

REPRESENTATIVE STEVENS asked if the word "purchasing" should be replaced with "obtaining".

MR. SCHMITZ said the language change was a good choice of words.

Number 2042

REPRESENTATIVE moved that the committee adopt [Amendment 1], as follows:

Page 2, line 25:

Delete "purchasing and"
Insert "obtaining or"

Page 2, line 26:

Delete ";"
Insert "not provided by the state"

CHAIR BUNDE specified that the drafters would need to make the above change throughout the legislation in order to be conforming.

ED McLAIN, Ed.D., Deputy Commissioner of Education, Office of the Commissioner, Department of Education and Early Development, remarked that the last insertion the amendment makes should read "not provided by the school district".

REPRESENTATIVE PORTER said that he would accept Dr. McLain's suggestion as a friendly amendment to his amendment.

REPRESENTATIVE GUESS turned to page 1, line 14 through page 2, line 1 and said it's confusing because charter schools fall under school districts. She pointed out that the above amendment changes the language to refer to material "not provided by the school district" rather than "by the state."

CHAIR BUNDE pointed out that Alyeska Central School (ACS) is actually a school district.

DR. McLAIN specified that for purposes of these statutes and regulations, ACS is considered a school district.

CHAIR BUNDE, upon determining there was no further discussion of the amendment, asked if there was any objection to the amendment as amended. There being no objection, Amendment 1 was adopted.

Number 2448

REPRESENTATIVE JOULE directed attention to page 2, line 7, and inquired as to the meaning of "appropriately trained personnel employed by".

DR. McLAIN said that the department wants to ensure that regular monitoring is occurring, which documents that a program is occurring. Some of the monitoring was going to merely be monthly checks. The department envisioned that students experiencing academic difficulties would be more appropriately monitored by a [certified] teacher. However, if the monitoring is merely checking in and the student is doing fine, then such could be handled by "appropriately trained personnel".

Number 2717

REPRESENTATIVE GUESS noted that throughout the legislation there is mention of statewide correspondence. She asked if [the legislation] isn't going to speak to districtwide correspondence.

DR. McLAIN pointed out that there are differences between district-based and statewide correspondence. He mentioned that many of these would be standard practice in the district-based correspondence. In Alaska it has always been the case to leave a variety of these up to the district. He highlighted that there is already statute in place that specifies that districts have a legal responsibility to educate those students who are residents in their region.

REPRESENTATIVE GUESS turned to the use of the term "correspondence study student" and suggested that the term should probably be defined.

CHAIR BUNDE said that the term has been defined by defining what a "correspondence study student" is not.

REPRESENTATIVE GUESS returned to the language beginning on page 1, line 14 through page 2, line 1. She characterized that language as "clunky" because it elevates charter schools, which normally fall under the state or a school district. Representative Guess suggested eliminating the reference to ACS and merely refer to the state.

MR. SCHMITZ explained that the language conforms to existing statute.

DR. McLAIN explained that the intent of the language is to clarify that regardless of what entity is running a statewide correspondence study program, these rules would apply. He noted that most charter schools don't run statewide correspondence.

He also noted that ACS is a state correspondence school that is established in a separate statute.

REPRESENTATIVE GUESS remarked that she still believes the language should be reviewed. She then turned to page 2, line 17, and requested some discussion with regard to approving and disapproving home-designed courses.

MR. SCHMITZ explained that one of the goals of statewide correspondence study programs is to allow parents at home a lot of flexibility. Therefore, there is the opportunity to have home-designed courses such as one on tidal pool biology designed by a parent who is a biologist. The term home-designed course would apply to music lessons or gym.

Number 3354

REPRESENTATIVE STEVENS directed attention to page 3, line 3, and pointed out that the same wording has been used that was used in Amendment 1 and thus it would need to conform.

CHAIR BUNDE announced that the drafters would work on the legislation to make sure the language is consistent.

DR. McLAIN returned to the issue of home-designed courses and informed the committee that districts have always had the authority and duty to approve courses for their students. However, he expressed the need to ensure that courses comply with district standards, which is covered in other areas.

CHAIR BUNDE related that the basic intent is to not hold correspondence school students or their parents to a higher or lower standard than public school students.

Number 3635

DR. KEN EGGLESTON, Superintendent, Nenana City Schools, remarked that after reviewing the legislation and the amendments, nothing seems to preclude the operation of their [correspondence school] program. This seems to have stemmed from an audit of Nenana's program, he remarked. He informed the committee that all of the audit concerns have been addressed and the program has received approval of its application for next year. He mentioned that the committee should have a letter from Nenana City Schools. He offered to answer any questions.

CHAIR BUNDE asked if Dr. Eggleston would concur with his earlier statement that the intent of this legislation is to hold correspondence school students to the same standard as public school students.

DR. EGGLESTON replied yes. He related his belief that Nenana is on the cutting edge of statewide correspondence homeschool programs in the state. There need to be changes along the way and this process is proper, he said. In further response to Chair Bunde, Dr. Eggleston agreed that correspondence school students are subject to the High School Qualifying Exam like other public school students. He informed the committee that department data specifies that Nenana's correspondence program students scored as high or higher than the state average in six of the nine test areas. However, he acknowledged that there are areas in which the correspondence school needs to work on. There has been a tremendous effort to improve the number of students who are taking the test [the High School Qualifying Exam] such that Nenana's program has spent over \$90,000 of its revenue to ensure that its students are brought into [testing] centers by qualified teachers to administer the test.

Number 4200

SHARYLEE ZACHARY testified via teleconference. She thanked all those keeping this legislation moving forward and expressed the need to pass this legislation in order to avoid struggles in the future. Ms. Zachary related that her family has greatly benefited from the Interior Distance Education of Alaska (IDEA) program. Keeping these programs alive enhances the ability to educate children and develop good Alaskan citizens, she said.

Number 4430

TAMMY ILLGUTH, testifying via teleconference, began by informing the committee that she has been home schooling for 15 years. With regard to earlier comments that correspondence programs are different than home school programs, Ms. Illguth specified that these new programs have allowed her to obtain the curriculum that her children needed. She mentioned the need to develop a new name in order to eliminate any confusion between homeschools and correspondence schools. For example, these programs were first referred to as homeschool assistance programs, which she liked.

MS. ILLGUTH indicated that she had felt [removed] by the department as well as scared with regard to the regulations.

She turned attention to page 2, line 8, which specifies that students' work needs to be graded. She said she believes it's important for the teachers to review the work and ensure that the correct grade has been assigned, however, to have the teachers actually grade the work would be a large challenge.

MS. ILLGUTH informed the committee that parents place their children in these programs because they do fit specific needs. Without the program, it's difficult for the parents to obtain what is necessary for their children.

CHAIR BUNDE, in response to Ms. Illguth's concern with the language on page 2, line 8, related his understanding that it refers to a quarterly review.

TAPE 02-18, SIDE B

CHAIR BUNDE likened the quarterly review to the parent-teacher conference held in traditional schools.

Number 4623

DR. McLAIN said that there are no regulations that specifically speak to how a teacher does grading, and thus he suspected that there's a lot of variety. He related his belief that the intent with this is for a certificated teacher to sign-off that the grade is actually what was given. The aforementioned is important for validity and offers the parent the ability to confer with a classroom specialist.

MR. SCHMITZ related that the intent of the sponsor is to allow the districts running the programs to have the greatest possible freedom. It isn't the intent to have a certified teacher sign-off on every grade of every paper or test because that would be a burden on the program. However, there is the need to have some accountability in the final analysis. He assumed that it would be left to the districts and parents to develop what works well.

Number 4400

ART GRISWOLD, testifying via teleconference, informed the committee that he is a parent who has used the traditional public school and the homeschool systems. The homeschool system has offered a wider [educational] latitude for his children. He related the problems with having a certified teacher grade all work, which is the case with ACS and that has caused delays of

four to six weeks. However, under the CyberLynx program the parent does the primary grading, which is forwarded to the CyberLynx staff to be verified on a quarterly basis. Mr. Griswold inquired as to which board, the local school district board or the State Board of Education, the language on page 1, line 13, refers.

MR. SCHMITZ answered that it refers to the State Board of Education.

MR. GRISWOLD expressed concern with [that reference to the State Board of Education] because sometimes the state regulations don't mesh with what the local district actually has to deal with. In fact, the aforementioned is what caused this legislation. Therefore, he requested that there be some requirement that before there is a regulatory change, the public must [be notified/polled].

MR. GRISWOLD turned to the CyberLynx program and stressed that he is very impressed with it. Although he uses the text that CyberLynx provides, he said he believes the text choice should be left to the parents.

Number 4018

KATHLEEN VANDERZWAAG, testifying via teleconference, noted that she works with the CyberLynx program. She returned to the issue of certified teachers reviewing and evaluating student work. For those parents using religious material across the board, will the certified teacher be able to look at that material since that material won't be approved by the district.

MR. SCHMITZ answered that the sponsor's intent is to be clear that parents working at home have the right to use privately purchased material. Therefore, the grading would only be related to the actual [subject] not the religious content.

CHAIR BUNDE posed a situation in which a student in a traditional brick-and-mortar school writes a history paper using biblical references. The teacher would grade that paper on sentence structure. Therefore, he assumed such would be legal in correspondence schools.

DR. McLAIN agreed. In current policy and practice, many districts have ways of reviewing work and accepting for credit work that is done from a variety of venues. This statute wouldn't limit that. With regard to religious material, the

certified public school teacher wouldn't be allowed to be involved with the promotion of a religious doctrine and thus that would be an area in which the teacher wouldn't delve. However, the teacher would be expected and encouraged to become involved with the curriculum related to the subject.

Number 3618

REPRESENTATIVE JOULE inquired as to where the standards come into play.

DR. McLAIN reiterated that there are numerous ways in which courses are developed and taught. If one were to take Algebra I from IDEA, there's a very detailed course outline that the parent would receive regardless of the material the parent chooses to use. That outline would guide the district-employed certified teacher as he/she works with the student, in terms of instruction. The aforementioned isn't very different from what might happen in any kind of brick-and-mortar school once the student goes home. Dr. McLain said that [the department] is trying hard not to [interfere] with the education occurring between the parent and the student at home.

REPRESENTATIVE STEVENS asked if the certificated teacher has access to the materials that the student is using or is the teacher merely reviewing the work.

DR. McLAIN stated that the district and the certified teacher have a responsibility not to violate the statutes speaking to promotion of a religious doctrine. "There isn't anything that I can think of that would speak to what they might make reference to, in terms of the instruction," he said. He said that he didn't believe that the [intent] is to use public funds to purchase a copy of religious-based material. He reiterated that the statute specifies that a teacher can't promote religion.

CHAIR BUNDE related his belief that the discussion is about the student's work not the source of it.

REPRESENTATIVE STEVENS pointed out that a certified teacher just asked this question and thus if certified teachers are confused perhaps the legislature [should review it].

Number 3035

DR. McLAIN said he believes that in this state and across the nation there will always be questions regarding the separation

of [church and state]. He noted that the state doesn't approve a list of textbooks; it comes down to how the book is used. He reiterated that the public school teacher can't promote religious doctrine.

REPRESENTATIVE STEVENS related his understanding that the teacher reviewing the student's work would only receive the students work, such as a printed quiz or paper.

DR. McLAIN answered, "As a practical matter, if I was a district administrator and it was getting to be that ... questioning where they could not say very clearly they're not promoting religion ... I would then suggest that not be part of what that ... program course is all about." The best that can be done with statute, which is fairly broad, is to lay out the general direction. However, there will always be questions that are a judgment call.

Number 2721

REPRESENTATIVE WILSON related her understanding that this legislation allows the parent and student to use the curriculum they desire with the district-level review of the work. Furthermore, the benchmark exams are administered to these children and thus those results can illustrate how the student is proceeding, which is of concern.

DR. McLAIN agreed in general. He explained that the statute clearly states that the curriculum, as distinct from the materials, is approved by the distinct. Those curriculums would be standards-based, which is the part that the certificated public school teacher takes interest with. Dr. McLain pointed out that often the terms curriculum and curriculum materials are used synonymously, not to mention that the textbook often becomes the course. However, there is a distinction between the curriculum, the objectives, and the material being used.

Number 2450

PAUL VERHAGEN, testifying via teleconference, informed the committee that after 13 years of homeschooling and being told by the public school districts that his children couldn't participate in them because the law wouldn't allow it, he finally found a superintendent that recognized that the laws didn't prevent or preclude what he proposed. Therefore, the homeschooling program was created. On June 9, 1978, he recalled standing at the podium and introduced the IDEA program to the

general public for the first time. After establishing the IDEA program and realizing that many in education didn't understand homeschooling, the program wasn't implemented in the form of its original proposal. Therefore, he felt that the most important thing to happen for homeschooling in Alaska would be competition and thus he helped establish the CyberLynx program.

MR. VERHAGEN related his belief that this meeting consists of well-meaning legislators who are trying to help the program. However, with all the modifications to this legislation, Mr. Verhagen said he believes the exact opposite will be accomplished. Therefore, he respectfully requested that the committee consider not implementing the modifications and changes discussed today. If the legislature had passed laws such as HB 464 before 1978, the 9,000 homeschoolers wouldn't be allowed into the public school system. Mr. Verhagen recommended the legislature deal with generalities that accomplish only the things necessary to keep the program alive and in very broad, general boundaries and leave the specifics to the school district.

Number 2032

JOAN D'ANGELI informed the committee that she feels the same way as Mr. Verhagen. These programs are successful because they allow parental choice from a variety of curriculum. Ms. D'Angeli questioned why [this meeting] is happening because the programs have been doing well. She noted her appreciation for the give-and-take occurring at this meeting because at a Board of Education meeting she was only allowed three minutes and then had to listen to several hours of negative comments about the program. There was never an opportunity for the Board of Education to hear how the program really works. Ms. D'Angeli expressed concern with regard to the curriculum because one of the members of the department, Dr. McLain, has consistently characterized the Calvert School curriculum as being religious, although Calvert School states that it isn't a religious curriculum. The Calvert School curriculum is fully accredited by the Middle States Association of Colleges and Schools. She noted that many parents use the Calvert School curriculum, and therefore she inquired as to who would have the last say with regard to whether a parent is in violation of AS 14.18.060. This is of great concern because Calvert School curriculum is one of the few full curriculum packages in the nation.

MS. D'ANGELI pointed out that she is here today because the department wouldn't listen to her. However, the department was

making changes [in the regulations] to the program that would effectively shut it down. Ms. D'Angeli said, "We're touching on a number of things very closely that are coming very close to running parents off. The benefit of this program is that it does give parents guidance for benchmark exams." Finding this program was one of the best things that ever happened to her, she commented, because she was homeschooling on her own. She said that the program has taught her so much that she is set for 12 years. "This is a great benefit to all children in this state, and I'd like the discussions to remain children-based and not state-needs based continually," she said. She related her experience with her son who was told that he wouldn't rise higher than a preschool level. After using this curriculum, her son has passed one grade per year, including the full Calvert curriculum, she related. To leave the district and find this course has probably changed the course of her son's life forever, she stated.

CHAIR BUNDE, in response to Ms. D'Angeli's question regarding who will have the last say regarding curriculum, said that the courts will have the last say.

Number 1516

REPRESENTATIVE STEVENS surmised that the materials available to Ms. D'Angeli assist her in ensuring that her son meets the state's benchmarks.

MS. D'ANGELI replied, "Absolutely." She explained that she took her son out of public school on an emergency basis because she wanted her son to go to college and not keep repeating grades. She related that when she entered CyberLynx she constantly expressed the need to keep her son on par in order to meet the benchmarks. She noted that she checks in monthly.

REPRESENTATIVE WILSON related her belief that the changes the committee has made will allow Ms. D'Angeli to use the program she wants.

MS. D'ANGELI pointed out, "That's part of why I wondered why we're all here. We're already allowed to do that. So we've gone through all this time and effort ... and we're back where we started - we're going to get to do what we've always been doing."

CHAIR BUNDE interjected that the legislature is responsible for state money and if nothing else, what has happened has been an

education of the legislature that the money has been well spent and spent appropriately and legally. Whenever one accepts state money there will be some state oversight, he noted.

MS. D'ANGELI informed the committee that she entered into the program with lots of rules; the program is very structured and well managed.

Number 1157

KEITH SIMILA informed the committee that he and his wife are homeschooling parents. Mr. Simila related that his children have been quite successful with homeschooling. He noted that he and his wife have homeschooled in four states, and have appreciated the flexibility afforded in Alaska. However, he has had serious concerns with the proposed regulations. With regard to the proposed CS, Version R is a significant improvement.

MR. SIMILA emphasized that the flexibility for homeschoolers is paramount. For example, his daughter is a spacial learner and thus the rote techniques in the Saxon math curriculum didn't work for her, but another math curriculum did. On the other hand, his son, a concrete sequential learner, flourished with the Saxon math curriculum. Therefore, the flexibility to tailor the curriculum is very important. However, the initial regulations left parents wondering whether they would have that full range of flexibility.

MR. SIMILA echoed earlier comments that "we're here because the Department of Education has not been very open ... in terms of crafting those regulations." The department hasn't been very responsive to the parents' concerns over these issues. Even in crafting the second tier of proposed regulations, Mr. Simila said that he continues to have serious concerns which he has outlined in a letter. Mr. Simila also expressed concern with obtaining school credit for textbooks that are procured at the parent's expense. The allowance given through the program doesn't cover everything he spends on school materials for his children. Therefore, he wanted to be sure that his children would get school credit for [lessons from materials he purchased outside the allowance] so that the children don't have to take duplicate classes. The proposed regulations leave him with serious concerns regarding whether privately purchased materials, religious or not, would be accepted and if not, he questioned whether his children would proceed with the program. Mr. Simila echoed earlier comments that competition is important because it allows parents to find the best fit for their

children. He noted that he and his wife reviewed two to three correspondence programs in the state and chose CyberLynx due to its flexibility and parent-teacher interaction.

CHAIR BUNDE, upon determining no one else wished to testify, closed public testimony.

Number 06600

REPRESENTATIVE GUESS moved to report CSHB 464, Version 22-LS1494\R, Ford, 4/23/02, as amended out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 464(EDU) was reported from the House Special Committee on Education.

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Education meeting was adjourned at 9:35 a.m.