

HOUSE FINANCE COMMITTEE
May 02, 2001
1:59 PM

TAPE HFC 01 - 111, Side A
TAPE HFC 01 - 111, Side B
TAPE HFC 01 - 112, Side A

CALL TO ORDER

Co-Chair Williams called the House Finance Committee meeting to order at 1:59 PM.

MEMBERS PRESENT

Representative Eldon Mulder, Co-Chair
Representative Bill Williams, Co-Chair
Representative Con Bunde, Vice-Chair
Representative Eric Croft
Representative John Davies
Representative Carl Moses
Representative Richard Foster
Representative John Harris
Representative Bill Hudson
Representative Ken Lancaster
Representative Jim Whitaker

MEMBERS ABSENT

None

ALSO PRESENT

Representative John Coghill; Bruce Johnson, Deputy Commissioner, Department of Education and Early Development; Richard Monkman, Parent, Juneau; Margo Warring, Parent, Juneau; Gretchen Kaiser, Staff, Representative Kertulla; Veida Forrest, Student, Juneau Douglas High School, Juneau; Chris Knauss, Staff, Senator Pete Kelly; Jomo Stewart, Staff, Senator Donley; Deb Davidson, Staff, Senator Dave Donley; Dave Steward, Division of Personnel, Department of Administration; Bruce Johnson, Deputy Commissioner, Department of Education and Early Development; Randy Lorenz, Palmer.

PRESENT VIA TELECONFERENCE

Matt Lovern, Anchorage; Debbie Ossiander, Member, Anchorage School Board; Jo Garrett, Supervisor, Gifted Programs, Anchorage School District; Barbara Weber, Anchorage School District; Tamea Isham, Teacher, Anchorage School District, Anchorage; Jody Viscardi, Teacher, Anchorage School District, Anchorage; Terri Semmler, Teacher, Anchorage School District, Anchorage; Merri K. VanderPloey, Teacher, Anchorage School District, Anchorage; Pamela Bickford, Anchorage; Jean Scuito, Teacher, Anchorage School District, Anchorage.

SUMMARY

HB 71 "An Act relating to the education of children with disabilities and of gifted children; relating to the Governor's Council on Disabilities and Special Education; making conforming amendments; and providing for an effective date."

CSHB 71 (FIN) was REPORTED out of Committee with a "do pass" recommendation and with a previously published zero fiscal note by the Department of Education and Early Development.

CSSB 65(FIN)

"An Act requiring a study regarding equal pay for equal work of certain state employees."

CSSB 65(FIN) was REPORTED out of Committee with a "do pass" recommendation and with previously published fiscal impact note by the Senate Rules Committee for Department of Administration.

CSSB 86(FIN)

"An Act relating to employment of teachers who have subject-matter expertise; and providing for an effective date."

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#hb71

HOUSE BILL NO. 71

"An Act relating to the education of children with disabilities and of gifted children; relating to the Governor's Council on Disabilities and Special Education; making conforming amendments; and providing for an effective date."

BRUCE JOHNSON, DEPUTY COMMISSIONER, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT testified in support of HB 71. The department worked with the Governor's Council on Special Education and Disabilities, PARENTS, Inc., the Disability Law Center, and school district representatives to obtain their input in drafting legislation governing children with disabilities. The department also solicited information and feedback from parents and others representing gifted children.

Mr. Johnson noted that HB 71 accomplishes several important purposes for children with disabilities. First and foremost, the HESS CS for HB 71 updates the state special education statute in accordance with the federal statutes – IDEA 97. The HESS CS for HB 71 helps ensure that children with disabilities will continue to receive appropriate

educational services and that Alaska will continue to be eligible for federal special education funds. For FY 02, these funds are expected to total more than \$19 million dollars. He noted that HB 71 in its original form more clearly differentiated the federal and state requirements for providing educational services to children with disabilities from the state requirements for providing educational services to gifted children.

The HESS Committee Substitute for HB 71 is silent on the education of gifted students. School districts would continue to receive funds to provide services for gifted students through the 20% "add-on" provision in the foundation formula. The 20 percent "add-on" covers the education of children with disabilities, gifted education, vocational education and bilingual education.

Mr. Johnson observed that the department applauds the efforts of various committees to help Alaska comply with the federal statutes addressing children with disabilities. The department anticipates that with the passage of HB 71 the U.S. Department of Education would find Alaska in full compliance with federal requirements. He encouraged members to consider an amendment that would require gifted education programs in all districts, with details determined at the district level.

MATT LOVERN, ANCHORAGE testified via teleconference. He expressed concern with the deletion of Article 3A: Education for Gifted Children. Mr. Lovern stressed the importance of the program to parents and children. He emphasized the importance of challenging gifted children. He maintained that busing should be provided to the program.

DEBBIE OSSIANDER, MEMBER, ANCHORAGE SCHOOL BOARD testified via teleconference. She noted that the Board is concerned with the elimination of the requirement for gifted services and related busing. She stressed that if these needs aren't met that there would be increased dropout rates, chronic underachievement and behavior problems [among gifted children]. She maintained that the right to independent evaluation, challenges to placement, regular families of gifted children would use reevaluation of needs and the right to appeal placement. Anchorage would lose approximately \$220 thousand dollars if [busing for gifted and talented students] is no longer required. She added that they have concerns with the due process hearing language and felt that it would drive up the district's costs. Special Education costs continue to escalate independently. She expressed concern with the elimination of the Department of Education and Early Development's decision-making regarding residential placement out-of-state. The legislation has no mention of discipline, which is one of the Anchorage School Board's major issues. She maintained that the legislation

lacks clarity as to how the district can assess Medicare. She urged that the legislation be retained in Committee.

Vice-Chair Bunde thought that the legislation only removed the state mandate for gifted and talented programs. He asked if Anchorage would offer the program if the state mandate is removed. Ms. Ossiander responded that, as a school board member, she would continue to support it. She stated that without the mandate they would lose reimbursement for busing and the rights of families to appeal decisions outside of the district.

Representative Croft questioned if the district would lose state or federal reimbursement for busing. Ms. Ossiander explained that there is no federal funding. The Anchorage school district would lose access to state funding for transportation. Representative Croft concluded that the programs would be viewed as optional. Ms. Ossiander affirmed and noted that the state only reimburses for essential transportation. Transportation to school and transportation for special education purposes are considered essential. Under the legislation, transportation of students to participate in gifted programs would no longer qualify for reimbursement.

In response to a question by Representative Croft, Ms. Ossiander noted concerns with the due process hearing language contained in AS 14.30.193. As outlined in the bill, hearing officers could potentially live outside of the district, which would result in significant travel costs. A one-tiered hearing process has potential for escalating costs for districts because there would be a potential to go to Superior Court more quickly. She maintained that the legislation could be improved and offered to send written testimony.

JO GARRETT, SUPERVISOR, GIFTED PROGRAMS, ANCHORAGE SCHOOL DISTRICT, ANCHORAGE testified via teleconference. She expressed concern with the issue of equity. She noted that children with disabilities were addressed and emphasized the need of addressing children with exceptionalities, of which gifted is one. She encouraged legislators to make sound educational decisions based on what is best for the education of children and not [base their decisions] on financial issues. She spoke against the removal of Article 3A from HB 71. There are 2,500 thousand gifted students in Anchorage. She stressed that there is a lack of regard for a population that includes gifted students. She maintained that Districts with one or two students would not receive services. Services in Anchorage would be eliminated due to the lack of transportation reimbursement. She stressed that helping gifted students lifts all students. She urged that the bill be held.

BARBARA WEBER, ANCHORAGE SCHOOL DISTRICT, ANCHORAGE testified via teleconference. She used the analogy of a winning dog team. She stressed that gifted children are the talent that will become our future leaders.

TAMEA ISHAM, TEACHER, ANCHORAGE SCHOOL DISTRICT, ANCHORAGE testified via teleconference. She urged that Article 3A be put back into the bill. She maintained that gifted education needs a state mandate and transportation needs to be provided.

JODY VISCARDI, TEACHER, ANCHORAGE SCHOOL DISTRICT, ANCHORAGE testified via teleconference. She noted that gifted children are the most at risk student population for suicide or dropout. Gifted children learn the least amount of new information in a school day of all students. Gifted students need to be challenged to use their abilities. She maintained that they are handicapped by the discrepancy between their high abilities and the instruction level in the regular education classroom.

TERRI SEMMLER, TEACHER, ANCHORAGE SCHOOL DISTRICT, ANCHORAGE testified via teleconference in support of including Article 3A. She maintained that most people do not recognize the intellectual, emotional and psychological struggle gifted children have on a daily basis while waiting for a challenging education to be offered to them. Gifted students are capable of mastering curriculum far above their grade level so they wait for their classmates to catch up. They have high rates of alcohol and drug consumption and are at risk for suicide and dropout.

MERRI K. VANDERPLOEY, EDUCATOR, ANCHORAGE SCHOOL DISTRICT, ANCHORAGE testified via teleconference. She expressed concern with the elimination of Article 3A. She stressed the efforts of Anchorage teachers, parents and other interested parties in keeping gifted education within the special education statutes. She noted that a decision was made to keep both programs together on a state level. She maintained that the financial responsibility cannot be passed solely to the school district. She observed that there is a threat of tax caps and dissatisfaction with increased property taxes.

PAMELA BICKFORD, ANCHORAGE testified via teleconference. She spoke in support of eliminating section 4, which amends AS 14.30.186(e). This section provides that parents cannot be forced to receive services for home-schooled children. She felt that parents would be forced to home school children by the school district if the district could not provide services. She maintained that the provisions regarding the right to appeal are unclear.

JEAN SCUITO, TEACHER, ANCHORAGE SCHOOL DISTRICT, ANCHORAGE testified via teleconference. She expressed concern with the

elimination of Article 3A. She noted that it is difficult to meet the needs of kids on the high end in the regular classrooms. She emphasized that kids that don't fit into the regular classroom find a niche in the gifted classroom.

RICHARD MONKMAN, PARENT, JUNEAU testified in support of the inclusion of Article 3A. He stressed that gifted children have special needs, such as the need to be challenged, stimulated and engaged. If they are not engaged they will be disengaged. Many gifted children drop out.

Representative Hudson asked if the services are outside of the regular classroom teaching. Mr. Monkman explained that the gifted program has its own classroom. Children are taken from their regular classroom for a period of time.

MARGO WARRING, PARENT, JUNEAU testified in support of the reinsertion of Article 3A. The state of Alaska has a 30-year history of recognizing the needs of gifted children. She maintained that school districts with the fewest kids and the smallest resources would be dropped off first.

GRETCHEN KAISER, STAFF, REPRESENTATIVE KERTULLA provided testimony. Currently, Alaska statutes provide direction to public school districts to identify and provide educational services to gifted children. About 5,000 Alaskan kids throughout the state are identified as gifted because of their outstanding intellect and abilities. The state has an obligation to provide educational leadership. As a policy matter; the state has recognized the needs of gifted children for 30 years. All Alaskan children deserve an education geared to their abilities so that they can maximize their potential. The bar needs to be raised for higher ability children. Without an educational program, which provides adequate stimulation, these children are often bored and not infrequently become underachievers. She acknowledged the very serious needs of children with disabilities, but urged recognition of the special educational needs of another group of Alaskan children.

VEIDA FORREST, STUDENT, JUNEAU DOUGLAS HIGH SCHOOL, JUNEAU testified in support of gifted programs. She shared her frustration at being in classes below her achievement level. She felt that she would not have been in the program without testing. She noted that children have dropped out for lack of challenge. She spoke in support of retaining Article 3A.

Vice-Chair Bunde pointed out that the legislation speaks to the state mandate. He suggested that the Juneau School District could continue to test. Ms. Forrest acknowledged that the Juneau School District would continue testing but felt that smaller schools would suffer.

In response to a question by Representative Hudson, Ms. Forrest discussed her participation in the program. She observed that, through the program, she is an intern in Representative Kerttula's office.

Representative Croft MOVED to ADOPT Amendment 1. Amendment 1 would add Article 3A back in to the bill.

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Mr. Johnson acknowledged the concern of parents regarding the inclusion of Article 3A. Parents feel that oversight is important in order to ensure that districts provide services. Parents also want to have authority to oversee districts in the event that they do not take the exceptionality seriously. These concerns were addressed in the original legislation. He observed that the original bill contained Article 3A.

Vice-Chair Bunde felt that gifted and talented programs should be addressed in separate legislation.

Mr. Johnson noted that the gifted community felt that there needed to be oversight of the districts. The department estimated that oversight of the program would be approximately \$103 thousand dollars. This would provide a half-time position in the Department of Education and Early Development with some support staff to look over the program and provide some routine monitoring visits to schools on a contract basis.

Representative Croft questioned if the fiscal cost included oversight of the children with disability program. Mr. Johnson clarified that there is no oversight of the state's disabled program included in the fiscal note.

Representative Croft observed that testimony indicated that the state would not pay to bus [gifted and talented] students and that the cost to Anchorage would be \$200 thousand dollars. Mr. Johnson acknowledged that Anchorage is the district most engaged in transporting students with the exceptionality. He maintained that districts would be eligible for reimbursement through the related service clause of the current legislation.

In response to a question by Co-Chair Mulder, Mr. Johnson clarified that the department supports the inclusion of gifted and talented services. The department is willing to seek middle ground if the amendment is not acceptable. He stressed the importance of services for gifted students and noted that the state of Alaska has a 30-year history of providing services for these students. He noted that the department proposed language in the proceeding year, which would require school districts to recognize the

exceptionality and plan programs for these students. Details would be the responsibility of the separate school districts without state oversight. Co-Chair Mulder agreed that it should be a local option and responsibility.

Representative Hudson questioned if the programs are offered universally around the state. Mr. Johnson noted that they are offered universally around the state, but the urban areas have sufficient numbers to do more than a pull out program.

Vice-Chair Bunde observed that federal funds cannot be spent on gifted and talented programs. State funding provides an additional 20 percent for gifted and talented and special educational students. Mr. Johnson affirmed that the 20 percent would remain. The 20 percent "add-on" is for gifted, special, vocational, and bilingual education. The legislation would not change the foundation formula. The funds are non categorical. School districts have the responsibility and authority to spend the funds in any manner that they want.

REPRESENTATIVE JOHN COGHILL, MEMBER, HOUSE EDUCATION AND SOCIAL SERVICES COMMITTEE provided information. He noted that the House Education and Social Services Committee heard testimony on the need for [gifted and special] services. He observed that services are disabled students is a civil right. Gifted and talented services are not a civil right. He maintained that the issues are separate. Gifted and talented programs are a local option discussion. The Individuals with Disabilities Act is a national civil rights discussion. He asked the Committee to keep the issues separate and stated that he is committed to working on the issue. He observed that the authority still remains with the local school districts.

Representative John Davies questioned why the discussion cannot occur within the same piece of legislation. He noted that the issues are related in a number of ways.

Representative Coghill acknowledged that there are some similarities but pointed out that one calls for inclusion and one calls for exclusion. He added that one calls for a civil right action that is closely monitored and includes parents, while the other leaves the debate open. He stressed that the legislation brings the state into conformity with federal authorization, which brings money into the state. The amount the state wants to put into the gifted and talented program is an entirely different issue.

Representative Croft questioned if additional legislation has been introduced. Representative Coghill stated that he had not introduced separate legislation. Representative Croft questioned why it makes sense to pursue one issue

without the other. Representative Coghill noted that the intent is to clean up statutes before federal funding is lost.

Representative John Davies questioned if the legislation would still contain the necessary cleanup for federal requirements of separation with the adoption of Amendment 1. Mr. Johnson affirmed that legislation would still meet the federal requirement with the adoption of the amendment. Representative John Davies argued that the program should remain in tack until the debate occurs.

Co-Chair Mulder argued that (school districts) should be allowed to choose how to provide services. Representative Hudson summarized that funding could still be provided, but that the mandate would be removed.

Representative Whitaker asked for clarification regarding funding for gifted and talented programs. Vice-Chair Bunde noted that there are two funding streams: federal funding, which cannot be used for gifted and talented services, and state funding for special needs, which is still received by school districts.

Representative Whitaker observed that there would be no mandate for school districts to use funding for these programs.

Co-Chair Williams observed that Representative Coghill has indicated that he would work on further legislation.

In response to a question by Representative Whitaker, Mr. Johnson noted that there is no recognized organized group at the state level that speaks for gifted and talented children. There are groups at the local level. Some are advisory groups formed by the local school districts. The makeup tends to be associated teachers, parents, and former students.

Mr. Johnson observed that the number of gifted children is approximately 10 percent of the population and is somewhere between 5,000 and 13,000 thousand students.

In response to a question by Representative John Davies, Mr. Johnson clarified that federal funding has never been available for gifted and talented programs. Under the instructional unit formula, funding was provided for the support of identified students. Under the current foundation formula, there is an additional 20 percent added on for gifted, special, vocational, and bilingual education. Under both formulas a local school district could use the funds any way they feel is necessary.

Vice-Chair Bunde questioned the percentage of federal funding for special education. Mr. Johnson answered that the state expects approximately \$19 million dollars for special education from a \$700 million dollar budget. He clarified that the federal funds have never been used to support gifted and talented programs. The state commingled responsibilities. The state received federal funds to provide technical assistance and monitoring of special education programs around the state. The department while doing this business also did the business of gifted and talented programs. The noncompliance issue did not stem from inappropriate use of federal funds by the districts, but the department's use of funds used for the monitoring and technical assistance of children with disabilities.

Vice-Chair Bunde summarized that the legislation would not take funds away from gifted and talented services. Mr. Johnson noted that questions [relating to gifted and talented services] asked of a person being paid with federal special education funds would be deferred to the deputy director of Teaching and Learning Support. There is no funding stream.

Representative Whitaker observed that policy is being changed by the removal of the mandate and questioned the effect. Mr. Johnson acknowledged that the full ramification is unknown. The department has not had funds to monitor or support the program on the local level for the past three years.

Representative Whitaker observed that gifted and talented programs exist in all school districts. Mr. Johnson affirmed that every school district has provided a planned service for delivering educational services to its identified gifted and talented population. The programs differ widely. Representative Whitaker questioned what guarantees exist to assure that these children would receive services. Mr. Johnson noted that there would be no state oversight. He reiterated that a state mandate could be provided without state oversight.

Representative Whitaker summarized that the legislation would present a policy of not recognizing gifted and talented students. Mr. Johnson noted that the responsibility would be shifted to a local level. Representative Whitaker stated that there would be no local responsibility.

Co-Chair Williams questioned how long it would take for the programs to fall apart if the mandate is removed. Mr. Johnson stated that it would differ community by community. He noted that staffing decisions for the next year have been identified and felt that programs would be retained in the next year. He did not think that there was support for the

theory that programs would fall apart in small schools over larger schools.

Representative Croft spoke in support of the amendment. He observed that gifted and talented programs would be eliminated [without the amendment] by the provision on page 15, section 40. He acknowledged that programs vary widely. The question is whether the state mandates the service. He noted that school districts could eliminate programs. He recounted personal experiences with dyslexia and boredom in the classroom. He did not think that there was a strong commitment to pursue legislation in the following year and argued in support of retaining a state mandate.

A roll call vote was taken on the motion.

IN FAVOR: Hudson, Moses, Whitaker, Croft, Davies,
OPPOSED: Harris, Lancaster, Bunde, Foster, Williams, Mulder

The MOTION FAILED (5-6).

Representative John Davies MOVED to ADOPT Amendment 2.

Programs for gifted children. Every school district shall establish educational services for gifted children that provide for student identification, student eligibility, student learning plans, and parental and student participation, including an appropriate review process, consistent with regulations adopted by the department.

Representative Davies explained that the amendment would require school districts to establish programs for gifted children, but allow them to decide how the services would be provided.

Co-Chair Mulder MOVED to AMEND Amendment 2 to change "shall" to "may".

Representative John Davies argued against the amendment to the amendment. He emphasized that a portion of state support is for gifted and talented students.

Co-Chair Williams spoke in support of the amendment to the amendment. Representative John Davies argued that the amendment to the amendment would gut the amendment.

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Representative Whitaker argued against the amendment. He emphasized that the amendment to the amendment would establish the status quo until there is a better idea of the affect of the change.

Co-Chair Mulder WITHDREW his amendment to Amendment 2.

Representative Hudson suggested the addition of "consider".

Representative John Davies stated that the change would effectively gut the amendment. He argued that every district is being provided funding for the purpose. He stressed that the change to "consider" would take away the parents' right to insist on services.

There being NO OBJECTION, Amendment 2 was adopted.

Representative John Davies observed that a title change may be required with the adoption of Amendment 2.

Co-Chair Mulder noted that funding is already provided and a fiscal note would not be needed.

Representative Foster MOVED to report CSHB 71 (FIN) out of Committee with the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

CSHB 71 (FIN) was REPORTED out of Committee with a "do pass" recommendation and with a previously published zero fiscal note by the Department of Education and Early Development.

#sb65

CS FOR SENATE BILL NO. 65(FIN)

"An Act requiring a study regarding equal pay for equal work of certain state employees."

JOMO STEWART, STAFF, SENATOR DONLEY testified in support of the legislation on behalf of the sponsor. He noted that the legislation would provide for a pay equity study. He observed that there is evidence that there is pay disparity between men and women working in state government and in the state. A 1997 study showed that women were paid 35 percent less than men. Women in state government made 73 percent of what men were making. Women in local government made approximately 76 - 77 percent of a man's salary. It is the sponsor's intent that the study examines the question of equal pay for equal work among state employees. He emphasized that the focus should be on equal pay for same work, which is defined in the same manner as equal pay for comparable work: The principle requires equal compensation for jobs that require substantially the same skills, effort and responsibility and are performed under similar working conditions. A pay equity study will help determine if and where inequities exist and provide an opportunity to comply with state and federal law. Assuring that state pay practices are not influenced by gender is good public policy and will promote fairness in the workplace. Voluntary pay equity is more cost effective than a court ordered pay

equity adjustment. Discrimination suits tend to be very costly.

Mr. Stewart compared pay equity issues in Washington and Minnesota. Washington State failed to act on the inequities found in their pay. Minnesota phased in equity adjustments through legislation and arbitration. It cost approximately \$41 million dollars in the state of Minnesota over four years. Washington state litigation costs were approximately \$106 million dollars.

Mr. Stewart observed that a study in the February 1999 issue of Alaska Economic Trends entitled *The Gender Gap in Earning* observed the difference between pay scales but did not determine the cause of the inequities.

Representative Hudson questioned if the courts are requiring action. Mr. Stewart did not know of any court order.

Representative Foster observed that minorities receive inferior jobs and pay, especially minority women.

Mr. Stewart acknowledged inequity in pay to minorities. He explained that the legislation would pertain to state employees.

Representative John Davies MOVED to ADOPT a conceptual amendment to include minorities in the study.

Mr. Stewart observed that the House State Affairs Committee decided not to take up the issue in the current legislation since it would raise the fiscal cost.

Representative John Davies argued that the greatest fiscal cost would be the collection of data. He stressed that the fiscal impact of the incremental analysis to determine if it applies to minorities would be relatively small. He maintained that it would be relatively simply to add minority status [to the legislation].

DEB DAVIDSON, STAFF, SENATOR DAVE DONLEY, referenced the discussion on the addition of race to the legislation in the House State Affairs Committee. The study under the bill would look at job classifications and identify those that have a pay disparity to determine why the disparity exists. A larger study would need to be completed if a difference is not determined.

SENATOR DAVE DONLEY, SPONSOR provided information on the legislation. He asserted that multiple variables would make the study more complex. He noted that studies in 24 other states were limited to gender. The statutory sections referenced in the legislation address gender not race. The decision was made in the House State Affairs Committee to

not include race. The intent is to address the issue in the most economic manner.

DAVE STEWARD, DIVISION OF PERSONNEL, DEPARTMENT OF ADMINISTRATION, explained that the fiscal note is based on sampling job classifications. The inclusion of race would require an expansion of the sample collection, which might impact the fiscal note.

Representative John Davies asked what sampling would entail. Mr. Steward explained that job classifications would be reviewed for gender base. The state's job classification system assigns pay rates based on the kind of work that is done. Race or gender is not considered. Descriptions of work and minimum qualifications required would be sampled from a variety of the job families that the state classifies. There are no parameters to look at whether population density of race and gender mixtures influences the rate of pay. The gender base population is fairly even around the state but race based population is not.

Senator Donley asserted that the addition of minority status would complicate the study. He noted that research for the legislation was based on gender studies in other states.

Representative Hudson agreed with the prime sponsor. He acknowledged that it would require a far more expansive study. He observed that a gender base study would be straightforward.

Representative John Davies pointed out that it may be necessary to correct for age and minority status to understand the gender issue. He questioned if the study could be done adequately on the limited basis.

Senator Donley noted that contact with contractors for other state, which have compiled similar studies helped the Department of Administration to develop their fiscal note. He commended work by the Department of Administration in minimizing the costs on the fiscal note.

Representative Croft agreed that expansion would affect the fiscal note.

Senator Donley spoke against expanding the scope of the legislation. He stressed that expansion [of the bill to include race] would require a great amount of work and research.

Representative Foster spoke in support of the study and expressed his hope that "we are able to do something with the study.

A roll call vote was taken on the motion to include race.

IN FAVOR: Foster, Croft, Davies

OPPOSED: Harris, Hudson, Lancaster, Moses, Bunde, Williams

Co-Chair Mulder and Representative Whitaker were absent from the vote.

The MOTION FAILED (3-6).

Representative Davies expressed his support of the legislation.

Representative Foster MOVED to report CSSB 65(FIN) out of Committee with the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

CSSB 65(FIN) was REPORTED out of Committee with a "do pass" recommendation and with previously published fiscal impact note by the Senate Rules Committee for Department of Administration.

#sb86

CS FOR SENATE BILL NO. 86(FIN)

"An Act relating to employment of teachers who have subject-matter expertise; and providing for an effective date."

CHRIS KNAUSS ,STAFF, SENATOR PETE KELLY, spoke in support of the legislation on behalf of the sponsor. He noted that there are numerous accounts of teacher shortages in the state of Alaska. Senate Bill 86 would put teachers with subject matter experience in the classroom. He reviewed the process of how a subject matter teacher gets into the classroom and becomes a certified regular teacher. To be a subject matter teacher the applicant must have a baccalaureate degree and at least five years work experience in the subject matter to be taught. Once employment is gained, subject matter teachers would be required to take a competency exam and submit to fingerprints for a criminal background check. They would then be required to have an experience teacher supervise them as a mentor. During this time they would have a limited certificate. During the year they would be required to enroll in a curriculum to gain a regular teaching certificate. They would have two years to complete a regular teaching certificate.

In response to a question by Vice-Chair Bunde, Mr. Knauss noted that the real need is in rural school districts.

Representative John Davies clarified that subject matter teachers could only remain in this category for two years without becoming certified.

BRUCE JOHNSON, DEPUTY COMMISSIONER, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT provided information on the legislation. The department supports the bill. There are students that take advantage of the MAT (Master of Arts) program. A prerequisite degree for an MAT degree is a bachelor degree in a subject area. He observed that MAT students are not paid; these people would be paid while they are securing their regular Type A certificate. He thought that [subject matter teachers] would generally be at the secondary level.

Representative Davies asked if there would be a mentor teacher for both of the years. Mr. Johnson noted that it is required for the first year and added that there are programs that should help support the mentor relationship.

Vice-Chair Bunde observed that the candidate must take a competency examination, and questioned what the test would look like. Mr. Johnson agreed that the candidate would have to pass the exam and noted that it would be administered at the local level. They would also have to pass the state competency test in a timely fashion.

Mr. Johnson explained that discussions with the University of Alaska envision a startup summer program prior to going on the job. They would do an audio conference and distance delivered course during the year. The goal is not to overburden them so that their studies distract from their capacity to be successful in the classroom. They would resume studies during the summer. The department envisions completions during two summers and an academic year.

In response to a question by Representative Hudson, Mr. Johnson noted that there are shortages in math and science classes. He stated that the door could be opened to all candidates that meet the requirements. Limited candidates have been a concern. Representative Davies agreed that there is a shortage of qualified teachers. He questioned how many MAT students would take the program. Mr. Johnson acknowledged that it would allow MAT students to continue on a paid basis. Representative Davies thought that there may be more demand for the program than envisioned.

RANDY LORENZ, PALMER spoke in support of the legislation. He observed that his wife has a master's degree in Library Sciences. She is not able to get a Type A teaching certificate in Library Sciences because the University of Alaska does not offer a Library of Science degree. She cannot get her certification without quitting her job and going to another state. There are few qualified librarians in the Mat-Su Valley. The legislation would allow her to get a type A teaching certificate while remaining in her job. There are three other persons with Library Science degrees

in the Mat-Su. The legislation would allow his wife to get a type A teaching certificate.

Representative Foster MOVED to report CSSB 86 (FIN) out of Committee with the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

CSSB 86(FIN) was REPORTED out of Committee with a "do pass" recommendation and with a previously published zero fiscal note by the Department of Education and Early Development.

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ADJOURNMENT

The meeting was adjourned at 4:20 p.m.