

**ALASKA STATE LEGISLATURE
HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES
STANDING COMMITTEE**

March 7, 2002
3:03 p.m.

MEMBERS PRESENT

Representative Fred Dyson, Chair
Representative John Coghill
Representative Gary Stevens
Representative Vic Kohring
Representative Sharon Cissna

MEMBERS ABSENT

Representative Peggy Wilson, Vice Chair
Representative Reggie Joule

OTHER LEGISLATORS PRESENT

Representative Jeannette James

COMMITTEE CALENDAR

HOUSE BILL NO. 464

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

- HEARD AND HELD

PREVIOUS ACTION

BILL: HB 464

SHORT TITLE: SCHOOL DISTRICT CORRESPONDENCE STUDY

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
02/19/02	2313	(H)	REFERRED TO EDUCATION
02/22/02	2370	(H)	COSPONSOR(S): DYSON
02/27/02	2416	(H)	REFERRALS CHANGED TO HES, EDU
02/27/02	2416	(H)	REFERRED TO HES
03/07/02		(H)	HES AT 3:00 PM CAPITOL 106

WITNESS REGISTER

RICHARD SCHMITZ, Staff
to Representative Jeannette James
Alaska State Legislature
Capitol Building, Room 214
Juneau, Alaska 99801

POSITION STATEMENT: Presented HB 464 on behalf of its sponsor,
Representative James.

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

POSITION STATEMENT: During hearing on HB 464, answered
questions pertaining to language in statutes.

ART GRISWOLD
HC 60, Box 4493
Delta Junction, Alaska 99737

POSITION STATEMENT: Testified in support of HB 464.

WANDA FULTON
P.O. Box 522
Dillingham, Alaska 99576

POSITION STATEMENT: Testified in support of HB 464, Version O.

LINDA GILES
297 Icehouse Lane
Ketchikan, Alaska 99901

POSITION STATEMENT: Testified in support of HB 464, Version O.

A. PARKER
P.O. Box 1462
Sterling, Alaska 99672

POSITION STATEMENT: Testified in support of HB 464.

DONNA CLAUS
P.O. Box 109
Chitina, Alaska 99566

POSITION STATEMENT: Testified in support of HB 464, Version O.

LORRAINE HAMBRICK
P.O. Box 520180
Big Lake, Alaska 99652

POSITION STATEMENT: During hearing on HB 464, expressed her opposition to proposed regulations pertaining to home school programs. Testified in support of the bill.

BEN PHILLIPS

P.O. Box 2157

Petersburg, Alaska 99833

POSITION STATEMENT: During hearing on HB 464, testified in opposition to proposed regulations pertaining to home school correspondence programs.

CAROL SIMPSON

448 Klondike Avenue

Homer, Alaska 99603

POSITION STATEMENT: Testified in support of HB 464, Version O.

JIM BAIRD

1358 Viewpoint Drive

Fairbanks, Alaska 99709

POSITION STATEMENT: Testified in support of the current wording of HB 464.

STACIE WARNER

P.O. Box 3495

Seward, Alaska 99664

POSITION STATEMENT: Testified in support of HB 464.

KELLY LARSON

P.O. Box 875462

Wasilla, Alaska 99687

POSITION STATEMENT: Testified in support of HB 464.

KATHY VANDER ZWAAG

HC 60, Box 3280

Delta Junction, Alaska 99737

POSITION STATEMENT: During hearing on HB 464, testified in opposition to proposed regulations pertaining to statewide correspondence programs.

GLEN BIEGEL

5957 Barry Avenue

Anchorage, Alaska 99507

POSITION STATEMENT: During hearing on HB 464, delineated potential negative effects of proposed regulations pertaining to home school programs.

GINA CREEDON

P.O. Box 15053
Fritz Creek, Alaska 99603
POSITION STATEMENT: Testified in support of HB 464.

GAYE WRIGHT
4687 Chena Hot Springs Road
Fairbanks, Alaska 99712
POSITION STATEMENT: Testified in support of HB 464, Version O.

CATHERINE BISHOP
P.O. Box 2986
Seward, Alaska 99664
POSITION STATEMENT: Testified in support of HB 464.

SHARYLEE ZACHARY
P.O. Box 1531
Petersburg, Alaska 99833
POSITION STATEMENT: Testified in support of HB 464.

DANIELLE BACHMAN
HC 05, Box 9964U
Palmer, Alaska 99645
POSITION STATEMENT: Testified in support of HB 464.

LILLIAN CONNOR
P.O. Box 15053
Fritz Creek, Alaska 99603
POSITION STATEMENT: During hearing on HB 464, testified about her ease in taking tests as a home schooled student.

MIKE PRAX
1015 Meadow Rue
North Pole, Alaska 99705
POSITION STATEMENT: During hearing on HB 464, testified in opposition to proposed EED regulations.

AMY PITZER
P.O. Box 791
Delta Junction, Alaska 99737
POSITION STATEMENT: During hearing on HB 464, testified in opposition to greater regulation of home school programs.

SHARI LEWIS
P.O. Box 1205
Petersburg, Alaska 99833
POSITION STATEMENT: Testified in support of HB 464, Version O.

LAUREN BACHMAN
HC 05, Box 9964U
Palmer, Alaska 99645
POSITION STATEMENT: Testified in support of HB 464.

GREG MERCHANT
P.O. Box 15426
Fritz Creek, Alaska 99603
POSITION STATEMENT: During hearing on HB 464, expressed concurrence with testimony of other witnesses.

FLOYD WRIGHT
4687 Chena Hot Springs Road
Fairbanks, Alaska 99712
POSITION STATEMENT: Testified in support of HB 464.

AMANDA MERCHANT
P.O. Box 15426
Fritz Creek, Alaska 99603
POSITION STATEMENT: Testified in support of HB 464.

JENNIFER BACHMAN
HC 05, Box 9964U
Palmer, Alaska 99645
POSITION STATEMENT: Testified in support of HB 464.

BARBARA MARTINEZ
3875 Geist Road, Number 164
Fairbanks, Alaska 99709
POSITION STATEMENT: Testified in support of HB 464.

MICHELE PFUNDT
P.O. Box 1162
Petersburg, Alaska 99833
POSITION STATEMENT: Testified in support of HB 464, Version O.

DAN MIELKE
HC 30, Box 12910
Wasilla, Alaska 99654
POSITION STATEMENT: Testified in support of HB 464.

JENNIFER DELZER
436 Droz Drive
Fairbanks, Alaska 99701
POSITION STATEMENT: Testified in support of HB 464.

DEB GERMANO

P.O. Box 1511

Homer, Alaska 99603

POSITION STATEMENT: During hearing on HB 464, expressed support for parental choice and state standards, but raised concern about issues pertaining to school districts.

JOHN PORTSCHELLER

Tok, Alaska 99780

POSITION STATEMENT: During hearing on HB 464, expressed concern that the bill fails to address the broader issue of EED's efforts to extend its purview.

MICHAEL DAMMEYER

3351 Lucille Street

Wasilla, Alaska 99654

POSITION STATEMENT: Expressed support for HB 464.

JULIA AUBREY

P.O. Box 58648

Fairbanks, Alaska 99711

POSITION STATEMENT: Testified in support of HB 464.

HOLLY HALVERSON

669 Florence

North Pole, Alaska 99705

POSITION STATEMENT: Testified on HB 464, offering her own experience.

JOAN DANGELI

P.O. Box 34711

Juneau, Alaska 99803

POSITION STATEMENT: Expressed support for HB 464, but raised concern that it might not address all the regulations proposed by EED.

KEITH SIMILA

3492 Meander Way

Juneau, Alaska 99801

POSITION STATEMENT: During hearing on HB 464, expressed appreciation and suggested it perhaps could be strengthened.

PAMELA EBERHARDT

2343 Kevin Court

Juneau, Alaska 99801

POSITION STATEMENT: Testified in support of HB 464, Version O.

ACTION NARRATIVE

TAPE 02-20, SIDE A
Number 0001

CHAIR FRED DYSON called the House Health, Education and Social Services Standing Committee meeting to order at 3:03 p.m. Representatives Dyson, Coghill, Stevens, and Kohring were present at the call to order. Representative Cissna arrived as the meeting was in progress.

HB 464-SCHOOL DISTRICT CORRESPONDENCE STUDY

CHAIR DYSON announced that the committee would hear HOUSE BILL NO. 464, "An Act relating to statewide school district correspondence study programs."

Number 0213

REPRESENTATIVE STEVENS moved to adopt version 22-LS1494\0, Ford, 3/4/02, as a work draft. There being no objection, Version 0 was before the committee.

Number 0249

RICHARD SCHMITZ, Staff to Representative Jeannette James, Alaska State Legislature, presented [Version 0] on behalf of Representative James, sponsor. He noted that Representative James's office has received a number of e-mails, faxes, and letters from parents of children enrolled in statewide correspondence schools. These schools are unique in that they are correspondence "cyber" schools that work around the state but are run by one district. He said these seem to have afforded parents a great deal of satisfaction and success in the few years they've been in operation, and they're very popular. He referenced new regulations proposed by the Department of Education and Early Development (EED) that alarmed many of these home school parents. He explained that this legislation seeks to clarify and "set in stone" principles to direct the operation of statewide correspondence schools.

Number 0339

MR. SCHMITZ offered that the overriding principle behind this legislation is that parents should have the greatest degree of authority to educate their own children. Accountability [for the education of these children] is necessary because state money is being spent; this accountability is available through

statewide testing. He explained that provided these test results are within the state averages, and not below, the programs would be viewed as being in compliance with state statute.

MR. SCHMITZ referred to line 9 of the bill and said the current statute calls for review of these schools every ten years. The new regulations call for annual approval. Complaints were received that indicated this requirement would be burdensome. He noted that charter schools are approved every ten years. This ten-year approval would not apply to schools that fell below the state average [test scores] for two consecutive years.

MR. SCHMITZ reported that [Version 0] changes the language slightly [from the original version] to identify these schools as "at-risk" under state statute, requiring more frequent approval. If the program was performing at or above the state average, it would be reviewed every ten years. He offered that this would be aligned with the call for government to do things "faster, better, cheaper." "These programs seem to do that," he said. "They deliver education to children very successfully for a lot less cost - or at least some less cost - than they would be in a traditional program." "The other thing that Representative James feels strongly about is that ... not every child learns the same way," he said. This is another option. He alluded to the many new educational programs available; some of these work and some don't. He said statewide correspondence programs seem to be "working very well." He concluded, "If it's not broken, they why fix it?"

Number 0518

MR. SCHMITZ drew attention to another provision in the proposed EED regulations that Version 0 addresses. School districts should have a great deal of authority to determine whether parents are meeting district requirements. "Obviously, you don't hand out stuff and then, ... in four years, hand them a diploma," he said. Some parents need more frequent contact with the district than others. [Version 0] gives the authority to districts to determine the frequency of contact with parents. "As long as they're passing their Benchmark exams, then there shouldn't be a problem," he stated.

MR. SCHMITZ reported that curriculum materials and religious materials had been an issue raised [in feedback received]. Currently, programs prohibit the purchase of religious materials with school district funds; the materials actually used in home

school programs are not [mandated by districts]. The new regulations appeared to say, he suggested, that religious materials could not be used. He referred to AS 14.03 and said everyone knows about it, and that it defines religious material.

MR. SCHMITZ said these home schools are public because they receive public funding. He offered the analogy of a traditional public school student completing homework at home: no restrictions are placed on the materials used by the student at home. "If there's a crucifix on the wall in the home, that isn't the state's business," he said. Some work performed by traditional public school students is done at home; all of the work by these correspondence school students is completed at home. "The home is still the same," he stated. "That's sacred, and ... what goes on within the home ... should be up to the parent that's doing the teaching." He added that a check is in place: students are passing the exams and showing that they are completing the required work. The materials being used should not be an issue, he said, adding that no one is requiring public schools to purchase religious materials. But if a parent chooses to use religious materials [that should be permitted]. He pointed out a letter received by his office from Joan Dangeli that recounts her experience with a math curriculum she used for two years without realizing it was religious in nature.

Number 0755

CHAIR DYSON said, "Your point is, then, the department ruled that that was illegal."

MR. SCHMITZ replied that Ms. Dangeli's letter indicated this program used by the Nenana [CyberLynx Correspondence School] was ruled to be religious. He said the way to prevent public schools from having to determine which materials are religious is to allow parents to make that decision. He said this is the goal of HB 464.

Number 0765

CHAIR DYSON said, "As I read your bill, it makes those determinations at a district level instead of a department level. You just said you wanted it to be at a parent level. Am I confused?"

MR. SCHMITZ replied, "You're right. And I was probably ranting a little bit." He said that the determination would be at a district level. He offered that this determination should be

made at a district level because the local district is more familiar with each family, and it becomes like "a family relationship." He noted that districts can follow state statute to place appropriate restrictions without constant oversight from Juneau.

Number 0821

CHAIR DYSON inquired about the significance of subsection (b) [page 2 of Version O].

MR. SCHMITZ responded that the drafter added this language, which has to do with the language set in statute to clarify what schools are being addressed by the bill. In further response, he expressed his understanding that this does not apply, for example, to the Juneau School District's correspondence program, which serves only students in the Juneau School District.

Number 0868

CHAIR DYSON asked, "'Statewide school district' wouldn't apply to the Juneau one that just takes kid within [the] district?"

MR. SCHMITZ replied that the bill isn't designed to apply to [this type of correspondence school]. He suggested that Interior Distance Education of Alaska (IDEA) or EED personnel might explain the difference between the two types of programs more clearly.

CHAIR DYSON asked if the two type of programs would be treated differently under Version O.

MR. SCHMITZ answered that the bill is not designed to address "cyber" programs within a district. It is designed to address district programs offered to children all over the state.

CHAIR DYSON said, "But they would still only be administered under your bill by the school district in which the school resides."

MR. SCHMITZ agreed.

Number 0941

CHAIR DYSON asked what "partisan" means in AS 14.03.090.

ED McLAIN, Ph.D., Deputy Commissioner of Education, Department of Education and Early Development, expressed his understanding that "partisan" refers to a political definition. He said he would check this with legal counsel. In further response, he said a social studies teacher could, for example, use literature from a political campaign for instructional purposes. Promoting one political position over another is not permitted, however.

Number 1025

CHAIR DYSON inquired what "sex bias" means in AS 14.18.060, which read in part:

Sec. 14.18.060. Discrimination in textbooks and instructional materials prohibited.

(a) School boards shall have textbooks and instructional materials reviewed for evidence of sex bias in accordance with AS 14.08.111(9) and AS 14.14.090(7). School boards shall use educationally sound, unbiased texts and other instructional materials as they become available. Nothing in this section prohibits use of literary works.

(b) The board shall establish by regulation standards for nondiscriminatory textbooks and educational materials. Each school board shall provide training for all its certificated personnel in the identification and recognition of sex-biased materials.

DR. McLAIN offered his understanding that this addresses instructional materials' portrayal of preferences or stereotypes of sex roles - for example, all workers in a factory shown as men or all people shown at home as women. Both sexes should be represented in a variety of roles.

CHAIR DYSON continued, "So that doesn't prohibit materials that might be, say, abstinence-based?"

DR. McLAIN replied, "I would not read that as to be abstinence-based." He offered to get an attorney's opinion.

CHAIR DYSON asked, "So ... 'sex bias' just means [a] preference of females over males or males over females. It doesn't have to do with lifestyles, ... number of marriages, ... marriage partners, ... abstinence, promiscuity, or anything like that?"

DR. McLAIN said he would seek a definitive answer on that matter, but that his own reading would be the same as Representative Dyson's.

Number 1155

ART GRISWOLD testified via teleconference. An Alaskan resident since the 1950s, Mr. Griswold said he has eight children, three in a home school program. He encouraged members to view HB 464 positively because it provides stability to the home school system. The [provision for ten-year review] allows programs to build programs with longevity. He noted that he'd taken his children out of public schools because they were not accomplishing "what they wanted to do." His daughter, a high school student, was not offered the variety of courses in the public school that the home school program offered. These courses included auto mechanics, communication, journalism, aerospace, and her regular courses. He offered that his daughter has a higher grade point average (GPA) in the home school program than she did in the high school in Delta. She has taken and passed the high school equivalency exam. He also has two sons with similar experiences. He expressed his support for Representative James's bill.

Number 1296

WANDA FULTON testified via teleconference in support of HB 464 [Version 0]. Noting that she is with the IDEA program, Ms. Fulton added that she supports the state's role in establishing standards for high school graduates. She also conveyed concern with regulations that restrict the curriculum allowed to home schooling parents.

Number 1342

LINDA GILES testified via teleconference. A home school mother of two children, she expressed her support of HB 464 [Version 0].

Number 1373

A. PARKER testified via teleconference. She expressed her support for HB 464 and concurred with Ms. Fulton's testimony.

Number 1394

DONNA CLAUS testified via teleconference. A home school parent for 12 years, she said, "Until IDEA came along, I was sort of a lone ranger. We live 180 miles from the nearest school. ... We would home school even if we lived in the city." Her children have won numerous awards in Alaska and nationally, she offered. Her family is planning a two-month trip to Antarctica via their own plane to teach science, geography, and other subjects. She noted that without the IDEA program, this type of experience would not be possible. She expressed her support for HB 464 [Version 0].

Number 1444

LORRAINE HAMBRICK testified via teleconference in support of the bill. She stated that she is opposed to regulations [proposed by EED], particularly the proposed regulation of curriculum. She noted that home schoolers' test scores indicate they are meeting the standards. She has been a certified teacher for 15 years and a home school teacher for 13 years. The IDEA program allows parents to choose appropriate curricula; her children take Tae Kwan Do and music programs. She said she makes efforts to save the state money given to her to home school. She added that she thinks the regulations are unfair to target home school children who don't participate in state tests; public-school children who miss testing are not excluded from public school the following year. Ms. Hambrick said home school parents sacrifice time and money to home school their children. She gave several examples of creative teaching methods she has used to teach concepts to her students; these methods were created using knowledge of the individual student.

Number 1575

BEN PHILLIPS testified via teleconference. The father of seven children enrolled in the Galena school system, he noted his dissatisfaction with the proposed EED regulations pertaining to home school programs. These regulations would cost the Galena School District more in administration costs; the state would pay more in administration costs as well. He expressed his opinion that these regulations attempt to control not reading, writing, and math, but parents' teaching of religion in the home. Participants in the Galena program "are keenly aware" of the prohibition of the purchase of religious materials with state money; this is currently well policed, he added. He said, "If the state board of education would be willing to apply the same degree of potency to their own programs, ... not only would the ... other state schools not be facing money problems, but

these frivolous regulations would never have even been proposed." He offered that home school parents are well aware of AS 14.03.090, which addresses partisan, sectarian, and denominational instruction. He concluded by saying, "We just think it's thinly veiled discrimination."

Number 1685

CAROL SIMPSON testified via teleconference, noting that she works for the IDEA program as a field representative and an administrative assistant. Ms. Simpson said she has been home schooling for many years; many of these years were as an independent home school teacher, and five years have been with the IDEA program. She said the regulations proposed by EED go well beyond the scope of Alaska statute and the clear intent of the legislature. She added, "The committee substitute of HB 464 continues the legislative tradition of promoting school choice and innovation by limiting regulations which would unfairly single out these programs ... by holding them to a higher standard than other public schools."

MS. SIMPSON added that the bill eliminates the yearly application not required of other types of schools. She continued:

[House Bill] 464 also continues the legislative tradition of providing parental authority and local school district control by permitting programs to set their own guidelines for [the] purchase of materials and [to] set their own parameters for the monitoring of students by program personnel. The CS of HB 464 appropriately links the requirements imposed on statewide correspondence programs with the school accountability law. By this standard, statewide correspondence programs are very successful. For instance, last year IDEA students had an "advanced" or "proficient" score, which ranks them in the top half of the 54 school districts in the state at every grade and every subject area, higher than the state average in most.

As a home schooler, I've appreciated the partnership with the school district, the input of a certified teacher, and the guidance of IDEA in continuing to teach my children at home. [House Bill] 464 sets parameters to foster that relationship without stifling it, allowing for the continued success of

IDEA and programs like it. The detailed overregulation recently proposed would drive many students and statewide correspondence programs back to home schooling independently. [House Bill] 464 allows programs like IDEA to continue to serve home schoolers to the best of their ability and, more importantly, to the best of the home schoolers' ability.

Number 1770

JIM BAIRD testified via teleconference. He noted that he has been a Fairbanks resident since 1976; he has been a secondary teacher much of that time; his wife is a certified elementary teacher; and his two daughters have been home schooled for five years because he and his wife didn't want their daughters attending the middle or high schools in Fairbanks. His family used the Fairbanks correspondence program for four years and switched this year to the IDEA program. Mr. Baird indicated his satisfaction with the IDEA program. He said:

I know from firsthand experience how high schools work - how engaged or disengaged students are, and the validity or lack of validity of the grading system there. Apparently, lots of other people know, too, because now students have to pass an exam to graduate from high school. [A] growing number of home schoolers nationwide indicates that this is not just an Alaskan issue. Alaskans have a chance to be national leaders in home schooling. [The] current wording of House Bill 464 will help this happen.

The Benchmark tests and the graduation exam ... measure success. We don't need help from the folks who have regulated what they like to call the "brick-and-mortar schools" into the fix that they are currently in. If the aim is education, Benchmark tests and the graduation exam are a basic, common measure. Let us try as many new ways as possible to help our students. We know what doesn't work. Let's get going on what will. Please adopt [the] current wording of House Bill 464 and help with its passage.

Number 1840

STACIE WARNER testified via teleconference. She urged members to adopt HB 464. She explained that her primary concern is with the "unnecessary, increased oversight" of [home school] parents'

teaching ability and the progress of the students. Her three children are enrolled in the IDEA program. She indicated that the IDEA program personnel have imbued confidence in her teaching ability. She said:

The Galena School District IDEA program has provided a wonderful, professional, and balanced support in our home schooling endeavors. I believe the balance that the IDEA program has between instructional flexibility and the trust in the parental-teacher role, combined with the availability of a certified teaching assistant, when requested by a parent, is a wonderful balance for a ... home school or correspondence study program. I believe that any further requirement above the ... annual independent learning program approved by a certified teacher - two progress reports, one mid-year and year-end, on top of the Terra Nova and Benchmark tests - are sufficient to monitor and supervise the progress of my children's [education].

MS. WARNER noted that students in a traditional public school may have two more quarterly reports; their classroom teacher is responsible for monitoring daily progress. She monitors her children's daily progress, as their classroom teacher, through the reports and required tests as well as her own records of their progress. She expressed her opinion that the certified teacher's role in a statewide correspondence program should be more akin to a principal's role, whereas she is her son's daily teacher. Further regulation is unnecessary to monitor student progress, she said; the proposed regulations are "above and beyond" those required of traditional public school students. She concluded by saying [the proposed regulations] would add unnecessary expense to the correspondence study school district.

Number 1967

KELLY LARSON testified via teleconference in concurrence with Ben Phillips. She urged members to support HB 464. She said her biggest complaint with the proposed regulations is with the provision addressing nonpartisan curriculum. She told members, "I don't see what the problem is if I'm purchasing the curriculum with my own money, and my children are scoring at or above average. I don't see what difference it makes whether it's religious or not - as long as I'm footing the bill." She added that the cost of the proposed regulations would be taken directly from the students themselves.

Number 2020

KATHY VANDER ZWAAG testified via teleconference. Noting that she works for the CyberLynx program and that her daughter is taking some correspondence courses, she thanked the bill's sponsors for their responsiveness to home school parents. The state board did not garner input from parents when creating the proposed regulations, she said. She furnished her opinion on the following points: the annual application is "bureaucratic nonsense" and takes time from the focus of education; the monthly monitoring of students is unnecessary, and Benchmark testing is sufficient for children who have shown success in the home school program; program [personnel] should decide the frequency of monitoring; and the school district should decide [which curricula are appropriate for students].

Number 2090

GLEN BIEGEL testified via teleconference. Noting that he has two children enrolled in the IDEA program, he expressed his belief that the school would be closed down or would lose 80 percent of its students. He represents the Alaska charter school association and Alaskans for Educational Choice, he said. Referring to a nine-page, in-depth review of the regulations proposed by the [State Board of Education and Early Development], he suggested the regulations are "school-ending" because 6,000 students will be essentially out of a public school, and Alaska will have 6,000 [fewer] public school students next year if these regulations are allowed to go through without the intervening support of a bill like HB 464.

Number 2198

GINA CREEDON testified via teleconference. She indicated that her children are enrolled in the Connections program, and that the IDEA program has improved Connections by virtue of the competition it has provided. She said, "I think anything that reduces the ability of the statewide programs to compete with the district programs hurts the kids. ... Anything that sucks up my time with anything other than teaching children is likely to cause me eventually to quit public home schooling." She pointed out that this would cost the state \$3,200 per child; if the Galena program is curtailed, it will cost the state approximately \$20 million; and if every home school family [chooses independent home schooling], it will cost the state almost \$30 million. She explained that these families would continue to teach their children at home, but the program might

be [less effective] without correspondence programs. Saying the proposed regulations are "expensive and stupid," she urged members to pass the bill.

Number 2247

GAYE WRIGHT testified via teleconference. She home schools three of her children; they previously attended Christian schools, but the tuition was too expensive. She offered that the IDEA program requires accountability through progress reports and individual learning plans. She said these proposed regulations have nothing to do with accountability and teaching students, and have everything to do with control. She referenced comments by Dr. McLain at last week's Joint Committee on Administrative Regulation Review hearing on the proposed regulations; she said he'd indicated that parents could use Christian materials, but that their children would receive no credit for classes using these materials. She offered that children would not take classes for which they would receive no credit. She urged members to pass HB 464 [Version 0].

Number 2310

CATHERINE BISHOP testified via teleconference in support of HB 464. An IDEA parent for three years whose child scored in the 98 [percentile] and 95 [percentile] in language arts and math, respectively, on the Benchmark tests, she told members:

I have watched this program grow from 150 students to 3,500 students. The effort that it has put into making this program succeed is outstanding. This wonderful program is the product of years of parent-teacher-administration input. It works the way it is; it doesn't need to be fixed or changed. Thank you for considering HB 464. Without its adoption, I feel that we will be unduly restricted and discriminated against in our attempts to educate our children.

Number 2343

SHARYLEE ZACHARY testified via teleconference. She said that her family began home schooling ten years ago because their daughter needed special attention that the public school was unable to give her. They began using what is now the Alyeska program, and she'd found it confusing. Ms. Zachary said the IDEA program has been helpful in allowing her to choose appropriate curricula for her three daughters; it has enabled

her family to do things with their children that otherwise they wouldn't have been able to do. Her family's income is low enough to qualify for food stamps; they do not use them. They do, however, buy Christian materials with their own money. She indicated she thought religion was being taught in public schools.

TAPE 02-20, SIDE B
Number 2400

MS. ZACHARY said she believes public schools are advocating forms of witchcraft and alternative lifestyles that she does not support. She said she teaches her children to respect all people. She urged members to support HB 464.

Number 2367

DANIELLE BACHMAN testified via teleconference. A ninth grader enrolled in the IDEA program, Ms. Bachman said she'd enrolled in IDEA three years ago after leaving middle school, where she was not receiving the education that she needed. She is taking advanced courses, and has a 4.0 GPA. She said the program is important to her because it provides her with violin lessons, advanced-level books, and additional time with her family. She expressed her belief that HB 464 will help programs such as IDEA provide students opportunities to learn and excel in the world.

Number 2328

LILLIAN CONNOR testified via teleconference. A home school student, she said, "Moms have just enough time to teach, and shouldn't be burdened with more paperwork. I just took the test, and it was so easy I got to twiddling my thumbs while I waited for the other people to finish. Maybe the big schools need more paperwork."

Number 2296

MIKE PRAX testified via teleconference, thanking Representative James and Representative Dyson [as cosponsor] for HB 464. He offered his belief that the bill does not go far enough, but is a good start. He said:

I think you should do whatever you can to reduce central control of education. ...Those of us that are stepping out ... are finding out that the market is a much better control of education than the state board

of education and the state regulators. Also, I think that you should do whatever you can to reduce the number of people who are involved in running state education. That's going to save you money in the end - and ... do whatever you can to reduce state spending. This is a tremendous program. The competition between the different cyber schools and the different home schooling programs that are available makes it fit individual needs much closer, and you wind up with a much better product at much less cost. And it is the wave of the future and you should get on board. We accept the responsibility for raising our own children; we have the authority. Thank you for your concern, but we don't need the regulation.

CHAIR DYSON pointed out that Representative Coghill is also a cosponsor of HB 464.

Number 2246

AMY PITZER testified via teleconference. The mother of six children, five enrolled in the IDEA program, she offered that the program allows her children additional opportunities such as music lessons. She suggested that most home school parents would return to independent home schooling if too much regulation were imposed. She indicated Alaska is one of least restrictive states for home schooling.

Number 2189

SHARI LEWIS testified via teleconference. A home school parent in the IDEA program, she noted her appreciation for the freedoms afforded her in home schooling. Saying this bill will enable her to educate her children the best way she can, Ms. Lewis encouraged passage of [Version 0] and agreed with the testimony of Ms. Creedon, Ms. Simpson, Mr. Phillips, and Ms. Larson.

Number 2165

LAUREN BACHMAN testified via teleconference. A seventh grader enrolled in the IDEA program, she expressed her support for HB 464. She said home schooling works well for many families. She explained:

By home schooling, I am developing into a better student and individual, with one-on-one enrichment

with my teacher. Through IDEA we receive an allotment for pursuing optimum education. Because of this, I weekly receive private viola lessons from an awesome teacher who plays in the Anchorage symphony. In addition, I am able to use new, high-quality textbooks that my parents have selected, tailored to my advanced needs. When selecting textbooks, it matters not whether a book is secular or religious, simply that each book is the best in excellence ... and the most current academically. Looking at my test scores from Benchmarks and CAT [California Achievement Test] tests proves that I am progressing. Outstanding education is being received by myself and other students in the state because of correspondence schools like IDEA. Please do not take that away from me.

Number 2116

GREG MERCHANT testified via teleconference. Stating his concurrence with preceding witnesses, he expressed hope that members would pass this bill.

Number 2104

FLOYD WRIGHT testified via teleconference, conveying his agreement with previous testimony. He said:

The requirements that are being proposed ... to maintain a certain standard, ... I think that, as much as possible, those standards should be maintained. ... There are some students that are never going to perform well, and many of those students are being taken out of the public schools because the parents feel that they know their kids better and they will be better capable of teaching those students at home, one-on-one, than they will ever get in the public school. They may never be "A" students, but they will probably be better off at home school than just being left behind in the public school.

And according to the way this ... regulation was being written, the programs such as IDEA that I am involved with would be penalized because some students are not meeting the state standards. All across the state, you are not holding the same standard to the public schools - if they don't meet up to the state standard,

well, that's okay, they're a public school. I am in favor of House Bill 464.

Number 2034

AMANDA MERCHANT testified via teleconference. A ninth grader who has been home schooled most of her school years, Ms. Merchant indicated she hadn't received good grades in public school, but is receiving higher grades in the IDEA program. Her parents are able to choose her curriculum. She said, "I hope that you pass House Bill 464 because then it would keep home schooling the way it should be."

Number 2005

JENNIFER BACHMAN testified via teleconference. A home school teacher with the IDEA program, she noted that her family is able to select curricula to meet the special needs of their children; other programs such as [Alyeska Central School] and traditional classrooms have failed to do this. Hours are spent researching a curriculum for their children that meets her family's high standards. She offered that HB 464 helps to continue the excellent education that IDEA is providing for her children. She thanked members for supporting Alaska's children through this education bill.

Number 1960

BARBARA MARTINEZ testified via teleconference in support of HB 464. She has six children and was a professor at the University of Alaska Fairbanks. She indicated that her children's teachers suggested she home school them; two of her children were far ahead of their peers academically, and one child was behind. She stated that the IDEA program is a wonderful program for her children. "I ... really want to support any kind of legislation that would prevent the school board from using their administrative abilities to erode the freedom to home school," she said. She offered that money spent on home schooling goes, in large part, directly to the student; very little is spent on capital expenditures; this is unlike district schools, she intimated. Ms. Martinez expressed her opinion that this is a wise expenditure of funds. She added that the ten-year application cycle allows the programs the stability they need. Home school families spend a lot of money to purchase materials and forego income. Programs like IDEA allow parents to choose materials as well as offset the costs to home school families.

Number 1860

MICHELE PFUNDT testified via teleconference. A parent-teacher with the IDEA program, she urged members to pass [Version O] because it makes sense administratively. If the [statewide correspondence programs'] administrations are required to apply annually, this will result in higher costs to districts and the state. She offered that these funds would be better utilized in the hands of the home school families. This bill will give EED administrative direction. She added that EED views home school programs as "in-risk"; she expressed her belief that EED lacks a foundation for this viewpoint.

Number 1799

DAN MIELKE testified via teleconference in support of HB 464. He and his wife home school their two children through the IDEA program. They are pleased with the flexibility provided in the program. He offered his concurrence with other witnesses' testimony supporting this legislation. He urged members to support HB 464.

Number 1774

JENNIFER DELZER testified via teleconference in support of HB 464. She noted that preceding witnesses had covered well the issues of control, cost, and individual students' success. She opposes the proposed [regulations] that address correspondence schools, she told members. Her kindergarten son has experienced great success in the IDEA program. She said:

If the proposed regulations are intended to ensure quality of education, then let me assure you ... that all those involved in this matter are ... in agreement. I also agree that students should meet state standards; requiring state Benchmark testing is an appropriate way to measure if standards are being met.

MS. DELZER disagreed with the proposed [regulations'] means of attaining those [standards]. She asked:

Why should it matter what curriculum I choose to educate my child, ... as long as the student is meeting state ... requirements? What it comes down to for me is the taking away of my freedom. This country was founded upon the pursuit of freedom. ...

Increasing ... regulation of programs like IDEA only further chips away at those freedoms which allow us to attain the goals for which we strive.

MS. DELZER urged members to support HB 464 and to not support the [proposed regulations]. "Allow me the freedom to continue to educate my children without undue intrusion," she concluded.

Number 1678

DEB GERMANO testified via teleconference, noting that she was a Kenai Peninsula Borough School District board member but was speaking on her own behalf. She offered that [Version 0] puts the responsibility to approve curricula in the hands of the local district, to which she does not object. She pointed out that she supports parental choice; one of her children attended a charter school. She expressed concern about the perception that public schools are unable to [meet the educational needs of students]. She acknowledged that there are individual schools that are not meeting needs. She asked participants to take into consideration the fact that school districts have many mandates, many unfunded. Parents who are home schooling do not have to deal with many of these mandates on a daily basis. She pointed out that capital expenses such as buildings are necessary to serve children.

MS. GERMANO drew attention to the possible use of public funds to lobby [if IDEA personnel requested parents to respond to HB 464]. Some parents she has spoken with expressed concern that home school students have more opportunities through statewide correspondence programs than children in traditional public schools with limited resources. She offered that the Kenai district is unable to provide all students with private lessons or athletic club memberships. She encouraged members to look at all sides of this issue. She expressed her support for state standards and parental choice.

Number 1537

JOHN PORTSCHELLER testified via teleconference. He expressed his concern that HB 464 fails to address all the necessary issues. He referred to EED's proposed regulations as an almost insidious effort to extend its reach into the realm of home school programs. He offered his opinion that this is not necessary. Alaska provides an opportunity for higher quality education for many of its students [through freedoms afforded to home school families] by correspondence programs. He offered

that the focus of discussion should be on limiting the reach of EED; he expressed his uncertainty that HB 464 addresses that broader problem. "[House Bill] 464 does provide us with some excellent avenues of securing some benefits to us in regard to correspondence programs," he said. He reiterated the need to address the broader problem and the failure of HB 464 to do that.

Number 1458

MICHAEL DAMMEYER testified via teleconference in favor of the bill. He expressed appreciation to members for their support.

CHAIR DYSON pointed out that Representative Kohring is now a cosponsor of HB 464.

Number 1434

JULIA AUBREY testified via teleconference in support of HB 464. She explained that home schooling provides her an opportunity to give her son one-on-one instruction that he could not receive in the public schools. She urged member to pass the bill. In response to Chair Dyson, she said she is in the IDEA program and had become informed of this hearing through an e-mail.

CHAIR DYSON noted that [Joan Dangeli], who was present, had indicated she'd sent that e-mail.

Number 1390

HOLLY HALVERSON testified via teleconference, noting that her children have attended traditional public schools but have supplemented their education with correspondence courses. Her children have experienced varied success in state testing and public school coursework; she said she receives no communication of her daughter's failing math grades or extra help from her daughter's teachers. She is planning to pull her daughter out of school and enroll her in a correspondence program; she offered that these programs demand more accountability than traditional programs. She expressed her belief that her child would have experienced more success and would not have "slipped through the cracks" in a correspondence program.

Number 1245

JOAN DANGELI came forward to testify, noting that she is a CyberLynx home schooling parent.

CHAIR DYSON asked if she had informed parents of the hearing.

MS. DANGELI replied that she found the bill in BASIS [the legislature's online Bill Action and Status Inquiry System]. She'd notified home school families via e-mail through a home school association network. She pointed out that she initially sent out an e-mail to receive feedback on the impact of the proposed regulations; she was unable to receive information from EED personnel until March 6. She added that the bill might not address all the proposed regulations such as parental grading and home-designed course restrictions. Expressing concern about restrictions to home-designed courses because of the need for these courses in rural Alaska, Ms. Dangeli said the regulations dictate courses such as physical education, and that living in rural areas demands that these courses be home-designed due to a lack of resources. She offered to prepare a document to outline the impact of the regulations on home school families.

MS. DANGELI noted that she'd taken her son out of public school because certified teachers said he could not learn; he'd remained at preschool level for 3.5 years. She expressed her belief that he showed much more ability at home; she was upset with his being certified as unable to learn. The proposed regulations requiring grading by a certified teacher puts parents back in a system in which they have little control, she explained. The proposed regulations would move Alaska in the direction of Washington State's regulations, some of the strictest in the nation. Ms. Dangeli added that upon her review of the proposed regulations, she'd thought they locked a parent into the public system - even if it's not working. She concluded, "I was glad that I could follow my instincts that ... my boy could move forward ... with CyberLynx. And he has, with a much harder program than the public school ever required of him." She offered that the program demands much of parents, and she expressed confusion at the need for the regulations. She stated her support for the bill.

Number 1048

CHAIR DYSON drew attention to the letter submitted to the committee by Ms. Dangeli.

MS. DANGELI said strong evidence supports the success of home school programs; some children are making progress who sometimes couldn't in the traditional public system.

Number 1008

KEITH SIMILA reported that he and his wife have home schooled their children. He referenced a letter he'd written that he would submit to the committee. He expressed concern that the bill may not address the regulation pertaining to materials and their management of these materials by the district. Mr. Simila indicated the transfer of materials from parents to the district would be burdensome to families and the districts. Currently, materials below a certain value are retained by the families; often these materials are reused with other children. He concluded:

I appreciate the bill ... being proposed. ... Maybe there's some additional things that could strengthen it to help alleviate some of the other concerns that parents have with the regulations. Of course, the best thing ... would be if the department of education would pull the regulations entirely. But absent that, a bill such as this is definitely appreciated.

Number 0897

MR. BIEGEL returned before the committee and characterized the regulations as an attempt by EED to address problems in specific schools. Some of the home school classrooms' students are not performing well and are participating in field trips that are [beyond the scope of the curriculum]. He asserted that EED's fix for this problem includes directing that 80 percent of funds used in the classroom will be redirected for administration; removing special assistance from students in need of help and giving it to children who are doing quite well; and reassessing the grades given by parents by teachers at the district level. These "fixes" proposed by EED would be rejected in a traditional public school setting, he suggested, and are "anti-schooling" changes.

MR. BIEGEL expressed uncertainty about the motivation behind the proposed regulations - whether they are a result of lack of knowledge about home schooling or are an attempt to eliminate these programs. He expressed his hope that the intent is not to eliminate home school programs, but offered that the result remains the same. "The board of education changes make no sense," he concluded. "They would never treat other public school[s] this way." He referenced his written testimony that outlines four ways in which [statewide correspondence] schools are shut down, and three significant changes to how the

legislature implemented this law. He indicated that home school families would not be subject to just one person's interpretation but subject to what they actually say. He offered to answer any questions.

Number 0616

PAMELA EBERHARDT indicated she'd received an e-mail notice of this hearing through the Juneau home educators' association. A home school teacher with two sons in the IDEA program, she voiced her belief that EED is proposing to overregulate the statewide correspondence programs. Test scores of students in these programs are similar to those of traditional public school students. She said:

I don't believe that we should have to prove the results of our home schooling beyond the test scores. The proposed regulations would cause a need ... for the programs to hire more paper pushers, resulting in less money ... going to our children. My biggest concern is in the area of choosing curriculums. I believe it's very important for us, as home schooling parents, to have the freedom to choose the materials that we teach our children with.

MS. EBERHARDT reported that she'd begun researching curricula and learning styles two years before she started home schooling. Over five years, she has tested and found materials very well suited to her children's learning styles. She noted that she will continue to use these curricula because they are successful, and she doesn't want anyone to dictate which materials she may use. She offered that IDEA's teacher's workshops, resource rooms, curriculum fairs, and the field trips have enhanced her home school program. She urged members to protect home schooling from overregulation by passing HB 464 [Version 0].

CHAIR DYSON called an at-ease at 4:34 p.m. [End of Tape 02-20, Side B; no testimony is missing.]

TAPE 02-21, SIDE A
Number 0001

CHAIR DYSON called the meeting back to order at 4:35 p.m. He announced that HB 464 would held over and that the committee might hear additional public testimony on March 14.

ADJOURNMENT

There being no further business before the committee, the House Health, Education and Social Services Standing Committee meeting was adjourned at 4:37 p.m.