

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

April 6, 2009

8:01 a.m.

MEMBERS PRESENT

Representative Paul Seaton, Chair
Representative Cathy Engstrom Munoz, Vice Chair
Representative Wes Keller
Representative Peggy Wilson
Representative Robert L. "Bob" Buch
Representative Berta Gardner

MEMBERS ABSENT

Representative Bryce Edgmon

COMMITTEE CALENDAR

HOUSE BILL NO. 130

"An Act relating to questionnaires and surveys administered in the public schools."

- HEARD AND HELD

HOUSE BILL NO. 59

"An Act providing for the establishment of a statewide early childhood education plan and guidelines."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 130

SHORT TITLE: STUDENT QUESTIONNAIRES AND SURVEYS

SPONSOR(S): REPRESENTATIVE(S) WILSON

02/13/09	(H)	READ THE FIRST TIME - REFERRALS
02/13/09	(H)	EDC, HSS
04/06/09	(H)	EDC AT 8:00 AM CAPITOL 106

BILL: HB 59

SHORT TITLE: PRE-ELEMENTARY SCHOOL PROGRAMS/PLANS

SPONSOR(S): REPRESENTATIVE(S) KAWASAKI, GARA, TUCK, PETERSEN

01/20/09	(H)	PREFILE RELEASED 1/9/09
----------	-----	-------------------------

01/20/09 (H) READ THE FIRST TIME - REFERRALS
01/20/09 (H) EDC, FIN
04/06/09 (H) EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

REBECCA ROONEY, Staff
to Representative Peggy Wilson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 130 on behalf of Representative Wilson, prime sponsor.

STEVE WARREN
Sitka, Alaska

POSITION STATEMENT: Testified in support of HB 130.

EMILY NENON, Alaska Government Relations Director
American Cancer Society Cancer Action Network (ACS CAN)
Anchorage, Alaska

POSITION STATEMENT: Testified on HB 130.

BRODY ANDERSON, Staff
to Representative Kawasaki
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: On behalf of Representative Kawasaki, one of the prime sponsors, reviewed the changes encompassed in CSHB 59, Version E.

REPRESENTATIVE SCOTT KAWASAKI
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as one of the prime sponsors of HB 59.

LENETTA COLBERT, Director
Open Arms Child Development Center;
Adjunct Professor, University of Alaska Fairbanks (UAF);
Early Childhood Commission, Fairbanks Northstar Borough
Fairbanks, Alaska

POSITION STATEMENT: Testified on HB 59.

REVEREND PHILIP KUEHNERT, Pastor
Zion Lutheran Church;
Chair, Board of Directors, Open Arms Institute
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 59.

EDDY JEANS, Director
School Finance and Facilities Section
Department of Education and Early Development (EED)
Juneau, Alaska

POSITION STATEMENT: During hearing of HB 59, answered questions.

ACTION NARRATIVE

[8:01:55 AM](#)

CHAIR PAUL SEATON called the House Education Standing Committee meeting to order at 8:01 a.m. Representatives Seaton, Wilson, Munoz, Keller, Gardner, and Buch were present at the call to order.

HB 130-STUDENT QUESTIONNAIRES AND SURVEYS

[8:02:28 AM](#)

CHAIR SEATON announced that the first order of business would be HOUSE BILL NO. 130, "An Act relating to questionnaires and surveys administered in the public schools."

[8:02:40 AM](#)

REBECCA ROONEY, Staff, Representative Peggy Wilson, Alaska State Legislature, speaking on behalf of the sponsor, provided the following testimony:

HB 130 will change the parental consent requirement of anonymous surveys in schools from active to passive. With passive consent we believe we get good representative samples that can serve two very important functions. First, they identify behaviors in youth both positive and negative. It also helps understand the effectiveness of the solutions to the previously identified issues and behaviors.

This data helps policy makers, educators, program planners, and parents to better understand important health and social issues that affect young peoples' chances of success.

Routine standardized surveys such as the national and state Youth Risk Behavior Survey (YRBS), which is conducted by the Centers for Disease Control (CDC) track trends over time. They also help guide and evaluate important health and prevention programs.

State and federal grant programs that rely on these surveys include tobacco prevention and control, obesity prevention, diabetes, heart disease, stroke, safe and drug free schools, and other substance abuse prevention programs, injury prevention, including both from violence and suicide, HIV and STD prevention, and more.

The current active consent for anonymous surveys over burdens the school system and significantly increases costs involved in conducting surveys. It is estimated that over 80 percent of the parents who do not return written permission for participation in surveys is not because they do not want their child to take the survey, but because of apathy, oversight, or student error. This bill will change the current practice of active permission to passive permission so that the parent has the option to deny participation rather than the requirement to provide written permission.

Many schools are unable to use the data they collect because there are not enough participants. The overall statewide response rate for YRBS for 2005 was 55 percent, which made it short of the 60 percent required. The state was unable to use the data and publish the report since the data would not be representative of the high school population.

This bill will address the concerns about making sure that parents understand the content of the surveys. We have expanded the information the written notification must include to provide parents with the data they need to make an informed decision on whether to opt out of the survey for their child. The notification must include:

1. The date the survey will be administered.
2. A description of [the content] of the survey.
3. Sponsor of the survey.
4. Point of contact in the school district for the survey.

5. Notice of the opportunity to review the survey questions.
6. A description of how the survey will be administered.
7. A description of how to opt out of that survey.
8. Notice of the opportunity for the student to refuse to take the survey or to answer any of the specific questions.

We urge you to move this bill from committee so that we can gather this important data for the health of our youth.

[8:06:37 AM](#)

CHAIR SEATON inquired as to why the language in Sections 1 and 2 isn't parallel.

REPRESENTATIVE WILSON pointed out that the language on page 1, line 7, of Section 1 says "This subsection does not apply to a questionnaire or survey that is anonymous" The YRBS is an anonymous survey.

CHAIR SEATON said he wanted to guard against any gaps that would allow the survey to be performed by anyone else in the school district if the survey is anonymous. He then related his intent to hold the bill for action at a future hearing.

[8:08:44 AM](#)

REPRESENTATIVE GARDNER asked if Chair Seaton's concern is that the current language only allows an anonymous survey to be administered by the school district or an employee of the school district.

CHAIR SEATON agreed that is of concern. However, he added that another concern is that Section 2 wouldn't apply if the anonymous survey was administered by someone other than a school district employee. He expressed the desire to be sure that there isn't an unintended gap with the permission language in Sections 1 and 2.

REPRESENTATIVE WILSON surmised then that Chair Seaton is referring to the language on page 1, lines 4-5, which says "school district may not administer or permit administration" whereas the language in Section 2 doesn't include the language "or permit administration".

CHAIR SEATON said that is correct.

8:10:48 AM

REPRESENTATIVE GARDNER remarked that the language "or an employee of a school district" on page 1, line 4, could be omitted because it would be understood since the language specifies that the school district is administering the survey.

MS. ROONEY said the sponsor would take the aforementioned suggestion under advisement and discuss it with Legislative Legal and Research Services.

8:11:34 AM

REPRESENTATIVE KELLER expressed interest as to why it has been difficult for school districts to obtain active consent. He questioned whether parents are reticent to sign the permission slips or are the parents not seen once a year.

MS. ROONEY, from studies she has read, relayed that about 78 percent of those who do not participate in studies that require active permission do so due to apathy, oversight, or student error. In further response to Representative Keller, Ms. Rooney explained that schools try various methods to contact the parent, including mailings, telephone calls, submissions, and reward systems to encourage higher return rates of permission slips. Ms. Rooney opined that it's very difficult and costly for the school districts.

REPRESENTATIVE KELLER presumed then that this bill will address the parents who are not [attentive and responsive].

MS. ROONEY agreed, but reiterated that some of the non-responsiveness is error.

[8:14:26 AM](#)

REPRESENTATIVE MUNOZ inquired as to the financial impact on the school districts that don't have the survey information.

MS. ROONEY related her understanding that last year the Anchorage School District spent \$70,000 to receive the responses to collect the data. She explained that since the survey is administered [no matter the permission], it isn't until the responses are in that the school district knows whether there are enough to produce the report and be considered at the state and national levels.

[8:15:16 AM](#)

REPRESENTATIVE MUNOZ asked if there are situations in which an insufficient number of responses prevents the district from receiving grant funding.

MS. ROONEY replied yes.

[8:15:30 AM](#)

REPRESENTATIVE GARDNER pointed out that one can't assume that parents who don't return surveys don't care.

MS. ROONEY noted her agreement, and added that biased sample data may result when active permission is required. She attributed the aforementioned to the responding parents who are typically Caucasian, more educated, and more involved in their student.

REPRESENTATIVE MUNOZ mentioned that the lack of permission slips can also be the fault of the teenager in terms of not providing the information in a timely fashion.

[8:17:09 AM](#)

REPRESENTATIVE WILSON added that the permission slip can also be lost on its return to school. She then informed the committee

that last year this bill was amended in the House Judiciary Standing Committee to ensure that parental rights were observed. This bill still reflects those changes and allows for many means by which the parents have the opportunity to understand and respond to the survey. The written notice is still required, she pointed out. Although some schools provide single notice permission slips at the beginning of the year, the parent can still specify that he/she wants to be notified of each instance [requiring their permission] and the school would have to comply.

[8:19:31 AM](#)

REPRESENTATIVE KELLER inquired as to whether the sponsor has any comments regarding the federal law that applies.

MS. ROONEY pointed out that the active permission requirement was repealed after the federal government determined in 2003 that the data was skewed and there was a lack of participation. Therefore, passive permission was allowed under No Child Left Behind (NCLB).

REPRESENTATIVE KELLER, referring to the federal law, characterized it to be somewhat like double talk.

[8:21:33 AM](#)

STEVE WARREN opined that the active consent requirement for anonymous surveys makes it difficult to address some of the dangerous, emerging trends. As a hunter he likened the situation to a hunter who closes his eyes and shoots at a bear he thinks he heard. Aiming the state's limited prevention funds without much guidance as to the location of the target is fiscally and morally not a good approach. Mr. Warren said that when he talks with parents regarding huffing or ordering drugs from the Internet, parents say it isn't a problem in Sitka. However, the empty spray paint and glue containers in neighborhood forts indicate the contrary. "We're limiting ourselves to guessing if we deny ourselves this proven technology for assessing what risks our kids really face," Mr. Warren opined. All students need to be given the opportunity to

inform the authorities of the dangers they face in an anonymous fashion. The students who are least likely to make it through all the hoops with the consent forms are the very students that should be heard from, he pointed out. He then stated that posing some simple questions about whether a student is using and what is being used isn't the problem; the real problem is the lack of constraints put on the pushers of alcohol and tobacco, which he characterized as a proven gateway to other drugs. The surveys are drawn up in a sound means to determine specific dangers faced by the students while protecting the anonymity of the students surveyed. In conclusion, he opined that it's important to pass HB 130.

[8:25:17 AM](#)

EMILY NENON, Alaska Government Relations Director, American Cancer Society Cancer Action Network (ACS CAN), said that although the ACS CAN doesn't receive any direct benefit from the surveys, it's critical in helping the cancer society attain information regarding where they should focus their efforts. Furthermore, there needs to be a consistent way in which to measure the work that the prevention dollars fund. Ms. Nenon highlighted that this legislation won't fix everything as it's not the only thing that needs to happen with the YRBS. There are other efforts outside of the legislature to educate classroom teachers as to why these surveys are important as well as educate students as to how taking this survey benefits them. Ms. Nenon acknowledged that the legislation before the committee has went through a few iterations over the years and is at a good point now.

[8:28:20 AM](#)

CHAIR SEATON closed public testimony and informed the committee that HB 130 will be held for another hearing, and that any proposed amendments should be provided to the chair and bill sponsor prior to the next hearing.

[8:29:44 AM](#)

The committee took an at-ease from 8:29 a.m. to 8:30 a.m.

8:30:46 AM

CHAIR SEATON announced that the next order of business would be HOUSE BILL NO. 59, "An Act providing for the establishment of a statewide early childhood education plan and guidelines."

8:31:00 AM

REPRESENTATIVE WILSON moved to adopt CSHB 59, Version 26-LS0329\E, Mischel, 3/9/09, as the working document.

8:31:13 AM

CHAIR SEATON objected for discussion and informed the committee that the sectional analysis and fiscal note they were just provided relates to Version E.

8:32:25 AM

BRODY ANDERSON, Staff, Representative Kawasaki, Alaska State Legislature, informed the committee that the only change encompassed in Version E is on page 4, lines 1-2. A committee substitute was requested because there was concern regarding whether the Department of Education and Early Development (EED) would include other organizations, child care facilities, and child care providers outside of Head Start in discussions of guidelines. He pointed out that many child care facilities and providers already have criteria that they are required by law to follow in order to be licensed with the department. Therefore, there is no desire to duplicate existing efforts.

8:34:05 AM

REPRESENTATIVE GARDNER asked if the new language on page 4, lines 1-2, would include programs such as Parents as Teachers.

REPRESENTATIVE SCOTT KAWASAKI, Alaska State Legislature, speaking as one of the prime sponsors, replied yes, and added that the notion is to have inclusive legislation to include

early childhood education plans for facilities that are outside regular school districts or Head Start programs.

[8:35:00 AM](#)

REPRESENTATIVE WILSON related that in Wrangell there are several different day care centers, some of which are babysitters while others have trained employees who provide language development. She asked if Version E would include [those programs with trained employees who provide educational development].

REPRESENTATIVE KAWASAKI replied yes, adding that the desire is to have as inclusive a bill as possible. He clarified that those facilities with specific educational purposes would be included.

[8:36:35 AM](#)

REPRESENTATIVE KELLER inquired as to whether this bill is necessary, particularly since there is a Pre-Kindergarten (Pre-K) plan statewide. He further inquired as to how this bill is different.

REPRESENTATIVE KAWASAKI opined that this bill is necessary. He reminded the committee that much of the discussion in the legislature focuses on K-12 education and postsecondary education. This bill adds a new section under the duties of the department to include and devise a statewide early education plan. The department has some policy notes and discussion on the matter, but only about .1 percent of the department's budget goes toward early education. Therefore, he said it's necessary to have the language in statute to ensure the department views it as a priority of the legislature.

[8:37:59 AM](#)

CHAIR SEATON removed his objection to the adoption of CSHB 59, Version E. There being no further objection, Version E was before the committee.

[8:39:22 AM](#)

REPRESENTATIVE MUNOZ inquired as to how the zero fiscal note reconciles with the staff requirements of the bill.

REPRESENTATIVE KAWASAKI deferred this question and suggested that EED would devise the plan and place it in policy, although it's not currently funded.

[8:40:18 AM](#)

REPRESENTATIVE KAWASAKI then introduced HB 59, which he said is more than just an education bill. He related that those who received quality early education have had 29 percent higher high school graduation rates and 20 percent higher college [entrance] rates. Furthermore, those who received quality early education can earn up to \$140,000 additional income per capita per individual, which can result in better employment. Furthermore, those who receive quality early education could have a 70 percent lower incidence of crime. Also, those who receive quality early education are less likely to be on welfare rolls and the McDowell Group report relates a 25 percent decrease in dependents.

REPRESENTATIVE KAWASAKI informed the committee that Alaska is 1 of 10 states that doesn't spend funds on early education and Pre-Kindergarten, specifically. This bill would add Alaska to the list of states that recognize the benefits of early education and childhood development. He acknowledged that [the legislature] has done fairly well with education the last few years by increasing the base student allocation by \$100 and adding funds for special education and pupil transportation. Furthermore, district cost factors have been added. Representative Kawasaki opined that the legislature has done well for K-12 education. In fact, the Fairbanks school district experienced a budget increase of \$6 million, which is the largest it has received in nearly two decades.

REPRESENTATIVE KAWASAKI highlighted that the University of Alaska system has remained strong as it's one of the best world class institutions in the North. More specifically, the university system has one of the best physics programs and is

one of the only land, sea, space, and air institutions in the North. In fact, [the University of Alaska's physics program] is a leader in global climate change. However, early education funding is lacking. As mentioned earlier, all of the early education funding together totals one-tenth of one percent of the budget and most of those funds are federal funds. He reminded the committee that Head Start is generally only available to the poorest families as is the case with Child Care Assistance. According to the Head Start Association, nearly 50 percent are waiting to attend Head Start due to the lack of funding and state support.

REPRESENTATIVE KAWASAKI explained that the need to spend more on Pre-K rather than on the K-12 or university level is because funding pre-Kindergarten really does work. There is an immediate and long-term benefit to funding pre-Kindergarten. Critical development occurs in the early years as children are a sponge during Pre-K. According to the National Institute for Early Education students who have received quality early education courses have experienced a 30 percent greater vocabulary rates and 40 percent greater math rates. "Our investment pays dividends; every \$1 invested can return a potential \$7-\$17," he informed the committee. He further informed the committee that a study that tracked students who are now 40-year-old adults from the time they entered a preschool. Those students have, on average, earned 33 percent more than those who didn't attend a state funded pre-Kindergarten school. He then related that Best Beginnings and school district data illustrates that those who begin school in Kindergarten or First grade are unprepared. However, he clarified that it's not a failure of young children to learn but rather it's a failure of parents, the education system, politicians, and society. This legislation, he opined, can move [the education system and the state's young residents] toward success.

[8:47:06 AM](#)

CHAIR SEATON asked if the report date of January 2010 is a reasonable timeframe in which EED can develop a plan. He

related his assumption that this educational plan will require conferences with various stakeholders.

MR. ANDERSON related that EED already has the first draft of the Alaska Education Plan, which includes early education criteria. With regard to the actual implementation date, it has been discussed with EED; the department didn't express a problem with the date.

[8:49:44 AM](#)

MR. ANDERSON, in response to Chair Seaton, specified that the language on page 4, lines 3-17, is already in statute. The intent was to include early education as is accomplished with the language on page 4, lines 18-20. He said he wasn't sure if those additional duties are part of the contention or whether it has to do with the things that have already been implemented through Best Beginnings.

CHAIR SEATON is there is language other than on page 4, lines 5-6, that has been pointed to as why this language is not necessary because it's covered elsewhere. He asked if the sponsor is aware of the existence language in existing statute that specifies the department of school board should cover this.

[8:53:25 AM](#)

REPRESENTATIVE KELLER recalled Representative Kawasaki relating the many benefits of early education as specified in the 2006 McDowell Group report. However, he said that he couldn't find any such documentation of those benefits in the 2006 McDowell Group report. He requested a documented list of the benefits specified in the sponsor's literature as well as information gleaned from the national arena.

REPRESENTATIVE KAWASAKI said that he has volumes of information supporting the premise that early education does have long-term benefits, which he agreed to provide to the committee.

[8:55:32 AM](#)

REPRESENTATIVE MUNOZ expressed interest in obtaining information on the 10 states that do not provide funding for early education, specifically information on the graduation rates and benchmark test scores of the students in those 10 states.

REPRESENTATIVE KAWASAKI agreed to provide that information.

[8:56:57 AM](#)

LENETTA COLBERT, Director, Open Arms Child Development Center; Adjunct Professor, University of Alaska Fairbanks; Early Childhood Commission, Fairbanks Northstar Borough, noted that she has worked in early childhood for about 35 years. She related that the three accredited early childhood centers in Alaska have met 460 standards, which exceeds state law. Therefore, there are centers in place that are ready to go with this program. With regard to questions about documenting the studies presented, she offered to provide further information on proven studies. She mentioned that the text she uses specifies that early education saves \$12.90 per every \$1.00 spent. All children can benefit from a good beginning, not just poverty students, she opined. Although there is an image of early childhood centers being babysitters, accredited centers have curriculum for children six months of age and requires that teachers provide weekly lesson plans that address developmentally appropriate education. Furthermore, accredited centers also perform assessments every three months to track those children who need intervention. Ms. Colbert pointed out that the Legislative Research Report number 06.026 includes information on the High/Scope Perry Preschool Project and the Abecedarian Early Childhood Intervention Project, which discuss the savings resulting from early childhood education. She highlighted the following from the Abecedarian Early Childhood Intervention Project: "School districts saved more than \$11,000 per child because participants are less likely to require special or remedial education."

[9:01:51 AM](#)

CHAIR SEATON reviewed the committee packet and requested that Ms. Colbert submit any additional information to the committee.

9:02:43 AM

REPRESENTATIVE KELLER asked for further information concerning the Perry Study.

MS. COLBERT explained that the High/Scope Perry Preschool Project started about 43 years ago. The project followed a group of children in a developmentally appropriate early childhood program and tracked them in terms of various aspects, such as enrollment in college, purchase of home, gainful employment, and community involvement.

REPRESENTATIVE BUCH, in response to Chair Seaton, pointed out that the reference to the High/Scope Perry Preschool Project can be found on pages 6-7 of the Legislative Research Report number 06.026.

9:04:34 AM

REVEREND PHILIP KUEHNERT, Pastor, Zion Lutheran Church; Chair, Board of Directors, Open Arms Institute, informed the committee that as chair of the Board of Directors for the Open Arms Institute he travels to the Lower 48 frequently to visit the 59 Open Arms Centers in 12 states. Those visits make him aware of the states that are involved and those states that aren't involved in early childhood programs. Reverend Kuehnert encouraged the committee to favorably consider this legislation. Although he acknowledged the fiscal difficulties the legislature faces, he indicated the need to sacrifice when it's in the best interest of a child's long-term health and success in life. The legislation, he opined, in part [addresses] the long-term health and success of children. He suggested that HB 59 will get to those families between the poverty-stricken and wealthy who don't have the ability or opportunity to attend early childhood education programs. Reverend Kuehnert encouraged the committee to pass and fund this legislation.

9:07:22 AM

CHAIR SEATON requested that Reverend Kuehnert forward any information regarding the Open Arms program, specifically the number of students, staff, preparation, outcomes, as well as any other pertinent information.

[9:07:57 AM](#)

CHAIR SEATON closed public testimony.

[9:08:16 AM](#)

EDDY JEANS, Director, School Finance and Facilities Section, Department of Education and Early Development, explained that the zero fiscal note reflects that the department already has staff working on the development of a plan. He echoed Mr. Anderson's earlier testimony that early education is part of the department's education plan. The legislation requires that the department provide a report of a proposed early childhood plan in 2010, which he opined the department is well on its way to achieving. He pointed out that the governor has requested \$2 million for a pilot Pre-K program and EED has requested an increase in the Head Start funding to total \$800,000.

[9:09:40 AM](#)

MR. JEANS, in response to Chair Seaton, said that the report date of January 15, 2010, is reasonable. As mentioned previously, the department does not see one specific program as addressing early childhood needs in the state, which is why the governor and commissioner requested funding such that various delivery models can be reviewed. One of the delivery models is Head Start. In further response to Chair Seaton, Mr. Jeans related his understanding that EED would provide a complete plan and report that to the legislature. However, he expressed hope that there is flexibility if the report isn't fully completed by January 15, 2010.

[9:11:59 AM](#)

CHAIR SEATON then asked if there would be a difference in the plan or report if the statutory language said the department

would report to the legislature "on the progress of the early childhood education plan devised under this statute versus report on the plan that [EED] basically adopted."

MR. JEANS remarked that inserting the term "progress" would be appreciated as it would provide the department additional flexibility.

[9:12:53 AM](#)

CHAIR SEATON inquired as to the location of the statutory language that stipulates the department will perform early childhood development.

MR. JEANS directed attention to the following language on page 2, lines 17-18, of Version E: "exercise general supervision over pre-elementary schools that receive direct state or federal funding". The aforementioned language doesn't direct the department to develop such a program, it merely says that if there is such a program, the department has general supervision over it. However, the language on page 3, beginning on line 26 specifies that the department shall "devise a statewide early childhood education plan", which provides the department with a clear legislative directive to develop the early childhood plan for the state.

[9:14:12 AM](#)

CHAIR SEATON asked if the department opposes the incorporation of this new direction.

MR. JEANS responded that the department is neutral on this bill. He reiterated that the department is already headed in this direction and this legislation will not hamper the department.

[9:14:57 AM](#)

MR. JEANS, regarding the language on page 3, lines 26-27, and page 2, lines 17-19, relayed that currently under the department's pilot Pre-K program, the department is considering providing state supported Pre-K for four-year-olds. However, he

noted that the Head Start services both three- and four-year-olds. As long as there's an understanding that some of the multiple programs that are being considered to provide early childhood services may include three-year-old children while some may include four-year-old children, it should be fine, he said.

[9:16:00 AM](#)

CHAIR SEATON pointed out that the Parents as Teachers program sometimes involves children that are below the age of three. Therefore, he questioned whether [Version E] includes restrictive language or does it allow the department to incorporate programs that service children under the age of four.

MR. JEANS explained that currently the Parents as Teachers program is funded directly by the federal government to nonprofits that provide the service. The funds don't flow through EED and the department has no oversight over the Parents as Teachers program. The Head Start program is different in that EED does provide state support and if the additional \$800,000 that is being requested this year is obtained, the department can have requirements attached to that funding. The funding provided from the state allows the department to provide oversight. If the will of the legislature is to have a state funded Parents as Teachers program, this legislation would limit it to three- and four-year-olds.

CHAIR SEATON remarked that he holds the same concern for the department's pilot program, and therefore he expressed the need to ensure that the legislation's language isn't limiting. To that end, Chair Seaton requested that the department meet with the sponsor to craft language such that it's allowable to incorporate those voluntary programs that include children younger than age three.

MR. JEANS agreed to do so.

[9:18:36 AM](#)

REPRESENTATIVE WILSON highlighted that of the 38 states that have preschool programs, half aren't adequately funded. Noting that Alaska has already had some lawsuits, Representative Wilson asked if the state will be set up for lawsuits by putting more [early education language] into statute, particularly if funding isn't available.

MR. JEANS said that once Pre-K is placed in statute, it becomes a viable option for the state to help those schools that are chronically underperforming. Therefore, it would likely create a situation in which the courts would call for the state to target its resources to those districts that are chronically underperforming. He noted that Judge Gleason has said that Pre-K should be considered as an option to help [underperforming] districts. However, she has taken caution with regard to whether the aforementioned is constitutionally mandated. This would likely increase the state's exposure to lawsuit, he opined.

[9:20:36 AM](#)

CHAIR SEATON surmised then that having language specifying that the department "shall" have an education plan for students and provide for coordination may then have a mandated requirement.

MR. JEANS opined that the program would still be considered voluntary. However, if there was a situation in which limited resources were available to support a Pre-K program, the courts could mandate that the state target its resources to the lowest performing communities.

[9:21:36 AM](#)

REPRESENTATIVE WILSON asked if this is already occurring.

MR. JEANS related that EED doesn't view early childhood programs as a fix all for underperforming districts. However, some of the underperforming districts already have Pre-K programs, and therefore the quality of the program and its delivery make the difference. The same is true for the Parents as Teachers and Head Start programs.

9:22:47 AM

CHAIR SEATON asked whether this directive language provides the department the ability to establish and improve early education guidelines and programs that aren't working well.

MR. JEANS opined that once this is put into law it will fall under EED's supervision. Currently, SB 285 is the vehicle for the department to direct how chronically underperforming districts spend their resources and make personnel decisions to improve student achievement. Absent the aforementioned, the department will provide very general supervision over the Pre-K programs. Mr. Jeans then told the committee that the early learning guidelines have already been developed in collaboration with Department of Health and Social Services early childhood providers and adopted by the Alaska State Board of Education last year. Those guidelines are available on the department's web site and there's an effort to distribute them to early childhood providers.

9:24:34 AM

CHAIR SEATON inquired as to the difference the legislation will make in terms of the department's ability to aid the underperforming programs.

MR. JEANS informed the committee that the draft Request for Proposals (RFP) for the pilot Pre-K already includes a requirement for districts to specify how they will implement early learning guidelines into their program. Again, the department is already going in that direction, he stated. In fact, EED already has staff that is providing training in the early learning guidelines.

9:26:03 AM

CHAIR SEATON asked if the department has any suggestions to improve the bill other than the prior suggestion to identify progress in the report [so that the legislature would receive a

report on the progress of the department's development of an early childhood program].

MR. JEANS requested more time to work with the bill sponsor.

[9:27:30 AM](#)

CHAIR SEATON recalled that the only other issue is the age of the child to which the plan would apply, on which Mr. Jeans will work with the sponsor.

[9:27:47 AM](#)

REPRESENTATIVE BUCH asked if Mr. Jeans foresaw any of the department's issues that it will discuss with the sponsor to require changes to the zero fiscal note.

MR. JEANS explained that the fiscal note from EED was in response to the development of the early childhood plan. Once the plan is developed and the timeline in place, there will be an associated fiscal cost. However, it may be in line with what the department's doing with its budget process.

[9:28:49 AM](#)

REPRESENTATIVE MUNOZ asked if there are stated goals from the outset of the plan, the plan the department is already pursuing, that lead to an ultimate outcome. More specifically, she inquired as to the specific goals and whether they will be stated.

MR. JEANS specified that the education plan is a very broad statement of support for an early childhood program and that the commissioner intends to bring early childhood providers together to refine the structure of those programs or validate whether existing programs are appropriate. The pilot program isn't intended to be a brick-and-mortar addition to the school system as the commissioner is interested in developing resource centers in the schools where parents can talk with certified educators and have resources for parental use. Mr. Jeans predicted that

the ultimate plan will include pieces from all the programs and initiatives.

[9:30:42 AM](#)

REPRESENTATIVE WILSON, referring to the last page of the Legislative Research Report number 08.087, which says, "With the current level of funding, Head Start serves just under half (48 percent) of the children in Alaska who are three to five year olds" She related her understanding that the department wants to double the amount [of funding], and inquired as to how many children that would reach.

MR. JEANS clarified that the \$800,000 the department has requested doesn't cover the 50 percent of children who are on the wait list. There are just over 1,000 students who are on the wait list for Head Start. The \$800,000 will address about 80 of those students. He reminded the committee that last year the department requested funding that addressed 60 students on the wait list for Head Start. Next year the department will request funds to address about 80 more students. Mr. Jeans explained that the Head Start program is different than what most would envision as a Pre-K program because it provides full wrap-around services, including medical, dental, counseling, and instructional services. With the department's pilot program the department hopes to have more collaboration with the programs within the public school system, he related. For instance, perhaps the public school could hire a certified teacher who could provide literacy to the Head Start program.

[9:33:03 AM](#)

CHAIR SEATON recalled that the US Public Health Service Report indicated that 88 percent of children under the age of six in some communities in the state have to have full mouth reconstructive surgery. Although the aforementioned is an expensive major dental procedure, early health and education are determinatives for the success of Alaskans.

REPRESENTATIVE WILSON commented that early childhood development is just one of many areas in which the state needs to focus.

Another area requiring focus is domestic violence, particularly given Alaska's high incidence of domestic violence. Furthermore, the learning ability of children who experience domestic violence is hampered.

[HB 59 was held.]

[9:35:48 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:36 a.m.