

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

March 1, 2010
8:03 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Representative Wes Keller

COMMITTEE CALENDAR

HOUSE BILL NO. 360

"An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

- HEARD & HELD

HOUSE BILL NO. 297

"An Act establishing the governor's performance scholarship program and relating to the program; establishing the governor's performance scholarship fund and relating to the fund; relating to student records; making conforming amendments; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 206

"An Act establishing a career assessment requirement in public schools; and relating to postsecondary courses for secondary school students."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 360

SHORT TITLE: YOUTH ACADEMY: STUDENT RECORDS

SPONSOR(s): REPRESENTATIVE(s) DAHLSTROM

02/19/10 (H) READ THE FIRST TIME - REFERRALS
02/19/10 (H) EDC
03/01/10 (H) EDC AT 8:00 AM CAPITOL 106

BILL: HB 297

SHORT TITLE: POSTSECONDARY SCHOLARSHIPS

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/19/10 (H) READ THE FIRST TIME - REFERRALS
01/19/10 (H) EDC, FIN
02/03/10 (H) EDC AT 8:00 AM BARNES 124
02/03/10 (H) Heard & Held
02/03/10 (H) MINUTE(EDC)
02/12/10 (H) EDC AT 8:00 AM CAPITOL 106
02/12/10 (H) Heard & Held
02/12/10 (H) MINUTE(EDC)
02/15/10 (H) EDC AT 8:00 AM CAPITOL 106
02/15/10 (H) Heard & Held
02/15/10 (H) MINUTE(EDC)
02/17/10 (H) EDC AT 8:00 AM CAPITOL 106
02/17/10 (H) Heard & Held
02/17/10 (H) MINUTE(EDC)
02/19/10 (H) EDC AT 8:00 AM CAPITOL 106
02/19/10 (H) Heard & Held
02/19/10 (H) MINUTE(EDC)
02/22/10 (H) EDC AT 8:00 AM CAPITOL 106
02/22/10 (H) Heard & Held
02/22/10 (H) MINUTE(EDC)
02/26/10 (H) EDC AT 8:00 AM CAPITOL 106
02/26/10 (H) Heard & Held
02/26/10 (H) MINUTE(EDC)
03/01/10 (H) EDC AT 8:00 AM CAPITOL 106

BILL: HB 206

SHORT TITLE: HIGH SCHOOL ASSESSM'T/POSTSECONDARY CLASS

SPONSOR(s): EDUCATION

03/25/09 (H) READ THE FIRST TIME - REFERRALS
03/25/09 (H) EDC, FIN
03/27/09 (H) EDC AT 8:00 AM CAPITOL 106
03/27/09 (H) Heard & Held
03/27/09 (H) MINUTE(EDC)
04/03/09 (H) EDC AT 8:00 AM CAPITOL 106
04/03/09 (H) Heard & Held
04/03/09 (H) MINUTE(EDC)

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|----------|-----|----------------------------|
| 04/15/09 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 04/15/09 | (H) | Heard & Held |
| 04/15/09 | (H) | MINUTE(EDC) |
| 01/20/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 01/20/10 | (H) | Heard & Held |
| 01/20/10 | (H) | MINUTE(EDC) |
| 02/01/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/01/10 | (H) | Scheduled But Not Heard |
| 02/05/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/05/10 | (H) | Heard & Held |
| 02/05/10 | (H) | MINUTE(EDC) |
| 02/10/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/10/10 | (H) | Heard & Held |
| 02/10/10 | (H) | MINUTE(EDC) |
| 02/12/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/12/10 | (H) | Scheduled But Not Heard |
| 02/15/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/15/10 | (H) | Heard & Held |
| 02/15/10 | (H) | MINUTE(EDC) |
| 02/19/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/19/10 | (H) | Heard & Held |
| 02/19/10 | (H) | MINUTE(EDC) |
| 02/22/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/22/10 | (H) | Scheduled But Not Heard |
| 03/01/10 | (H) | EDC AT 8:00 AM CAPITOL 106 |

WITNESS REGISTER

REPRESENTATIVE NANCY DAHLSTROM

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced HB 360 and responded to questions, as prime sponsor.

SUSAN WALLEN, Staff

Representative Nancy Dahlstrom
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 360, on behalf of Representative Dahlstrom, prime sponsor.

MCHUGH PIERRE, Deputy Commissioner

Chief of Staff

Office of the Commissioner/Adjutant General
Department of Military & Veterans' Affairs (DMVA)
Ft. Richardson, Alaska

POSITION STATEMENT: Testified in support of HB 360.

LES MORSE, Deputy Commissioner
Department of Education and Early Development (EED)
Juneau, Alaska

POSITION STATEMENT: Testified on HB 360.

JEAN MISCHEL, Attorney
Legislative Legal Counsel
Legislative Legal and Research Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Responded to questions during the hearing on HB 360.

LARRY LEDOUX, Commissioner
Department of Education and Early Development (EED)
Juneau, Alaska

POSITION STATEMENT: Responded to questions during the hearing on HB 297.

STEWART MCDONALD, Superintendent
Kodiak Island Borough School District
Kodiak, Alaska

POSITION STATEMENT: Testified in opposition to HB 206.

ACTION NARRATIVE

[8:03:45 AM](#)

CHAIR PAUL SEATON called the House Education Standing Committee meeting to order at 8:03 a.m. Representatives Seaton, Edgmon, Buch, Gardner, Munoz, and P. Wilson, were present at the call to order.

[8:03:55 AM](#)

HB 360-YOUTH ACADEMY: STUDENT RECORDS

[8:04:18 AM](#)

CHAIR SEATON announced that the first order of business would be HOUSE BILL NO. 360, "An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

[8:04:48 AM](#)

REPRESENTATIVE NANCY DAHLSTROM, Alaska State Legislature, Introduced HB 360, said it is the intent of the sponsor to provide HB 360 as a means for addressing the high drop-out rate in Alaska's high schools. The Alaska Challenge Youth Academy, or Alaska Military Youth Academy (AMYA), [hereafter referred to as AMYA] is a viable option to help these students, she opined.

8:06:10 AM

SUSAN WALLEN, Staff, Representative Nancy Dahlstrom, Alaska State Legislature, presented HB 360, paraphrasing from a prepared statement, which read [original punctuation provided]:

House Bill 360 simply requires school districts to provide the names, addresses, and attendance dates of students who have dropped out of high school to the Director of the Alaska Challenge Youth Academy, operated by the Department of Military and Veterans' Affairs.

The school districts would be required to provide this information biannually: January 15th and July 15th as this will allow ample opportunity for the Academy staff to reach out to potential students.

The students whose information is to be provided must meet the following requirements:

They must be between the ages of 15 and 19

They must have been previously enrolled in a school district

Their plans to transfer or graduate were not provided to the school

They have not earned a diploma or GED

The second part of the bill requires the school to send notification in writing to the parent or guardian, or student if they are 18 years old, before the information is released to the Academy. The parent or student has 10 days to object. If there is objection, the district may not release the information.

The Academy will provide in writing to the school district that the information will not be disclosed to any other party except as necessary to recruit and retain students.

[8:08:05 AM](#)

REPRESENTATIVE GARDNER asked at what point a school district categorizes a student as a drop out.

MS. WALLEN said the standard will be provided to the committee.

[8:08:44 AM](#)

REPRESENTATIVE EDGMON expressed concern for the ten day written notification requirement, indicating that it may be a problem for some communities with limited or remote access.

REPRESENTATIVE DAHLSTROM offered that the ten working day requirement could be amended, but opined that it should not be changed to an excessive period of time.

[8:10:23 AM](#)

REPRESENTATIVE EDGMON paraphrased the pertinent language included in the bill, which read:

If an objection is provided in writing within 10 business days after the notice is mailed, the district may not provide the information.

REPRESENTATIVE EDGMON stated his understanding that a parent, or student, would first receive a notification, and then have 10 business days to respond, and maintained his concern for remote communities being able to comply.

REPRESENTATIVE DAHLSTROM deferred to the department.

[8:11:01 AM](#)

REPRESENTATIVE GARDNER recalled that the use of student surveys has been debated, and the use of passive permission versus an opt-in action. She queried whether an opt-in possibility had been considered. Additionally, she asked why parental objection could not be in the form of a phone call to the district requesting that the information not be released.

REPRESENTATIVE DAHLSTROM reported that the Department of Education and Early Development (EED) student data base has the capacity to include a field for this purpose. When students enter school there is a questionnaire filled out that could include a line to the effect that should your student not graduate, or not be participating, would the parent allow information to be sent. She stated her interest in having such a question included, for the sole purpose of providing a student with AMYA specific information.

[8:12:28 AM](#)

REPRESENTATIVE DAHLSTROM, regarding the question of allowing a parent to respond via oral means versus a written response, deferred.

[8:13:23 AM](#)

CHAIR SEATON noted the January 15 and July 15 dates, and asked if these are significant dates to the districts.

REPRESENTATIVE DAHLSTROM responded that the dates are significant because they coincide with AMYA session dates; commencing within 30-45 days. Further, she said the school districts currently required attendance records should prove adequate for the purposes of this bill, thus no new record keeping procedures would need to be implemented.

REPRESENTATIVE P. WILSON recalled that the academy uses January and July 15th as the dates for determining enrollees for the upcoming sessions, and suggested inserting January 1 and July 1, in the bill.

[8:15:02 AM](#)

REPRESENTATIVE DAHLSTROM welcomed the proposal of an amendment should alternative dates prove to be beneficial.

[8:15:22 AM](#)

CHAIR SEATON recalled opening remarks and the statement "if the student hadn't provided plans," and asked what plans are being referenced, and where this aspect resides in the bill.

MS. WALLEN directed attention to page 1, line 14, and paraphrased from the language, which read:

[(3)] has not provided school transfer or graduation information to a school in the district;

MS. WALLEN said the assumption would be that a student has no further plans to attend school.

[8:16:28 AM](#)

CHAIR SEATON asked whether this refers to a written plan, or other method of contacting the district.

MS. WALLEN clarified that a student planning to transfer, would usually inform school with written or oral notification, and there would be a communication between the two schools.

[8:17:15 AM](#)

CHAIR SEATON noted that the language of the bill indicates a student's "enrollment" versus "attendance.". He referred to the 10 day provision, which requires a district to drop a student from enrollment if contact has been severed, and asked if the intent of the bill is to align with that rule.

REPRESENTATIVE DAHLSTROM said yes.

[8:18:07 AM](#)

REPRESENTATIVE GARDNER queried the manner in which the AMYA plans to contact a student. She suggested the process may be simplified by having the AMYA information packets available for the school districts to send directly to student's verses providing names and addresses to the academy.

REPRESENTATIVE DAHLSTROM suggested that EED could provide further insight, and deferred.

[8:19:34 AM](#)

MCHUGH PIERRE, Deputy Commissioner, Chief of Staff, Office of the Commissioner/Adjutant General, Department of Military & Veterans' Affairs (DMVA), explained that if a school district discloses the drop-out information it will support the AMYA in efforts to target students who may benefit from the program, get back on track, and possibly return to school. He confirmed that the dates correspond with the sessions at the academy. Students will receive a pamphlet with a postcard attached, and they merely return the postcard for further action.

[8:22:41 AM](#)

REPRESENTATIVE P. WILSON asked for the session dates.

MR. PIERRE replied that one begins on the first of April, and one on the first of October.

REPRESENTATIVE P. WILSON noted that the proposed dates work.

MR. PIERRE replied yes, with adequate time allowed for recruitment, and continuity for the students who choose to return to high school following a 22 week residency.

[8:24:12 AM](#)

REPRESENTATIVE MUNOZ asked for the percentage of students accepted into the academy.

MR. PIERRE indicated that it is generally a high percentage of the applicants. The incoming April class received in excess of 350 applications, and the capacity is for 220 cadets.

[8:25:30 AM](#)

REPRESENTATIVE MUNOZ noted the three pre-challenge phases, and inquired about the retention rate through the phases.

MR. PIERRE said the first two weeks may see a drop of 10-20 percent. Applicants are dismissed for a variety of reasons including negative social interactions, as well as health concerns.

REPRESENTATIVE MUNOZ asked if there is a cost to the applicant, associated with dismissal.

MR. PIERRE replied no, save airfare home, if withdrawal occurs in the first four weeks.

REPRESENTATIVE MUNOZ opined that the response time of ten days may need amending.

MR. PIERRE said it was set based the legal minimum, but the department has no objection to having the timeline amended. He briefly explained how the timeline was derived.

[8:30:26 AM](#)

REPRESENTATIVE EDGMON reviewed the four levels of communications proposed: 1) the school district sends a letter to the parent, guardian, or student, if the student is 18 years old; 2) the school district discloses information to the AMYA; 3) the AMYA mails a brochure to the student; and 4) the student communicates interest to the AMYA. From a practical standpoint, the actual respondent rate may become narrow, given the level of communication involved, he opined.

MR. PIERRE underscored that the key to the success of the program, is that the students who respond possess an interest a desire to make a life change. The current methods of contact are broad, and often random, including word of mouth, and the internet applications of Facebook, and MySpace, which, he opined all may be more inefficient than the proposed legislation.

[8:32:40 AM](#)

REPRESENTATIVE EDGMON pondered whether there could be a better means to communicate the AMYA option to at-risk students.

[8:33:09 AM](#)

REPRESENTATIVE P. WILSON asked why the passive permission, versus the active permission approach was chosen, speculating it may be due to the student not being under parental supervision.

[8:33:56 AM](#)

MR. PIERRE concurred and said that the commissioner agrees, that it is the best approach for allowing an AMYA flier to be sent to a student.

[8:35:42 AM](#)

CHAIR SEATON recalled that three districts have been cooperating with the academy, and asked about the response received from other districts contacted.

MR. PIERRE stated that some districts reported not having information on drop-out students. He said that is erroneous as the information is required to be reported to EED every July. Other districts were supportive, but there was no follow through, and, finally, some districts declined to cooperate without cause.

8:37:06 AM

CHAIR SEATON asked for specific reasons offered by the districts who reported not having information available on drop-outs.

MR. PIERRE replied:

It wasn't that specific ... just: We understand what you're looking for, we don't keep those numbers, we couldn't tell you who dropped out, so we're not going to be able to pass on the information.

CHAIR SEATON recalled that the committee experienced difficulty when requesting age specific information for drop-outs from the districts, because the data is set up according to grade level. The method used by districts to maintain records could be the problem. Passage of HB 360 will impose specific requirements on the part of the districts, and he asked where legal liability will fall for non-compliance.

MR. PIERRE said there is no intention of punishing districts for non-compliance, because the expectation is that districts will want to support the effort, and see the academy as another means to engage drop-outs.

CHAIR SEATON agreed that the support may exist, but maintained that it is important to know the liability repercussions.

8:41:08 AM

LES MORSE, Deputy Commissioner, Department of Education and Early Development (EED), stated that the department has not taken an official position on HB 360. Referring to a previous question, clarified that July 15 as the due date for every submit its annual enrollment status report to the department. The district report includes who was enrolled, at any time during the year, and, if they withdrew, the reason for the departure. He recalled another question regarding how a drop-out is determined and said there are several factors. A student may state that they are leaving, or a district may exhaust ten days of contact effort, and not received a records request from another district; in either case the student will be coded as a drop-out. Should transfer papers eventually be requested, perhaps from another state, the district is able to convert the drop-out code to a transfer status. He reported that as many as 30 percent of students initially coded as drop-outs, eventually re-enroll. The January 15 date, in the bill, may be a

challenging time for some schools to generate a report, and he deferred to the districts for a response on the viability of that date.

[8:44:18 AM](#)

MR. MORSE, regarding information distribution, said the department assumed AMYA brochures would be included in the notice provided to parents at the beginning of every school year. At the inception of the school year, every parent receives a notice, which states that the department will disclose information about you, for students 18 years of age, or your child, to specific groups. A family or the student can sign to say that they deny the disclosure of the information. The information is generally directory oriented, and some families do object. A recent addition to the disclosure list has been for schools to release directory information to military entities. In order for AMYA to be included on the existing form, language would need to be added specific to the academy.

[8:46:03 AM](#)

CHAIR SEATON surmised that adding the appropriate language to the annual notice would take care of the concern for AMYA information distribution.

MR. MORSE said, with the HB 360 provision in place, the district would be compelled to include language similar to what is included in the bill on page 1, lines 12-14, and page 2, lines 1-3.

[8:47:25 AM](#)

CHAIR SEATON asked whether a request for consent, in the school registration packet, would preclude the need to provide a written notice later, thus triggering the ten business day response clause.

MR. MORSE indicated that further information would be provided to the committee as to whether the consent, made at the beginning of the school year, adequately covers the written notification provision of the bill.

[8:48:36 AM](#)

REPRESENTATIVE GARDNER inquired whether the department expects to take an official position on HB 360. Further, she asked if the July 15 reports are enrollment totals, or do the reports include names and addresses of students no longer enrolled.

MR. MORSE offered to confer with the commissioner regarding a forthcoming position. Additionally, he responded that the July 15 report does include identification information, which is run against other district information to determine transfer student.

[8:50:29 AM](#)

REPRESENTATIVE GARDNER questioned why the department could not make the information directly available to the academy, from the July reports.

MR. MORSE explained that both federal and state disclosure law, requires student consent, which the state does not have a means to collect, passive or active, in all 53 districts; creating a legal concern.

[8:51:23 AM](#)

REPRESENTATIVE P. WILSON noted that not every parent enrolls their student in person, requiring forms to be sent to their home, and asked what percentage are received in return mail.

MR. MORSE declined to speculate on the percentage received.

CHAIR SEATON asked whether the district report is provided to the department by grade level or age of student.

MR. MORSE answered that it is by grade and includes date of birth. It may not be easy for a district to pull certain data from their system, but the departmental report includes the student's state [identification], name, and birth date. A birth date, however, is not always accurate. He pointed out that the report in the committee packet is from the Anchorage district, and differs from what is sent to the department. The department report does not include all of the reasons for drop-out.

CHAIR SEATON concluded that there is not a unified district system in place, and each district compiles information independently.

MR. MORSE said that is correct, because the information is collected into different systems using a variety of methods.

[8:55:21 AM](#)

CHAIR SEATON asked about the anticipated liability for noncompliance by a district or superintendent.

JEAN MISCHEL, Attorney, Legislative Legal Counsel, Legislative Legal and Research Services, Legislative Affairs Agency, said the liability is unspecified in HB 360, but the overall enforceability of any education law requires state funding be reduced.

CHAIR SEATON inquired whether enforcement is automatic or on a case by case basis.

MS. MISCHEL said it is case by case, as reviewed by the commissioner. The department may allow time for compliance prior to taking action.

[8:58:31 AM](#)

REPRESENTATIVE P. WILSON commented how deliberations on the topic have continually indicated that every drop-out student is unique. It is apparent that there are no silver bullet solutions, and AMYA is one option for drop-outs to consider. She stated support for the bill and for retaining the passive permission language.

CHAIR SEATON indicated that if the school districts are able to implement current data systems, the contact issue will be resolved and not represent a burden.

[9:00:05 AM](#)

REPRESENTATIVE GARDNER asked the bill sponsor to provide the committee with feedback from the districts regarding the costs, and difficulties associated with supplying AMYA information. Additionally, there are other programs and high school completion options, and she asked whether information for these options are also presented to the students; suggesting that school counselors might be an efficient means for distribution of materials. Finally, she asked for information regarding the penalty for inappropriate disclosure.

[9:01:17 AM](#)

CHAIR SEATON announced that HB 360 would be held for further consideration.

The committee took an at-ease from 9:01 a.m. to 9:07 a.m.

HB 297-POSTSECONDARY SCHOLARSHIPS

9:07:30 AM

CHAIR SEATON announced that the next order of business would be HOUSE BILL NO. 297, "An Act establishing the governor's performance scholarship program and relating to the program; establishing the governor's performance scholarship fund and relating to the fund; relating to student records; making conforming amendments; and providing for an effective date."

REPRESENTATIVE GARDNER opined that, with the dual track approach, a student considering a career technical vocation, is being given no incentive to achieve beyond a C+ grade point average (GPA). She argued that award will be \$3,0000, classes are easier than the academic track, and earning an A, or a B GPA does not alter the amount of the scholarship. She asked whether this is an accurate summation.

CHAIR SEATON stated no, and pointed out that there is a difference in classes required for a student earning a high school diploma versus the rigorous curriculum required to achieve a GPS award.

REPRESENTATIVE GARDNER acknowledged that her concern was addressed with the adoption of Amendment 3, and withdrew her statement. She then turned to Amendment 9, and expressed concern for a student being held liable for repayment of an erroneously awarded scholarship.

9:10:10 AM

CHAIR SEATON read Amendment 9, as adopted by the committee [2/26/10]:

Page 10, line 1, following "error":

Insert "less any scholarship award payments previously expended if the error in the award of the scholarship was not due to any fault of the student"

REPRESENTATIVE GARDNER indicated general concern for the dual track approach of the program.

[9:11:41 AM](#)

REPRESENTATIVE BUCH moved to take from the table Amendment 11, labeled 26-GH2771\A.18, Mischel, 2/18/10, tabled at the 2/19/10 meeting, which read [original punctuation provided]:

Page 5, lines 22 - 27:

Delete all material and insert:

"(1) the four-year core academic curriculum that the student must have completed in high school; the core academic curriculum must include one of the following:

(A) a combination of

(i) four years of mathematics;

(ii) four years of language arts;

(iii) four years of science; and

(iv) four years of social studies, one year of which may include a foreign language, Alaska Native language, fine arts, or cultural heritage; or

(B) a combination of

(i) three years of mathematics;

(ii) four years of language arts;

(iii) three years of science;

(iv) four years of social studies; and

(v) two years of a foreign language, Alaska Native language, fine arts, or cultural heritage;"

Page 6, lines 17 - 22:

Delete all material and insert:

"(1) the four-year core academic curriculum that the student must have completed in high school; the core academic curriculum must include one of the following:

(A) a combination of

(i) four years of mathematics;

(ii) four years of language arts;

(iii) four years of science; and

(iv) four years of social studies, one year of which may include a foreign language, Alaska Native language, fine arts, or cultural heritage; or

(B) a combination of

(i) three years of mathematics;

(ii) four years of language arts;

(iii) three years of science;

(iv) four years of social studies; and

(v) two years of a foreign language, Alaska Native language, fine arts, or cultural heritage;"

CHAIR SEATON objected for discussion.

[9:12:17 AM](#)

REPRESENTATIVE BUCH said that Amendment 11, aligns the core academic curriculum for both tracks, and provides two options, as indicated in paragraphs (A) and (B). He offered Amendment 1 to Amendment 11, to delete subparagraph (B) throughout Amendment 11.

CHAIR SEATON objected for discussion.

[9:14:29 AM](#)

REPRESENTATIVE BUCH directed attention to pages 5 and 6 of the bill, and paraphrased the curriculum requirements beginning on line 22, which read [original punctuation provided]:

(1) the four-year core academic curriculum that the student must have completed in high school; the core academic curriculum must include

- (A) four years of mathematics;
- (B) four years of language arts;
- (C) four years of science; and
- (D) three years of social studies;

REPRESENTATIVE BUCH explained that Amendment 11 maintains the requirements for math, language arts, and science, but stipulates an additional year of social studies with curriculum directives, as well as a two-year foreign language requirement in sub-subparagraph (v) [page 1, line 18, and page 1, line 15]. Amendment 1 to Amendment 11 maintains the additional social studies year, but deletes the two-year foreign language requirement.

[9:16:09 AM](#)

REPRESENTATIVE BUCH, upon discussion of further changes to Amendment 11, restated his motion to adopt Conceptual Amendment 1 to Amendment 11. Amendment 11, as amended, then read:

Page 5, lines 22 - 27:

Delete all material and insert:

"(1) the four-year core academic curriculum that

the student must have completed in high school; the core academic curriculum must include:

- (A) a combination of
 - (i) four years of mathematics;
 - (ii) four years of language arts;
 - (iii) four years of science; and
 - (iv) four years of social studies, one year of which may include a foreign language, Alaska Native language, fine arts, or cultural heritage.

Page 6, lines 17 - 22:

Delete all material and insert:

"(1) the four-year core academic curriculum that the student must have completed in high school; the core academic curriculum must include:

- (A) a combination of
 - (i) four years of mathematics;
 - (ii) four years of language arts;
 - (iii) four years of science; and
 - (iv) four years of social studies, one year of which may include a foreign language, Alaska Native language, fine arts, or cultural heritage.

CHAIR SEATON removed his objection to Conceptual Amendment 1 to Amendment 11.

There being no objection, Conceptual Amendment 1, to Amendment 11, was adopted.

[9:18:05 AM](#)

REPRESENTATIVE BUCH, at the chairman's request, restated his motion. He moved to adopt Conceptual Amendment 11 [as amended].

CHAIR SEATON maintained his objection to Conceptual Amendment 11 [as amended].

[9:18:22 AM](#)

REPRESENTATIVE BUCH reported that school districts have placed importance on offering four years of social studies, and that within the structure, which the department is creating, opportunities exist for elective classes to be offered in conjunction with the GPS.

[9:18:56 AM](#)

CHAIR SEATON said the action broadens social study requirements, and includes electives that are currently available to students. Although he does not oppose the possibility of requiring a fourth year of social studies, he opined that it narrows options for students taking electives in other areas, and maintained his objection.

[9:20:49 AM](#)

REPRESENTATIVE MUNOZ agreed that it does appear to narrow student options in the fourth year, and stated opposition to the amendment.

REPRESENTATIVE BUCH argued that it expands the opportunities for a liberal arts student to take a class that is not a standard business acumen; providing additional curriculum options.

[9:23:13 AM](#)

REPRESENTATIVE P. WILSON asked what courses are included in the study of Fine Arts.

[9:24:08 AM](#)

CHAIR SEATON referred to the core requirements listed on page 5, lines 24-27, and compared the proposed changes of Amendment 11. He asked EED whether the listed courses [page 1, lines 11 and 12] are considered social studies.

LARRY LEDOUX, Commissioner, Department of Education and Early Development (EED), replied no, and returned to Representative Wilson's question, stating that the field of Fine Arts includes the visual and performing arts, including: art, ceramics, sculpture, band, music, choir, and theater. Social studies comprise the social sciences, which are: sociology, psychology, history, and economics. Fine Arts and social studies are separate disciplines of study with two different sets of curriculum attached.

[9:25:34 AM](#)

CHAIR SEATON questioned how a requirement to take an additional year of social studies might affect students desiring to take electives in other areas of interest, such as Fine Arts or cultural heritage.

COMMISSIONER LEDOUX explained that whenever the legislature or State Board of Education imposes a require course, it displaces a student's option for an elective. The GPS is a voluntary program that encourages students to pursue a program of excellence. There are many courses in the social sciences that would meet that pursuit. However, a career tech, and college tech program, particularly in regards to the social sciences are both critical. A state mandated requirement would reduce electives for a high school student, at a time when it is important for them to be able to make choices. The data indicates that all ethnic and gender groups are positively influenced by taking math and science for four years versus three, but not significantly reportable regarding social sciences.

CHAIR SEATON noted that the amendment allows the substitution of one year of Fine Arts for social studies, as an additional requirement.

[9:28:14 AM](#)

REPRESENTATIVE P. WILSON pointed out that the amendment includes foreign language as a class option, and asked whether foreign language is included in the Fine Arts curriculum.

COMMISSIONER LEDOUX said usually not, as English, literature, speech, writing, and debate constitute language arts.

REPRESENTATIVE P. WILSON queried what category foreign language falls under.

COMMISSIONER LEDOUX indicated that foreign language is a critical aspect of college preparation, and often a requirement for college entrance.

REPRESENTATIVE P. WILSON asked whether an Alaska Native language could be considered a foreign language.

COMMISSIONER LEDOUX pointed out that it is an indigenous language, which could not be considered foreign. He stated his belief that it may be accepted at some universities.

[9:30:23 AM](#)

REPRESENTATIVE BUCH reviewed the amendment, and opined that it cleans up the bill. He asked Commissioner LeDoux whether the

proposed action would swerve to eliminate or enhances a student's opportunities.

[9:31:29 AM](#)

COMMISSIONER LEDOUX underscored how research indicates that four years each, of math and science, are significant indicators for graduation from college. The change to allow a foreign language as an alternative, and the possible effects, poses a question, which may not be statistically supported.

[9:32:26 AM](#)

CHAIR SEATON clarified that the amendment before the committee is strictly to include an additional year of social studies; from 3 to 4. It adds one more requirement to the core curriculum for both the academic and career technical scholarships.

COMMISSIONER LEDOUX indicated that it would be important to specify what courses would meet the fourth year requirement in social studies in order to ensure that a district could confirm. The classes listed in the amendment are from a variety of disciplines.

[9:33:45 AM](#)

REPRESENTATIVE BUCH asked if curriculum varies between school districts.

COMMISSIONER LEDOUX replied yes. In a freshman level art appreciation or theater class, the department would need to determine the standards and qualify the classes offered.

[9:34:19 AM](#)

REPRESENTATIVE BUCH expressed interest for allowing local discrimination by school districts to work within the requirements of the amendment, and asked whether the language would allow current curriculum to be utilized.

COMMISSIONER LEDOUX concurred, but said it would be difficult to determine the rigor of the course, which is the basis for the scholarship program.

[9:35:43 AM](#)

REPRESENTATIVE BUCH asked about impacts of the amendment within the department.

COMMISSIONER LEDOUX explained that the department would need to establish standards and guidelines to ensure rigor in the diversity of classes comprising the Fine Arts discipline. Standards for Fine Arts are more difficult to define, but it can certainly be accomplished.

[9:36:45 AM](#)

REPRESENTATIVE MUNOZ queried what the current social studies requirement is for graduation.

COMMISSIONER LEDOUX stated that it is three years, of which one year is U.S. History, and one semester must be Alaska studies or the standards for Alaska studies must be integrated into another course.

[9:37:12 AM](#)

REPRESENTATIVE MUNOZ asked if the category includes courses named in the amendment [page 1, lines 11 and 12].

COMMISSIONER LEDOUX replied no, but a class could be designed, particularly in Alaska Native Studies that includes language and culture to meet the social studies requirement. Ordinarily a language course would not meet the social studies requirement.

[9:37:39 AM](#)

REPRESENTATIVE MUNOZ asked whether Commissioner LeDoux would deem it beneficial to add a fourth year required course to the GPS program.

COMMISSIONER LEDOUX opined that the requirements of HB 297 are adequate to provide a rigorous curriculum.

[9:38:24 AM](#)

REPRESENTATIVE EDGMON questioned whether the set of requirements [in the amendment] might disenfranchise a student pursuing a performing arts avocation, or degree.

COMMISSIONER LEDOUX explained that every added class requirement for graduation or scholarship eligibility removes the ability for a student to participate in an elective class out of

personal interest. He opined that the amendment should not prove stressful for a student pursuing a college or technical school career.

[9:39:43 AM](#)

REPRESENTATIVE P. WILSON opined that the amendment does not change the options available for students.

[9:40:33 AM](#)

REPRESENTATIVE BUCH maintained that a fourth year of social studies should be a mandate, to include one year of other disciplines as listed.

[9:40:57 AM](#)

REPRESENTATIVE P. WILSON cited that the fourth year disciplines are not social studies, and could be viewed as electives, which negates the need for an amendment.

[9:41:25 AM](#)

CHAIR SEATON agreed, and said that is the reason for sustaining his objection. The amendment could restrict the options of some students.

[9:42:41 AM](#)

REPRESENTATIVE BUCH asked the commissioner for his opinion.

COMMISSIONER LEDOUX described what a student's schedule might entail for each year of high school, should they choose to focus on qualifying for the GPS. A freshman's year will have six periods comprised of math, science, history, English, physical education (PE), and one elective. A sophomore will have the same requirements of math, science, history, and English. The Sophomore year is when a foreign language is usually taken up, which would be the fifth hour, and one elective remains, however many districts require a half year of PE and health, leaving one semester for an elective course. The junior year will also be dictated by required math, science, history, and English courses, and the second year of foreign language takes up one elective, leaving one free choice elective. As a senior it will be the final requirement year for math, science, and English. Many students may need to take an additional math class, to double-up, depending on their interests. He pointed out that it

leaves little space for other interests to enter in particularly if a final year of history/social studies is also required. He stated his belief that students will fill their elective hours in a meaningful way, given the opportunity, and expressed concern for creating a situation that does not allow a student to exercise their own interests.

[9:45:42 AM](#)

REPRESENTATIVE BUCH stated that the amendment is an effort to expand opportunities for students in all areas of the state, and enhance what exists.

[9:47:33 AM](#)

CHAIR SEATON maintained his objection to Conceptual Amendment 11, as amended.

[The objection by Representative Wilson at the 2/19/10 hearing was treated as withdrawn.]

A roll call vote was taken. Representative Buch voted in favor of Conceptual Amendment 11, as amended. Representatives Edgmon, Gardner, Munoz, Wilson, Seaton, voted against it. Therefore, Conceptual Amendment 11, as amended, failed by a vote of 1-5.

[9:48:20 AM](#)

REPRESENTATIVE GARDNER noted that the bill envisions the use of qualified postsecondary institutions, and asked what facilities are included. She reported that she queried DLWD and only AVTECH was named.

COMMISSIONER LEDOUX said DLWD will be the approving department for eligibility of programs. Using AVTEC as an example, he indicated that the highest priced tuition is \$5,000 to earn a nursing certificate; many programs are less than \$3,000. However, a student entering diesel mechanics must purchase tools to enter the program, the cost of which exceeds the tuition. The needs component of the GPS allows awards to defray reasonable costs such as room and board, or equipment. It is not the intent of the department to set a gold standard in the development of new training programs throughout the state, i.e. institutions establishing tuitions reflecting scholarship award amounts. He stated the department's opinion that \$3,000 is an adequate starting figure.

[9:51:30 AM](#)

REPRESENTATIVE GARDNER referred to tuition costs listed in the AVTECH catalogue, and noted that program lengths vary upwards from as few as 38 training days. She reflected on the flat \$3,000 award for the career technical training versus the tiered award system for the academic element, and opined that this may inadvertently diminish incentive for a student who is pursuing a career track to achieve beyond a C+ GPA.

COMMISSIONER LEDOUX stated his belief that the dual tracks established, and the standards required for qualification, will better prepare every student for whatever postsecondary program they choose.

[9:53:09 AM](#)

REPRESENTATIVE MUNOZ asked whether the department considered allowing advanced foreign language classes to satisfy part of the four year language arts requirement.

COMMISSIONER LEDOUX replied no, explaining that the recognition of the language arts requirement is a long established standard. To a follow-up question he said that the current requirement is four years of language arts.

[9:54:21 AM](#)

CHAIR SEATON stated that HB 297 would be held over.

HB 206-HIGH SCHOOL ASSESSM'T/POSTSECONDARY CLASS

[9:54:56 AM](#)

CHAIR SEATON announced that the final order of business would be HOUSE BILL NO. 206, "An Act establishing a career assessment requirement in public schools; and relating to postsecondary courses for secondary school students."

[9:55:39 AM](#)

CHAIR SEATON moved to take from the table Amendment 1, labeled 16-LS0765\P.1, Mischel, 2/16/10, tabled at the 2/19/10 meeting, which read [original punctuation provided]:

Page 3, line 18:
Delete "The"

Insert "Except as provided in AS 14.17.610(d) and (e), the"

Page 3, line 23, following "(d)":

Insert "and (e)"

Page 4, line 2:

Delete "a new subsection"

Insert "new subsections"

Page 4, line 8, following "AS 14.17.500.":

Insert "A recomputation under this subsection shall take into account the supplement received by a district under (e) of this section and include the remaining balance owed in state aid for the increase in the current year student count that was the basis for the supplement if, at the end of the 80-day count period, the increase in the current year student count is the same or higher for the entire count period."

Page 4, following line 10:

Insert a new subsection to read:

"(e) Before a recomputation is made under (d) of this section, a district may request supplemental state aid by providing satisfactory proof on a form provided by the department that the student count conducted in the first 20 days of the 80-day student count period in the current fiscal year is more than 10 percent above the count made in the 80-day student count period for the preceding fiscal year. The department shall provide an eligible district supplemental state aid before the recomputation period in an amount that is equal to 80 percent of the state aid owed for the difference in the student counts. Nothing in this subsection requires a district to seek supplemental state aid before a recomputation is made under (d) of this section."

REPRESENTATIVE P. WILSON renewed her objection, from the 2/19/10 meeting.

[9:56:35 AM](#)

CHAIR SEATON said Amendment 1 deals with the proposed 80 day count period, which has been indicated as problematic by some districts. He directed attention to Amendment 1, page 1, line 23, to explain how the 80 day count would affect the

recomputation, and fund distribution, for a district with an enrollment count variance above 10 percent.

9:58:14 AM

REPRESENTATIVE MUNOZ opined that the 80 day count period is a huge demand, particularly on smaller districts, and it may not be an appropriate time period to implement.

CHAIR SEATON pointed out that the amendment is to provide a 20 day bump-up. He explained how the bill has evolved from stipulating two count periods, and said the 80 day count period was suggested by the commissioner. The amendment is to address any large variance in student populations, a problem that has been anticipated.

9:59:39 AM

REPRESENTATIVE MUNOZ moved Conceptual Amendment 1, to Amendment 1, to read:

Page 1, lines 16 and 23

Delete: 80

Insert: 40

and

Page 2, line 2

Delete: 80

Insert: 40

10:00:13 AM

CHAIR SEATON objected for discussion.

REPRESENTATIVE MUNOZ speculated that this would have a lower financial impact and provide easier implementation.

CHAIR SEATON opined that 40 days may not accomplish the intent of an expanded count period. Expanding the count to span two semesters of the year is an effort to provide a financial incentive for districts to retain students throughout the year.

REPRESENTATIVE MUNOZ cited the lack of district support for an 80 day count, as well as the opposition voiced during public testimony.

10:02:01 AM

REPRESENTATIVE BUCH agreed that the 40 day count eliminates the opportunity for an effective, longer count period.

10:02:30 AM

CHAIR SEATON, in deference a teleconference witness, tabled Conceptual Amendment 1, to Amendment 1, and opened public testimony.

10:02:56 AM

STEWART MCDONALD, Superintendent, Kodiak Island Borough School District (KIBSD), said HB 206 has been a focus of discussion in Kodiak, and local questions have arisen regarding the dual credit offering, which occurs in the district. Kodiak offers 20 approved classes, which count as dual postsecondary credits; beginning in the 9th grade. Students taking these courses may not have passed all three sections of the high school graduation qualifying exam (HSGQE). He explained how this works as part of the schools drop-out prevention program, effectively keeping a student purposefully connected to the high school. It continues to be a hook, even after a student passes the HSGQE.

CHAIR SEATON assured the superintendent that it is not the intention of the committee to preclude this class/credit option in Kodiak.

10:06:34 AM

MR. MCDONALD explained that the Kodiak College vets the participating high school teachers, as well as the class syllabus, and charges only \$25.00 per credit hour. The extra time that is required by the teachers, primarily on-line with the college, is done on a voluntary basis, with no additional cost to the district. A concern has arisen that if a provision is included to require dual credit offerings, it may remove the ability for the voluntary action to occur, based on teacher union restrictions. The voluntary status does mean that not all schools have this option. He asked if it will be a problem under HB 206.

10:09:12 AM

CHAIR SEATON said that legislative legal staff will be contacted to determine whether there is an issue, including the teacher

union concerns. Additionally, he said the National Education Association (NEA) will be invited to comment.

[10:09:58 AM](#)

MR. MCDONALD pointed out that the drop-out rate in Kodiak is at 3.5 percent, or 28 students, and reported that these 28 students withdrew for various reasons. Only eight of these drop-outs did not return to attain a diploma. He attributed this success in part to the dual credit program. Addressing the count change issue, he reported the district's response, paraphrasing from a prepared statement, which read [original punctuation provided]:

KIBSD is not in favor of expanding the twenty-day student enrollment count to eighty days.

KIBSD researched its student enrollment records for the past five years focusing on the time frame of October through February and averaged a decline of 1.5%. The decline was not a consistent trend as each year indicated unique circumstances as follows:

2004-2005 minus 50 - Enrollment declined between October to February due to early graduation at semester, some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools.

2005-2006 plus 52 - Enrollment increased between October to February due to more students enrolling than withdrawing - early graduation at semester; some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools.

2006-2007 minus 74 - Enrollment declined between October to February due to excessive attendance expulsions (misused policy - policy has since been revised) - early graduation at semester; some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools. Nearly all the 74 students were brought back into the system by the beginning of the 2007-2008 school year.

2007-2008 minus 30 - Enrollment declined between October to February mostly due to early graduation at semester; some students enrolled in drug and alcohol

rehabilitation programs; and some students transferred to other schools.

2008-2009 minus 3 - Enrollment declined between October to February mostly due to early graduation but was balanced by increased enrollment - early graduation at semester; some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools.

MR. MCDONALD added that the 2008-2009 year may also have low numbers due to increased efforts for personal contact with at risk students, and alternative pathway offerings. Taking a personal, and flexible, approach is the reason that the district has a high student retention/return rate, and the count period is not an influence. The four year graduation rate is 77.25 percent; 58.06 percent for Native students, and 65.63 percent for students with disabilities. The district is pursuing the expansion of course offerings, and implementing the KeyTrain and WorkKeys assessments. Elaborating on the district's use of these materials, he continued paraphrasing from the prepared statement, which read [original punctuation provided]:

KIBSD is not in favor of a requirement that would make Work Keys a high-stakes assessment.

Our District utilizes Work Keys, in addition to a variety of other assessments, by allowing students to take multiple assessments throughout a school year to compile the vital information needed to study their own learning. Students become more meaningfully engaged in instruction and ultimately more connected to their life goals by studying their own learning. KIBSD also reaches into elementary grade levels with this low-stakes formative assessment methodology through Key Train. KIBSD intends to apply the knowledge gained through low-stakes formative assessments such as Key Train and Work Keys to a student's five-year career plan; hence, laying the foundation for career choices and the pursuit of high school dual credit courses. Any legislation to increase the formality of the Work Keys test would disrupt our low-stakes formative assessment process and hinder our ability to study student learning with students at their speed of learning. This combination of assessments, formative assessments, and student options for dual credit helps to keep students engaged

in school, graduate on time, and address drop-out issues.

MR. MCDONALD relayed the surprising fact that the majority of the 28 reported drop-outs had already passed their HSGQE, indicating that they were students on track to graduate. He finished, indicating that an extended count would prove costly, as well as represent an additional requirement for staff.

[10:20:28 AM](#)

CHAIR SEATON acknowledged the efforts at KIBSD as a viable district, which implements the basics of economy, mastery, and purpose. He assured the superintendent that the purpose for having WorkKeys identified in the bill is to provide a continuous improvement model, not to create a high-stakes assessment. Additionally, a WorkKeys certified score would be placed on a diploma to provide information regarding a student's performance. He requested any written data referenced, during testimony, be provided to the committee.

[10:22:43 AM](#)

REPRESENTATIVE GARDNER asked whether the superintendent planned to testify on HB 360.

[10:23:09 AM](#)

MR. MCDONALD expressed interest, but said he has not yet reviewed the bill.

[10:23:17 AM](#)

CHAIR SEATON solicited input from the district on HB 360 and announced that HB 206 would be held for further consideration.

[10:23:57 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 10:24 a.m.