

ALASKA STATE LEGISLATURE
SENATE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

February 16, 2010

3:32 p.m.

MEMBERS PRESENT

Senator Donald Olson, Chair
Senator Joe Thomas, Vice Chair
Senator Hollis French
Senator Linda Menard

MEMBERS ABSENT

Senator Albert Kookesh

COMMITTEE CALENDAR

SENATE JOINT RESOLUTION NO. 1

Proposing amendments to the Constitution of the State of Alaska relating to terms of legislators.

- HEARD AND HELD

SENATE BILL NO. 109

"An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

- MOVED SB 109 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SJR 1

SHORT TITLE: LIMITING TERMS OF STATE LEGISLATORS

SPONSOR(s): SENATOR(s) MENARD

01/21/09	(S)	PREFILE RELEASED 1/9/09
01/21/09	(S)	READ THE FIRST TIME - REFERRALS
01/21/09	(S)	CRA, STA, JUD
02/16/10	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 109

SHORT TITLE: REPEAL SECONDARY SCHOOL EXIT EXAM

SPONSOR(s): SENATOR(s) DAVIS

02/17/09	(S)	READ THE FIRST TIME - REFERRALS
02/17/09	(S)	EDC, CRA, FIN

03/16/09	(S)	EDC AT 8:00 AM BELTZ 211
03/16/09	(S)	Heard & Held
03/16/09	(S)	MINUTE(EDC)
04/01/09	(S)	EDC AT 8:00 AM BELTZ 211
04/01/09	(S)	Heard & Held
04/01/09	(S)	MINUTE(EDC)
10/23/09	(S)	EDC AT 3:00 PM Anch LIO Rm 220
10/23/09	(S)	Heard & Held
10/23/09	(S)	MINUTE(EDC)
01/29/10	(S)	EDC AT 8:00 AM FAHRENKAMP 203
01/29/10	(S)	Heard & Held
01/29/10	(S)	MINUTE(EDC)
02/01/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/01/10	(S)	Moved SB 109 Out of Committee
02/01/10	(S)	MINUTE(EDC)
02/03/10	(S)	EDC RPT 3DP 1NR
02/03/10	(S)	DP: THOMAS, MEYER, DAVIS
02/03/10	(S)	NR: OLSON
02/09/10	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
02/09/10	(S)	Heard & Held
02/09/10	(S)	MINUTE(CRA)
02/16/10	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

MICHAEL ROVITO
Aide to Senator Menard
Alaska State Legislature
Juneau, AK
POSITION STATEMENT: Provided information on SJR 1.

DON BENSON
Representing himself
Matanuska Valley, AK
POSITION STATEMENT: Supported SJR 1.

LADAWN DRUCE, President
Kenai Peninsula Education Association
Kenai, AK
POSITION STATEMENT: Supported SB 109.

REBECCA LOGAN, President and CEO
Associated Builders and Contractors of Alaska (ABC)
Anchorage, AK
POSITION STATEMENT: Opposed SB 109.

MARSHA NAGY

Representing herself
Kiana, AK
POSITION STATEMENT: Opposed SB 109.

RICHARD DENNIS
Representing himself
Chistochina, AK
POSITION STATEMENT: Opposed SB 109.

THERESA HOLT
Governor's Council on Disabilities and Special Education
Anchorage, AK
POSITION STATEMENT: Supported SB 109.

RON FUHRER
Representing himself
Anchorage, AK
POSITION STATEMENT: Supported SB 109.

BARB ENGIAC, President
National Education Association - Alaska (NEA)
Juneau, AK
POSITION STATEMENT: Supported SB 109.

WAYNE STEVENS, President and CEO
Alaska State Chamber of Commerce (ASCC)
Juneau, AK
POSITION STATEMENT: Opposed SB 109.

LARRY LADOUX, Commissioner
Department of Education and Early Development (EED)
Anchorage, AK
POSITION STATEMENT: Opposed SB 109.

LES MORRIS, Deputy Commissioner
Department of Education and Early Development (EED)
Juneau, AK
POSITION STATEMENT: Opposed SB 109.

SENATOR BUNDE
Alaska State Legislature
Juneau, AK
POSITION STATEMENT: Opposed SB 109.

SENATOR DAVIS
Alaska State Legislature
Juneau, AK

POSITION STATEMENT: Sponsor of SB 109.

ACTION NARRATIVE

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CHAIR DONALD OLSON called the Senate Community and Regional Affairs Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators French, Menard, Thomas and Olson.

SJR 1-LIMITING TERMS OF STATE LEGISLATORS

[3:33:33 PM](#)

CHAIR OLSON announced the first order of business to come before the committee was SJR 1.

SENATOR MENARD, sponsor of SJR 1, said the resolution seeks to put the question of term limits for legislators on the next general election ballot. She said she strongly believes this issue should be put to a vote of the people. According to SJR 1, representatives would be limited to four terms and senators to two terms, resulting in the ability for legislators to serve eight years in their respective body. He or she must wait until one complete term intervenes before running for office again. She stated that Alaska's legislature was created with the citizen legislator in mind and the state's founders never intended for citizens to become career politicians. By limiting the terms of law makers, other qualified persons in the state would have a better chance to use their skills for the betterment of Alaska. Typically, an incumbent in a House or Senate race has the upper hand and legislators should not think they are the only ones who can do the job.

She said term limits would end the perpetual election cycle and allow legislators to concentrate on decisions that are best for the state as opposed to their reelection chances. If term limits were enacted by voters in the next general election, law makers elected before the 2010 election would be grandfathered in and their previous terms would not be counted against them.

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SENATOR THOMAS said Senator Menard would get more support from the Senate if the term limit for senators was also four terms.

SENATOR MENARD said she understood that.

CHAIR OLSON asked how Senator Menard came up with two terms for the Senate and four terms for the House.

SENATOR MENARD said she considered what would be fair. Term limits in place in 15 states and under consideration in 6 more states are "all over the board." A typical career is 20 years, or 10 years for younger people; in 2050, young people will have had four different careers.

She said she had heard a lot of pushback, including the feeling that term limits are enforced by the polls already. She felt a career politician has become connected and networked and has an advantage over anyone trying to break through. She explained that corruption in a state triggers legislation, resolutions to reach voters and examination of career politicians. She said she serves with the best legislators she could hope for but she ran on the issue of term limits and is serious about it.

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SENATOR FRENCH read from the resolution: "No person who has served as senator for two full or partial successive terms shall again be eligible to hold that office until one term has intervened." He said he assumed a full term is four years and a partial term is anything less. He said he ran right after a redistricting effort and was given a two-year term. Under the terms of SJR 1, he would have been limited to six years in the Senate. He asked Senator Menard if that was her understanding.

SENATOR MENARD replied that was her understanding and said the appointment of a position like Senator Coghill's is another similar situation.

SENATOR FRENCH asked if Senator Coghill would be limited to five years: his current one-year term and then the next four-year term.

SENATOR MENARD replied that was correct. She noted that she had gone back and forth on that issue and it could be changed in the Judiciary Committee.

CHAIR OLSON asked if a person could serve a term or two in the House and subsequently run for the Senate.

CHAIR MENARD answered yes. She said a person could start in the House for six years and then move to the Senate for eight years.

CHAIR OLSON noted that a learning curve exists for many legislators, including him, who had never been involved in any other office, such as a city council or school board. He asked if Senator Menard expected legislators to be productive during the first year or two while they get their feet on the ground.

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SENATOR MENARD replied that helpful staff, with a lot of longevity, work with the legislators. She noted that the lobbyists are helpful as well. After one year, a legislator should be catching on. She said getting up to speed is not as difficult as the public had been told.

SENATOR FRENCH encouraged Senator Menard to look at states with term limits to see if the public is happier with their legislators and if the term limits alleviate concerns about career politicians. He said a 2004 paper on term limits by the National Council of State Legislatures (NCSL) was referred to in the committee packet and he would like to look at it.

SENATOR MENARD said she met Mr. Patrick Taylor's wife, of the Taylor Foundation in Louisiana, a state with term limits. She learned that some of the students that the Taylor Foundation had put through college are now legislators. She said those students would not have had that opportunity without term limits.

She recognized that legislators are protective of their jobs and love what they do. She reiterated, however, that SJR 1 was spurred on by the recent corruption in the Legislature.

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SENATOR THOMAS asked how long term limits have been in place in other states, about the history of term limits and about the results.

MICHAEL ROVITO, staff to Senator Menard, replied that many states adopted term limits in the early 1990's, with Nebraska being the most recent to do so in 2000. All states enacted the term limits several years after adopting them. Voters in these states approved term limits overwhelmingly.

SENATOR THOMAS said he was relatively new himself and thinks a learning curve exists; one feels better after the first year of dealing with the issues. He pointed out that the Legislature has huge issues to deal with and it is important that people have the ability to look back. He pointed out that getting up to speed on something like ACES would take a great deal of effort.

He felt that even with helpful staff, if he had not sat through the 2007 ACES hearings himself, he would have little idea what is going on now and perhaps less interest. Long time legislators have built up historical knowledge.

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CHAIR OLSON opened public testimony.

DON BENSON, representing himself, Matanuska Valley, said term limits come into play after major cases of corruption and often would have curtailed some of the long-term relationships that possibly led to some corruption. He said the Constitution never intended for career politicians and we need new people and fresh ideas. He felt term limits do not keep citizens from returning to office, and after sitting out one term they can go back into office again. He pointed out that many offices only get eight years or less. Because the state is supposed to be run by and for the people, he urged the committee to let the people vote on term limits.

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CHAIR OLSON closed public testimony and held SJR 1 in committee.

[3:50:55 PM](#)

CHAIR OLSON announced an at ease from 3:50 p.m. to 3:53 p.m.

SB 109-REPEAL SECONDARY SCHOOL EXIT EXAM

[3:53:43 PM](#)

CHAIR OLSON said the next order of business to come before the committee was SB 109. He opened public testimony.

LADAWN DRUCE, President of the Kenai Peninsula Education Association, Kenai, testified in support of SB 109. She said she was a counselor and English teacher at Soldotna High School before becoming president of the Teacher's Association on the Kenai and has experienced the High School General Qualifying Examination (HSGQE) as a parent of a child who did not pass, an English teacher, a high school counselor and a test coordinator. She said the HSGQE uses valuable instructional time and is problematic for three groups of students: students who do not perform well in testing situations, English Second Language (ESL) students and special needs students. She pointed out that some special needs students are provided with accommodations that enable them to pass the test though their skills and abilities are far below students who struggle with the test but

are not given the same accommodations. She felt this negated whatever the HSGQE purports to measure.

She said the HSGQE does not measure mastery of content, literacy or competency but rather measures high-stakes testing ability. No single test should keep students from receiving a high school diploma. She suggested that a more authentic skills assessment would help guide students, parents, teachers and counselors and would restore dignity and integrity to the high school graduation process.

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REBECCA LOGAN, President and CEO, Associated Builders and Contractors of Alaska (ABC), spoke in opposition to SB 109 from the perspective of a trade association running a registered apprenticeship program. She said 900-1200 students apply to ABC's apprenticeship program every year and a significant difference exists between those who have a diploma and those who have a General Education Development (GED). Eighty percent of students with a diploma meet the apprenticeship program's basic math requirement while less than 30 percent of those with a GED do. She felt the HSGQE is the most significant tool leading students to pursue a diploma. She spoke in opposition to removing the HSGQE until a replacement exam is in place.

SENATOR THOMAS asked if Ms. Logan knew how many students with a GED had passed the HSGQE.

MS. LOGAN replied that ABC only keeps track of whether the applicant has a GED or diploma.

CHAIR OLSON asked if Ms. Logan's opinion of SB 109 was reflective of the business community in general.

MS. LOGAN said she could not speak for the entire business community but she knows that employers in the construction industry appreciate the HSGQE and feel it guarantees a student's basic skills.

CHAIR OLSON asked what ABC's plans are for students who don't meet the requirements or are not accepted into the apprenticeship program.

MS. LOGAN responded that someone from the program meets with the individual and identifies the skill or education that is lacking. She explained that several different resources are available, such as taking math or reading classes.

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CHAIR OLSON asked who pays for that.

MS. LOGAN replied that the Department of Labor and Workforce Development (DOLWD) supports several programs at no charge. She explained the most common problem is not meeting the math requirement and that four or five opportunities exist for people to go and take a math class at no charge.

MARSHA NAGY, representing herself, Kiana, Alaska, spoke in opposition to SB 109. She said she has been a teacher for 30 years and believes the HSGQE needs modification and does not meet the needs of some lesser-skilled students. She said a spectrum of opinions exist across the 11 villages in the Northwest Arctic Borough; however, her students in government and global issues feel that the HSGQE helps set goals, sets a standard and gives them a place to head toward in their academic career. She said she is concerned about the amount of money that is squandered on standardized testing protocol. She said that while the HSGQE does need to be modified, it should not be dumped until something better is in place.

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SENATOR THOMAS asked if Ms. Nagy had suggestions for modifying the HSGQE and if she thought the exam should be used as an evaluation tool.

MS. NAGY replied that the HSGQE presents problems for special education kids or limited-English speakers but that her average or above-average students find the exam insultingly easy. She felt that allowing students three chances to pass the exam should not change and she described a student who did poorly on the HSGQE the first time but finally passed and understood that "you cannot fluff your way through high school." She felt that the absence of a minimal exit exam makes a mockery of hard work.

CHAIR OLSON asked what the passing rate of the HSGQE was in Kiana last year.

MS. NAGY replied that about 75 percent passed.

CHAIR OLSON asked what has happened to the students in Kiana who have not passed the HSGQE - what their lifestyle is like now and what they are up to.

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MS. NAGY said that ultimately most of Kiana's seniors have passed the HSGQE and are involved in an array of activities. She said she cannot think of a student that did not pass last year.

CHAIR OLSON asked about the four years she has been in Kiana.

MS. NAGY apologized and said she could not speak to this.

RICHARD DENNIS, representing himself, Chistochina, Alaska, spoke in opposition to SB 109. He said he came to Alaska in the 1970's, has taught from the Aleutians to the arctic and worked as an administrator. He explained that he was initially against the HSGQE. Over time, he saw students focusing, achieving and valuing the test. He suggested the HSGQE is not redundant but is the only test that measures minimum competency. Underperforming schools are related to community attitudes and the HSGQE has focused student's attitudes. He said many professions have to take a test to ensure some competency. He said he thought rural education has benefitted from the HSGQE because "each of us values that which we have to work hard for."

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SENATOR THOMAS asked if it seemed reasonable to Mr. Dennis that that a student can complete all high school requirements, yet fail the HSGQE, and not graduate or get a diploma.

MR. DENNIS answered that in order to get a high school diploma, a student has to pass all three elements of the exit exam and complete the school district requirements. "It's not 'or' it's 'and.'" He has observed students having a good attitude about the HSGQE and have going after it. He felt that the HSGQE took a bit of the pressure off of any particular teacher who is not passing a student. The students seem to have accepted more responsibility for their own learning.

SENATOR THOMAS said he is questioning the fairness of the HSGQE prohibiting some students from getting a diploma if they completed all of the rest of the work.

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MR. DENNIS said the HSGQE is a minimum competency test; it is at the eighth grade level. He said giving someone a high school diploma does not assure that the person can add, multiply or read. The exit exam is designed to assure that if someone has a high school diploma and has passed the HSGQE, that person has basic skills.

THERESA HOLT, Governor's Council on Disabilities and Special Education, said the Council works to create change that improves the lives of people with disabilities. The Council's top education priority this year is to support SB 109. She said the stakes for the HSGQE are too high and result in extremely limited opportunities for students who do not pass, many of whom have disabilities. She explained that going on to college or vocational school, joining the military, or getting a job that pays a living wage are all difficult to do without a diploma. The HSGQE focuses resources at the wrong end of the educational system. She said students take the test at the end of ninth grade but remediation does not start until eleventh grade. Research suggests one hour per day of specific, directed instruction is needed for each year a student is behind. For example, a tenth grade student reading at a fourth grade level is six years behind. She questioned how an extra six hours could be fit into the high school schedule while still allowing the student to get all the credits needed to graduate. She said students and teachers are set up for an impossible task.

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MS. HOLT said that teachers end up teaching students how to pass the test rather than teaching reading, writing and math skills. Students miss out on vocational opportunities or activities in which they do well, such as music, art or sports, because they are always in remedial classes in addition to core subjects.

She said we need to look at accountability in kindergarten to third grade. She said the Department of Education recently brought up some speakers from the Kennewick School District in Washington who had set the bar in accountability at third grade; ninety percent of all students would be reading at grade level by third grade. Some school districts in Alaska have similar programs to remediate early. She said the Standard Base Assessment (SBA) tests students every year, showing in the third grade, and every grade after, which students are behind. When it is first known that a student is behind is the time to start remediation; gaining one year is much easier than six years. She said her son was not reading by fifth grade in spite of several hours per day of special education. With one-on-one attention for two hours a day, three times a week at a private remediation clinic, he caught up to fifth grade reading in one summer.

She said the HSGQE ruins students' self-esteem and a student who fails the SBA every single year is convinced that he or she is never going to learn the skills. Then we make the student retake

the test up to six times and ask the student to stay in high school one more year when all their friends have graduated.

CHAIR OLSON asked Ms. Holt to summarize.

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MS. HOLT said there are ways to start early and get students up to age and grade level. WorkKeys can address the business community's needs and show skill levels. She suggested that instead of a student being able to graduate with a D minus grade point average, maybe a student should be required to have higher grades to get a diploma.

SENATOR THOMAS agreed that a lot of testing is done and intervention and remediation should be done earlier. He asked what Ms. Holt would do to modify or replace the test.

MS. HOLT replied that she would put accountability at the third grade level and have 90 percent of students reading. She said WorkKeys could be used as an incentive for students to improve and show their scores to employers, but not as a high stakes exam.

RON FUHRER, representing himself, said he is a teacher in the Anchorage School District. He reported that on the days that high stakes tests are given, a huge amount of resources are expended. A stigma is placed on students who do not pass the HSGQE. He said that student performance is tracked with SBA's and then students who fail one piece of the HSGQE are told "Sorry, you are just going to get a certificate of attendance, you are not going to get a diploma." Such a student's ability to find a living wage job has been seriously impacted.

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BARB ENGIAC, president, National Education Association Alaska (NEA), told a story about Alaska's high school students and how proud students and communities were of high school graduation. She continued:

Then one day, some folks decided they knew better than the well-trained educators in the state. They said, 'We know what's wrong with kids today. They are not being taught well enough and we can prove it. We will use our influence to impose a test to be sure that students are learning and teachers are teaching.' So the HSGQE was born.

She said the idea of students meeting minimum standards has merit, but the HSGQE has not done the job it was intended to do. The HSGQE causes confusion among some students who pass the HSGQE and believe continuing formal education is unnecessary. The HSGQE causes great anxiety among students who have difficulty in formalized test settings. The HSGQE makes no allowance for second language learners.

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She concluded her story by saying:

Parents, students, educators and community members all shared their perspectives. They concluded that the test was not helpful and in some cases actually causing harm. Along came Senator Bettye Davis who introduced SB 109. The bill was set to repeal the exit exam. NEA Alaska members applauded the effort and were jumping with excitement that their voices were finally being heard.

MS. ENGIAC said she has been an educator in Bethel for 30 years and is the parent of a senior at Brown University. She recalled her daughter and her friends talking about their perspectives on the test. Her daughter saw it as nothing more than a hurdle. Some looked at it as another worry and struggle before being able to achieve a diploma. Some felt they would drop out, get a GED and not worry about the HSGQE. Several kids are working in minimum paying jobs in Bethel, having not furthered their education because they saw the HSGQE as an obstacle.

She explained that NEA - Alaska is not opposed to accountability but wants something productive rather than an obstacle.

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SENATOR THOMAS asked Ms. Engiac about earlier remediation and what testing should be in place, if any, to replace the HSGQE as a better judge of academic acuity.

MS. ENGIAC replied that many options exist to help make sure remediation is in place earlier. She said catching learning deficiencies as early as possible allows the greatest opportunity for success. Although the HSGQE was intended to show that kids have a minimum set of skills, many community members and kids have seen it as the standard: "Once we've achieved that, we're there." She said the Regents Exam is given in New York and proves how much achievement has been obtained.

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SENATOR MENARD asked if Ms. Engiac had a fundamental belief that a student should be able to graduate if he or she scores well in a class.

MS. ENGIAC replied yes, if rigorous standards are in place in course work. She said exams in a course prove skill level.

SENATOR FRENCH asked about the New York state Regents exam.

MS. ENGIAC replied that the idea of the Regents exam is to look at the skill set and the achievement of a student based on rigorous testing. The exam shows what level the student is at, rather than just achieving a cut score. She said the exam is comprehensive, testing more than reading, writing and math.

SENATOR FRENCH asked if the exam places the student on a continuum of high, middle and low achieving and gives some feedback to the community about how the student fits in the overall standings.

MS. ENGIAC replied, "Correct."

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WAYNE STEVENS, President and CEO, Alaska State Chamber of Commerce (ASCC), said the ASCC was actively involved in and supportive of efforts to create the exit exam in 2000 - 2001. Like business and government, the education system needs to measure results of their efforts. He said the ASCC supports the merit-based scholarship concept to raise the bar on education and education requirements. Talking of lowering the bar of high school graduation is a shame while trying to raise the bar for merit-based scholarships. He said merit-based scholarships propose that we: increase high school graduation rates, improve academic performance of students, improve preparedness for post-secondary education, increase the scores of high school students on college entrance exams, increase job training opportunities, and expand the pool of high school students who pursue post-secondary opportunities. He said all the effort in discussing merit-based scholarships does not include saying, "Lower the bar, take out the exam, lower the standards."

He said the ASCC is so concerned about high school students being ready to enter the work force that it is starting a summer program called Alaska Business Week. This opportunity will introduce 100 high school students to the principles of

business. He said the ASCC supports efforts to raise graduation requirements and encourages the continuation of the HSGQE.

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SENATOR THOMAS asked what statistics Mr. Steven's observations about higher graduation rates are based on.

MR. STEVENS said he was speaking about what the merit-based scholarship idea proposes.

SENATOR THOMAS said he thought Mr. Steven's statement indicated that the HSGQE had in fact increased graduation rates and lowered dropout rates.

MR. STEVENS explained that the ASCC supports the merit based scholarship program and the proposed increased standards that go along with it. He said standards should not be reduced in some areas while implementing higher standards for the merit-based scholarship program.

SENATOR THOMAS said no one wants to go backwards but rather want to make sure evaluation is done properly and is used to remediate earlier.

LARRY LADOUX, Commissioner, Department of Education and Early Development (EED), said he would speak to the position of the state Board of Education. He said flexibility must be balanced with rigor and fairness with high standards and that his head and his heart often conflict. He said the Board of Education recognizes the serious concerns with HSGQE including the time required to administer the exam.

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He said another concern is that when a student does not pass the exam, the focus of his or her high school career becomes remediation instead of courses that enlighten and inspire. Other concerns are the HSGQE's impact on the social environment of schools which have fewer electives and more remedial courses, and the impact on an individual who does not graduate. Graduation from high school is a rite of passage and any interference causes severe stress. He said he has sat with many students who did not graduate due to other barriers besides the HSGQE, such as not passing senior English or history. He said if a child begins life with a sense of failure, it follows them.

The Board of Education recognizes concerns for those who do not pass the exam but feels it should be in place until a system of

accountability ensures that students are reaching certain standards. He said the HSGQE is a type of accountability that does not exist elsewhere in the system. He explained that when a student does not pass, the parents, school, teachers and student focus on the need to learn the information. He said last year 273 students got a certificate of attendance instead of a diploma due to not passing the exam. He explained that these students were not able to pass an exam with standards based on the eighth, ninth and tenth grade level. Before the start of the HSGQE, these students would have earned a diploma and entered the work force.

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He said students with disabilities do not pass the HSGQE very well compared to other students but pointed out that the number of students who do pass the exam with a special education designation is increasing. He said people are working harder than ever before. He pointed out that a student could graduate with a D minus in every class and get a full diploma. The HSGQE adds accountability to that. The HSGQE provides businesses and employers an assurance that everyone who has an Alaskan high school diploma has a basic education through the eighth and ninth grade. He said the number of graduates increased almost 5 percent last year.

He said the state Board of Education has unanimously expressed "that we need to hold the course" while paying attention to concerns. Most other states with high stakes exams have alternative pathways but even those do not guarantee that every student will graduate from high school. The intent of the exam, to make sure every student meets minimum requirements, is still there.

He said that any law that does not provide flexibility to respond to individual needs is going to cause problems. He said he has heard heart-wrenching stories of the HSGQE affecting students, through no fault of their own. He said he hears from teachers and counselors asking for help and he does not have the ability to respond. He said to treat all kids the same is to treat them unfairly.

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He continued and said next year, eleventh grade students will take the WorkKeys exam which measures work readiness. National standards are also coming down the line with national assessments at every grade level. He said we do need to focus on literacy before third grade and early learning to make sure kids

come to school ready learn. He felt good assessments are in place to show early on that some students will not pass the HSGQE and interventions are happening. The state Board of Education is looking for ways to resolve issues but believes that lowering the accountability level will not protect the kids. Since the HSGQE began, kids are performing higher than before in many ways.

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SENATOR MENARD asked Commissioner Morris to speak to the impact of the passage of SB 109 on the EED's contract with the test suppliers and associated costs.

LES MORRIS, deputy commissioner, Department of Education and Early Development (EED) said the fiscal note attached to SB 109 shows a potential net savings of \$1.3 million in fiscal year 2010, the first year SB 109 would be implemented. A contract is in place until 2016 and would have to be renegotiated. The HSGQE is part of a larger contract with all standard based exams. Renegotiating could result in potential savings.

SENATOR MENARD said asked about WorkKeys.

MR. MORRIS replied that WorkKeys is an assessment that gives students an indication of their level and those levels are then tied to certain careers. It tells you if you have the potential to do well in a particular career. WorkKeys is an off-the-shelf product as opposed to a custom developed product. The state Board of Education has required WorkKeys as an assessment at the eleventh grade starting next school year.

SENATOR MENARD asked about the cost of WorkKeys.

MR. MORRIS replied that he does not have that information right now.

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SENATOR THOMAS said he is glad that the discussion of accountability is about the whole system. He felt that the HSGQE should be an evaluation of the entire system including teachers and teacher education programs, not just a student in the tenth grade. He said he understood that the HSGQE is closer to an eighth grade level and so is not such a great standard. He clarified that he does not want to dumb down the system but wants to create accountability throughout the system rather than just saying, "The student didn't learn." He said he wants to include parents, which he knows is difficult.

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COMMISSIONER LADOUX said that the success of a student leaving school ready for the world is an outcome of many things including parenting, the community and instruction. He said the intent of the Alaska state education plan is to approach improvement over a continuum, to start early, make sure kids can read, find ways to provide humanities and vocational opportunities and the vision to go on to a career and college. He said he felt the accountability landscape will improve. He would like to see a college-ready exam that would report to parents whether their child is ready for college. He would like to use the WorkKeys to report whether a child is ready to enter the world of training and technical school. He would like to make sure that SBA's accurately represent what kids know and are able to do. He said Deputy Commissioner Morris will be meeting with experts to compare Alaska's standards with new national standards and make sure Alaska's assessments reflect an accurate trajectory. However, right now the HSGQE is the only real accountability in place. Every district has to develop a plan for a student who does not pass the HSGQE.

CHAIR OLSON asked if the HSGQE has accomplished what it was supposed to accomplish.

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COMMISSIONER LADOUX said the HSGQE has shown that some students do not meet the expectations that a diploma says a student should have. Two-thirds of the students in the country are subject to high stakes exams. But studies have not been done to make sure that these exams work or to look at kids who receive a certificate of attendance and see how they are doing. He said he does believe that kids will only rise to the level of accountability that we give them. Special education students, English second language students, and all students can do more than we are expecting.

SENATOR MENARD asked if Commissioner LaDoux, in summary, would not like the Legislature to get rid of the exit exam.

COMMISSIONER LADOUX said he agrees with the position of the state Board of Education: stay the course, take a close look at the impact on students and add necessary flexibility. Even though more flexibility means more work for administrators, he does not like any legislation that will not look at an individual child. However, a high stakes exam will hold kids accountable.

CHAIR OLSON asked if other states had implemented an exit exam and then repealed it.

COMMISSIONER LADOUX said the trend nationally is for more states to adopt this kind of rigor. He pointed out that some states are looking at end of course exams for each course instead of a high stakes exam. He said most states have flexibility built into their system; Alaska has none except some flexibility for some special education students.

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SENATOR BUNDE said he has 25 years of teaching experience from elementary special education through the university level. He said dyslexia runs in his family and he has a family member who is functionally illiterate. He said the HSGQE began with his reaction to the business community and the University which both complained of receiving people with Alaska high school diplomas who were not able to function at a high school level. The business community was frustrated with getting someone who could not read safety manuals, write a report or do basic math. The business community had two choices: provide remediation and teach reading, writing and arithmetic, which they are not prepared to do or pay for, or fire the worker. He said the University also has a high level of remediation that costs a good deal of money.

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The HSGQE was developed and implemented over six years. The Legislature put the framework in place and public members, teachers and experts decided the minimum that a student should know and be able to do as a high school graduate. Though he shares concerns about some students being left out, he thinks the HSGQE has worked well. He mentioned that some high school students took the HSGQE and wrote letters to the editor concerning it. Senator Bunde said the headline for an article was, "Kill High School Exit Exam, Critics Tell Committee." He pointed out that 55 of the 63 blogs that followed the article opposed SB 109 and were in favor of keeping the HSGQE.

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SENATOR BUNDE said he met with 10 or 12 principals and vice-principals in the Anchorage school district a couple of years after the HSGQE was in place. They were enthusiastic about the resulting remediation and said the students participated in the remediation because walking across the stage and getting a diploma is still one thing that young people value. Right after

they told Senator Bunde this, they said, "Now it's working, repeal it." He said people rise or lower to the level of expectation. If the exam was not necessary, all the resulting remediation would have been taking place before the HSGQE. If the HSGQE goes away, the remediation will go away.

In 2008, 8,000 students received a high school diploma in Alaska while over 500 students received a certificate of attendance. He questioned disenfranchising 8,000 students by lowering the value of their diploma out of genuine and heartfelt concern for the 500 who get a certificate of attendance. He said two-thirds of the kids that drop out of Alaska high schools do so because they don't get enough credits.

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The expectation that students are living up to has changed the rigor of the program. He said, anecdotally, he used to go talk to classes about government and at least one child had his or her head down to sleep. Since the HSGQE, he has never been in a class with someone asleep.

He clarified that if someone gets a high school diploma they would not take a GED. He said the GED is much tougher and more rigorous test than the HSGQE. He shared that 80 percent of people polled were in favor of the HSGQE when it first passed as a higher standard and more accountability. He said a minimum competency test was also passed for University graduates going into teaching.

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He said he has asked that the public be polled on SB 109. He hoped to provide the committee with that data before SB 109 moves out of committee. He said the bottom line is how to define what constitutes a high school graduate in Alaska: a certain level of functional literacy or seat time.

SENATOR MENARD asked if Senator Bunde hired a poll to see if people want to do away with the HSGQE and if the poll is in process now.

SENATOR BUNDE responded, yes.

SENATOR MENARD asked when Senator Bunde feels he will have the results of the poll.

SENATOR BUNDE answered that he is hoping to shortly, but does not have a date.

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SENATOR THOMAS said he is concerned that without a timeframe, nothing else will replace the HSGQE. SB 109 creates a timeframe. The HSGQE does not necessarily go away but would still be used for an evaluation of the system, not just the student. If SB 109 takes effect, there is more than one and a half years to put something in place and people thought that other things are ready to be put in place as a better evaluation.

SENATOR BUNDE read the title of SB 109: "Repealing the Secondary Student Competence Examination." He said the title doesn't say anything about finding something new. He felt SB 109 would be stronger and more positive if it created a new competency test, rather than just repealing.

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CHAIR OLSON closed public testimony. He noted that last week the committee heard moving testimony from students from Chevak in support of SB 109. He asked Senator Davis to offer some closing comments or answer some of the questions brought up.

SENATOR DAVIS said many hearings have been held on SB 109 so far and she noted it goes to Senate finance next. She said three or four years ago the state Board of Education sent a note to the Commissioner saying it is time to repeal the exit exam or come up with alternative standards. Nothing happened. She said she thought about what could be done to make the HSGQE a better tool, but decided she only wanted to see if the public wanted to keep it or repeal it. She said the testimony has been excellent. She said even the Commissioner said the Board of Education felt the HSGQE should stay until alternative assessments are in place and she knows various school districts throughout the state are working on alternative assessments. The HSGQE has not met the expectations held in 2002.

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She said if SB 109 passes, the HSGQE would not take place as of June 2011, leaving ample time for the EED, Board of Education and various school districts to come up with alternatives to the HSGQE. She pointed out that when the HSGQE was started, No Child Left Behind did not exist and now we are teaching to two tests. She also pointed out that the HSGQE was originally at a higher level. However, so many kids flunked it that the standards were lowered and "we can't lower them anymore." In that case, she questioned why continue with the HSGQE. She said the savings could be as much as \$3 million, not including the savings for

the districts which are spending a substantial amount of money, setting aside six days and doing remediation to teach to the test.

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She said all that time and money could be used toward building assessments we already have. She said the community is still complaining about our high school graduates.

She said she would like to see SB 109 move out of committee. She did not know what information Senator Bunde was having drawn up but said that the public has had two years to share opinions and more people are coming forward with problems with the HSGQE than those coming forward to say the exam should stay. She said no one is saying the HSGQE is great, not even Senator Bunde.

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She said even if SB 109 does not pass, she knows she has brought the discussion up and more people are aware and concerned.

CHAIR OLSON said the committee has a lot of respect for Senator Davis and her experience and would give her as much time as necessary.

SENATOR THOMAS moved to report SB 109 from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

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CHAIR OLSON adjourned the meeting at 5:25 p.m.