

ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE

February 23, 2009
8:02 a.m.

MEMBERS PRESENT

Senator Kim Elton, Chair
Senator Bettye Davis, Vice Chair
Senator Charlie Huggins
Senator Donald Olson
Senator Gary Stevens

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 33

"An Act creating a postsecondary scholarship grant program for Alaska residents based on high achievement and financial need."

MOVED CSSB 33(EDC) OUT OF COMMITTEE

SENATE BILL NO. 102

"An Act relating to compulsory school attendance; relating to the crime of contributing to the delinquency of a minor; and relating to school disciplinary action and truancy."

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 33

SHORT TITLE: POSTSECONDARY SCHOLARSHIPS

SPONSOR(s): SENATOR(s) ELLIS

01/21/09	(S)	PREFILE RELEASED 1/9/09
01/21/09	(S)	READ THE FIRST TIME - REFERRALS
01/21/09	(S)	EDC, FIN
02/09/09	(S)	EDC AT 8:00 AM BELTZ 211
02/09/09	(S)	Heard & Held
02/09/09	(S)	MINUTE(EDC)
02/11/09	(S)	EDC AT 8:00 AM BELTZ 211
02/11/09	(S)	Heard & Held
02/11/09	(S)	MINUTE(EDC)
02/23/09	(S)	EDC AT 8:00 AM BELTZ 211

BILL: SB 102

SHORT TITLE: RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY

SPONSOR(S): SENATOR(S) DAVIS

02/06/09 (S) READ THE FIRST TIME - REFERRALS
02/06/09 (S) EDC, JUD, FIN
02/23/09 (S) EDC AT 8:00 AM BELTZ 211

WITNESS REGISTER

DANA OWEN

Staff to Senator Elton
Alaska State Legislature
Juneau, AK

POSITION STATEMENT: Commented on SB 33.

NICK MOE

Staff to Senator Ellis
Alaska State Legislature
Juneau, AK

POSITION STATEMENT: Commented on SB 33 for the sponsor.

DIANE BARRANS, Executive Director

Alaska Commission on Postsecondary Education

POSITION STATEMENT: Commented on SB 33.

JOSEPH BLANCHARD, Assemblyman

Fairbanks North Star Borough

POSITION STATEMENT: Supported SB 33.

TOM HEWITT, representing himself

Fairbanks, AK

POSITION STATEMENT: Supported SB 33.

CARL WING, representing himself

UAA student

POSITION STATEMENT: Supported SB 33.

DON BURRELL

Aide to Senator Davis

Alaska State Legislature

Juneau, AK

POSITION STATEMENT: Commented on SB 102 for the sponsor.

EDDIE JEANS

Director of School Finance

Alaska Department of Education and Early Development (DEED)

Juneau, AK

POSITION STATEMENT: Neutral position on SB 102.

PATRICIA GEORGE

Alaska State Literacy Association

POSITION STATEMENT: Supported SB 102.

CARL ROSE, Executive Director

Association of Alaska School Boards

POSITION STATEMENT: Supported SB 102.

AMBER SAWYER, representing herself

UAA student

POSITION STATEMENT: Supported SB 102.

ACTION NARRATIVE

[8:02:24 AM](#)

CHAIR KIM ELTON called the Senate Education Standing Committee meeting to order at 8:02 a.m. Present at the call to order were Senators Davis, Stevens, Olson, and Elton.

SB 33-POSTSECONDARY SCHOLARSHIPS

CHAIR ELTON announced the consideration of SB 33. He said there was a committee substitute (CS) and the committee staff would talk about the differences between it and the original bill.

DANA OWEN, staff to Senator Elton, explained that CSSB 33, version \E, is essentially the same as the original bill with two changes. He directed the members to page 2, line 25, where the cumulative grade point average of 3.0 to qualify for the program in the original bill had been reduced to 2.5. And on page 3, line 31, they added language "or by the United States Department of Education" expanding the qualifications for which institutions would be eligible to participate.

CHAIR ELTON saw no questions and noted a discussion about whether or not the loan program is available for post graduate study. The sponsor's aide indicated yes, as long as the post graduate program is in the state.

[8:06:12 AM](#)

SENATOR STEVENS said it's a great program, but he wanted to know how it would be funded.

NICK MOE, aide to Senator Ellis, sponsor of SB 33, replied that the goal is to establish the endowment first, then they can find the money - private donations, stimulus funds and general fund money from the state.

[8:07:28 AM](#)

SENATOR STEVENS said he wanted to make sure that people are clear that the funds won't become available just because they pass this bill. They need support and the finances to do it.

[8:07:53 AM](#)

SENATOR OLSON said he noticed a number of accredited postsecondary institutions outside of the University of Alaska system. One of the handouts also noted that the Alaska Christian College in Soldotna has met certain criteria that make it a candidate for accreditation from the Association of Biblical Higher Education, and it anticipates completing a multi-year process sometime in 2012. About a dozen students from his district are there and he wanted to know if they would be eligible for this scholarship - and when they will be if they are not.

MR. MOE replied since they are in the process of getting their accreditation, so they wouldn't be eligible until 2012.

[8:10:09 AM](#)

DIANE BARRANS, Executive Director, Alaska Commission on Postsecondary Education, explained that it really depends on the program the student is enrolled in. The Christian College does college prep curricula as well as a starting into college curricula. As a candidate for accreditation, if the U.S. Department of Education has approved them to participate in the financial aid programs, they would qualify for this. That would have to be verified and that could make them eligible this fall.

SENATOR OLSON said he understands if a student is in a remedial program and not taking college courses, they are not eligible.

MS. BARRANS replied that is correct.

[8:11:21 AM](#)

JOSEPH BLANCHARD, Assemblyman, Fairbanks North Star Borough, said he is also a student, and that the Borough Assembly has passed a resolution in support of SB 33.

[8:13:33 AM](#)

TOM HEWITT, Fairbanks, supported SB 33. He explained the reason is because his little sister has just been accepted to the University of Alaska Fairbanks, but not much money has been set aside for her college education. His dad had a stroke, so the parents cannot provide any more money. His sister has worked and saved money, but that has affected her grades so she won't qualify for the Alaska Scholars' Program. He is here for Debra, because she is one of the people this bill would help.

[8:15:33 AM](#)

CARL WING, representing himself, said he is a student at the University of Alaska. He echoed Mr. Hewitt's sentiments that many students are working one or more jobs to get through school and their grades do suffer, so they don't always qualify for other types of funding. This bill will help these students go on to college and allow them maybe to focus more on the classroom.

[8:17:05 AM](#)

SENATOR OLSON asked when students can anticipate getting help from this fund.

MR. MOE replied that he's hopeful that the program could be funded within two years. He mentioned they will look at the Taylor Foundation and federal stimulus money.

SENATOR DAVIS moved to report CS for SB 33 from committee with individual recommendations and attached fiscal note(s). There being no objection, CSSB 33(EDC) moved from the Senate Education Standing Committee.

CHAIR ELTON announced a recess at from 8:18 a.m. to 8:19 a.m.

SB 102-RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY

[8:19:44 AM](#)

CHAIR ELTON announced SB 102 to be up for consideration.

DON BURRELL, aide to Senator Davis, sponsor of SB 102, said it increases the Alaska compulsory school attendance age from 7-16 to 7-18. At the same time it necessarily amends the crime of contributing to the delinquency of a minor from the maximum age of 16 to a maximum of 18 years of age. This bill will not preclude parents from home schooling children, using charter or alternative schools or any other of the 12 exceptions to compulsory education including completion of grades 12 or graduation from secondary schools before the age of 18.

Last year 3,283 Alaskan students dropped out and 62.4 percent of graduating student population actually graduated according to a Department of Education and Early Development (DEED) report. Nationally, the graduation rate is 70 percent or higher; the highest dropout rate in Alaska is among minorities with Alaska Natives being double the rate of all others. These numbers have not changed in many years, and Alaska's compulsory school attendance age has also not changed in decades. Seventeen states have increased the compulsory school attendance age to 18 years old; nine additional states maintain that age at 17 and 23 states maintain the age at 16.

MR. BURRELL said the legislative intent by states that have increased compulsory school attendance age to 18 is to encourage more students to stay in school long enough to graduate, to attend institutions of higher education and decrease dropout rates, juvenile crime and teen pregnancies. Studies have shown that students without a diploma earn less than 75 percent of those with a diploma; they are more likely to live in poverty, go to jail and have health problems. The purpose of this bill is to deal directly with the dropout rate and graduate rate of Alaska's students.

[8:23:45 AM](#)

SENATOR STEVENS asked how increasing the age to 18 will lessen the dropout rate and improve the graduation rate and whether he has any data to back it up.

[8:24:26 AM](#)

SENATOR DAVIS answered that some information is in their packets but that increasing the age from 16 to 18 would give schools two more years to work with students to prepare them for graduation. This bill doesn't just require that students sit there for two more years without doing anything, but educators can then give these students meaningful reasons for being in school.

She said many kids don't drop out because they are failing; they have many other reasons. If a caring person helps them through a tough situation, that might help them stay in. Changing the age from 16 to 18 has proven to help other states with their graduation rates. This bill does not mandate having truant officers to force students to go to school, but it would provide programs that would be beneficial to them; some of these programs are already being set up.

[8:26:28 AM](#)

SENATOR OLSON asked what kind of difference the existing enforcement policies would make on students who must stay in school until the age of 18.

SENATOR DAVIS replied that the bill doesn't mandate any active enforcement.

SENATOR OLSON said he got a call from a constituent asking if the negative attitude of a student who doesn't want to be in school will adversely affect the others.

SENATOR DAVIS responded that the school system is set up to handle those situations. Kids can't misbehave and not have some action taken.

SENATOR OLSON asked what effect this has on private secondary schools; do they need to raise their age, too?

SENATOR DAVIS replied that this legislation doesn't have anything to do with private schools.

CHAIR ELTON asked MR. JEANS from the Department of Education what happens now to a 15-year old who doesn't attend school.

[8:29:40 AM](#)

EDDIE JEANS, Director of School Finance, Department of Education and Early Development (DEED), answered under the current law, once a child turns 16, he is no longer required to attend public school. AS 14.30.010, the compulsory attendance law, places a requirement on the guardian of the child to ensure that child attends a public school. If the child does not attend, then it's the guardian who is in violation of state law. It is not a felony, but fines are attached.

CHAIR ELTON asked if the same penalties accrue if the age is bumped up.

MR. JEANS replied that the same penalties would apply.

CHAIR ELTON asked if the department has a position on the bill.

MR. JEANS replied that the department is neutral. Commissioner LeDoux's main concern is to provide additional opportunities to these students who are dropping out. They are not all bad kids; many of them have lost interest.

MR. JEANS said the main thing he asks is will moving the compulsory age from 16 to 18 harm any child, and he believes the answer is no. Right now if a child decides to drop out at age 16, they know they can do that; if they know the law is 18, they know that, too.

[8:32:05 AM](#)

CHAIR ELTON said the way he reads the bill, if a 17-year old drops out and begins working on a GED, he isn't excused from this law.

MR. JEANS replied that students are exempted from the compulsory school age once you're awarded the GED, not while working toward it.

SENATOR STEVENS said the foundation formula allows \$10,000/student and asked if a kid drops out at age 17 or 18 now, the district loses those funds. It seems to be logical that keeping the student in school for an additional two years would make additional funds available that the district wouldn't have otherwise - to do counseling or alternative programs. Is that what districts would do?

MR. JEANS replied that is their hope.

[8:33:39 AM](#)

SENATOR HUGGINS joined the meeting.

MR. JEANS said he believes the fiscal note is high, because he went to the state's new unique student identifier data base and looked at all students from ages 16-18 who were there on count date in October, but were no longer in school and didn't graduate in the summer. He identified 1,661 students who moved out of system without a high school diploma. Some of these students may have moved out of state, and the department simply doesn't know if they went to another public school. That's why he would say this fiscal note is on the high end. He offered to work with the committee to revise the bill with more meaningful numbers.

[8:35:26 AM](#)

CHAIR ELTON said it would be helpful to get some assumptions from the department on things like military transfers, children entering a home-school situation or going to a private school.

[8:36:16 AM](#)

SENATOR DAVIS said she appreciated that Mr. Jeans was willing to work on the fiscal note, but that wasn't really a concern of hers; if the students don't show up they wouldn't be in the foundation formula and the money wouldn't ever be used anyway. It's just a number, and the Finance Committee could deal with it.

CHAIR ELTON agreed but added that having a good fiscal note that is less could help the discussion.

SENATOR HUGGINS said they need to be as accurate as possible so legislators can have confidence in what it is doing with the public's money.

[8:37:28 AM](#)

SENATOR STEVENS said the department should have some idea how many kids drop out because of family issues but asked how many are bored or in trouble with the law. They should be able to figure out who those kids are.

MR. JEANS responded when a student leaves the system, the district identifies to the department why the student left. If they go to another public school, that shows up, and those students would not be included in this number. These students have left the system and for some reason aren't showing up anywhere else in the public schools. Beyond that, he has data about when they left, but not why.

[8:38:47 AM](#)

CHAIR ELTON asked if a Coast Guard family is transferred and their child leaves school, would the district know that.

MR. JEANS answered that an indicator can be used showing the student transferred to another state, but that doesn't always happen. They are much better at recording the actual transfers within state.

SENATOR HUGGINS said he wanted to recognize efforts by the current commissioner of DEED who at the end of this past week held the first in a series of graduation rate forums in Anchorage.

[8:40:33 AM](#)

PATRICIA GEORGE, Alaska State Literacy Association, believed mandatory school attendance age should be lowered from seven to six years of age and that 32 states now require students to attend school by age six. In her experience as a first-grade

teacher, she found there is no way to compel parents to have their children attend school regularly or on time, but it is important for them to do that so that they don't miss critical steps in the learning process. SB 102 is an appropriate vehicle to make that change and she urged them to amend it to lower the mandatory school age from seven to six.

[8:42:09 AM](#)

SENATOR HUGGINS asked her for a "quick burst" on her rationale for seven versus six years old.

MS. GEORGE replied that she has tried to get the age lowered since Senator Duncan served in the Legislature, but she was told long ago by a staffer that someone tried to lower the age and a fiscal note was added that stopped it. Now there is a new and important interest in getting children into school earlier, so she is bringing it up again.

[8:43:03 AM](#)

SENATOR DAVIS said she had been trying to get a bill on that issue through the legislature for several years but for some reason hadn't been able to get it passed. She thought about putting the lower and the higher ages in this bill but decided not to because graduation is so important, and she wants it to pass; the lower age issue has been so contentious.

[8:44:16 AM](#)

SENATOR STEVENS said he doesn't know anyone whose children don't start at six, and asked if it is really a problem.

MS. GEORGE remarked that as a first-grade teacher she has found many parents who feel their children don't have to be in school if it's not mandatory. So the kids end up coming in late or attending only a few days a week.

SENATOR STEVENS asked if she had any data to support that.

MS. GEORGE said she doesn't now but could get it.

SENATOR DAVIS said that data could be provided and many people could speak to it. What Ms. George said is correct.

MS. GEORGE said "No Child Left Behind" requires that all students be reading on grade level at the end of third grade. So, if they don't expect children to start school until age seven, it's going to be very difficult for many of them to be

reading on grade level at the end of third grade at age eight or nine.

[8:46:30 AM](#)

CHAIR ELTON said before this bill was heard again he wanted to get some information from other states on their experience with handling age at the bottom end.

MS. GEORGE said only seven states don't require districts to provide kindergarten, and 17 states require kids to attend it. "States are moving toward mandatory kindergarten." With the emphasis on getting kids into preschool to get them ready for school, you need them in school so they can progress through.

[8:47:51 AM](#)

CHAIR ELTON assumed if it was left at age seven, a six year old could get into kindergarten, so mandatory kindergarten may not completely address the age problem. A five-year old wouldn't be compelled to go to kindergarten the same way a six-year old would.

MS. GEORGE said the states that require districts to provide a kindergarten don't necessarily require attendance; all the states that have lowered their age to five do.

SENATOR STEVENS cautioned that there are a lot of good things that can and should be done. This bill could cover everything but may gather opposition things are added to it.

[8:49:46 AM](#)

SENATOR DAVIS asked Ms. George if she wants to have mandatory kindergarten.

MS. GEORGE replied not in this particular bill. They are just trying to get their foot in the door with this one; they would be happy to see others.

[8:50:36 AM](#)

SENATOR OLSON brought up Mark Twain's quote - "I would not want my education interrupted by my schooling" - and asked if other states that have lower compulsory school age see a correlation with improved graduation rates.

MS. GEORGE said her position paper that used research papers as a resource cites a correlation between children who attend high quality preschools and kindergartens. They are less likely to be

retained in primary grades, have higher graduation rates from high school and have fewer behavior problems.

SENATOR STEVENS asked if a child enters at seven and proceeds through the school system that means they will spend three years before they get into the third grade where reading is crucial. If a child starts school at age seven couldn't he skip a grade?

MS. GEORGE replied that is not always the case. It's up to the school to place the child.

SENATOR STEVENS said they place a child for a reason - perhaps one is that they are ready to move ahead.

MS. GEORGE replied that all things are taken into consideration, and a large child would probably not be put into a kindergarten classroom - maybe first grade, and it would be the teacher's responsibility to catch them up.

[8:53:17 AM](#)

SENATOR HUGGINS said in his experience, if a 15 and a half-year old drops out, "we as a society do not have the will power to go out and enforce that age." He thought that was a fundamental question.

MS. GEORGE responded that she didn't have that information.

[8:54:31 AM](#)

SENATOR DAVIS stated 95 percent of children in Alaska go to kindergarten even though it is not mandatory.

CARL ROSE, Executive Director, Association of Alaska School Boards, supported SB 102. His major concern was how many parents are willing to let their 16-year olds make life decisions on a daily basis. The decision to stay in school is premature at age 16, he said. "What kind of rights does a 16-year old have anywhere else to do anything else; you can't even vote at that age!" Even without enforcement, mandating education until age 16 sends a message that they can make that choice; he urged committee members to not send that message. Conversely, changing that age to 18 sends a strong message as well.

MR. ROSE added that the third-grade benchmark is where they see the gap in achievement occur. That separation continues on and is one of the bases for dropping out.

SENATOR HUGGINS asked Mr. Rose why the minimum age was established at seven years in the first place.

MR. ROSE replied that it has been seven years old for as long as he has known. They have tried to lower it to six, but fiscal notes have gotten in the way, and some parents don't want to be mandated to send their kids off to formal education until age seven.

CHAIR ELTON asked Mr. Rose if he could provide the committee with more information on that issue.

[8:58:52 AM](#)

SENATOR HUGGINS said he had always felt if a child can't read by the third grade he should stay there and catch up, but that doesn't seem to happen. People graduate from high school who can't read; something is wrong with our system if we do that.

MR. ROSE responded that he thinks Senator Huggins is talking about "social promotion" and the issue is if kids are ready to learn when they come to school. If they start school and don't even know their alphabet, they are probably not going to be sight reading by the third grade, and they are already behind the curve. If they can't read when they graduate, you can be sure that problem started in elementary school when they didn't gain those skills. "So, this bill is about helping kids getting to graduate and I support that component of it. I also heard some comments here that do merit some consideration in terms of insuring that kids get the best bite of the apple early."

[9:01:15 AM](#)

AMBER SAWYER, representing herself as a former Alaska school system graduate and UAA student and also as a big sister of two current elementary students. She said she has a nine-year old brother who attends Finger Lake Elementary School where she volunteers. It was very easy to tell in middle school who took school seriously and who was going to drop out. Some students were just biding their time until they could drop out instead of looking at "voc tech" programs in the community or attending the alternative high schools where they can have a job while they are in school. Looking at the fourth grade students she volunteers with, she said you've got to offer them something, a reason to stay in.

[9:04:23 AM](#)

CHAIR ELTON held SB 102 in committee.

There being no further business to come before the committee, Chair Elton adjourned the Senate Education Standing Committee at 9:04 a.m.