

ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE

March 12, 2010

8:02 a.m.

MEMBERS PRESENT

Senator Kevin Meyer, Co-Chair
Senator Joe Thomas, Co-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. 283

"An Act relating to the legal age for attending school; and providing for an effective date."

- MOVED SB 238 OUT OF COMMITTEE

SENATE BILL NO. 224

"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 AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 283

SHORT TITLE: LEGAL AGE FOR SCHOOL ATTENDANCE

SPONSOR(s): SENATOR(s) THOMAS

02/18/10	(S)	READ THE FIRST TIME - REFERRALS
02/18/10	(S)	EDC, FIN
02/26/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/26/10	(S)	<Bill Hearing Postponed>
03/01/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
03/01/10	(S)	<Bill Hearing Postponed>

BILL: SB 224

SHORT TITLE: POSTSECONDARY SCHOLARSHIPS

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/19/10	(S)	READ THE FIRST TIME - REFERRALS
01/19/10	(S)	EDC, FIN
02/03/10	(S)	EDC AT 8:00 AM BARNES 124
02/03/10	(S)	Heard & Held
02/03/10	(S)	MINUTE(EDC)
02/15/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/15/10	(S)	Heard & Held
02/15/10	(S)	MINUTE(EDC)
02/19/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/19/10	(S)	Heard & Held
02/19/10	(S)	MINUTE(EDC)
02/22/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/22/10	(S)	Heard & Held
02/22/10	(S)	MINUTE(EDC)
02/26/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/26/10	(S)	Heard & Held
02/26/10	(S)	MINUTE(EDC)
03/01/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
03/01/10	(S)	Heard & Held
03/01/10	(S)	MINUTE(EDC)
03/10/10	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
03/10/10	(S)	Heard & Held
03/10/10	(S)	MINUTE(EDC)

WITNESS REGISTER

MURRAY RICHMOND, aide to Senator Thomas
Alaska State Legislature
Juneau, AK

POSITION STATEMENT: Provided further information on SB 283.

LARRY LEDOUX, Commissioner
Department of Education and Early Development (DEED)
Juneau, AK

POSITION STATEMENT: Supported SB 283 and commented on CSSB 224, version S as compared to the original bill.

DIANE BARRANS, Executive Direction
Alaska Commission of Postsecondary Education (ACPE)
Juneau, AK

POSITION STATEMENT: Commented on CSSB 224, version S as compared to the original bill.

ACTION NARRATIVE

8:02:03 AM

CO-CHAIR KEVIN MEYER called the Senate Education Standing Committee meeting to order at 8:02 a.m. Present at the call to order were Senators Davis, Stevens, Huggins, Thomas and Meyer.

SB 283-LEGAL AGE FOR SCHOOL ATTENDANCE

8:02:32 AM

CO-CHAIR MEYER announced consideration of SB 283.

CO-CHAIR THOMAS read the following sponsor statement:

A good ending is made by a good beginning.

If we are going to assure that our students finish school successfully, we need to assure that they have a strong beginning.

Studies show that early involvement in education is crucial to the success of a child. Waiting until a child is seven before starting the education process may hinder a child's academic success. Involvement in Head Start, Pre-kindergarten programs, or other "brain smart" programs for children enhances their chances for later success in school and work.

Under our current law, children do not have to enter the school system until they are seven years old. SB 283 changes the mandatory enrollment age to six. The trend is to start children off at younger ages, rather than waiting. The majority of Alaskan children are already in school by age six. The state funds kindergarten for students as young as five, as well as a pilot program for pre-kindergarten children. SB 283 brings statute closer to the reality of educational practice in the state.

Currently 32 states have a minimum school age of five or six. Of those 32 states the overwhelming majority, 24, have established age six as the mandatory starting point. Only sixteen states have a starting point of age seven. Originally the minimum age in Alaska was eight, and was lowered to seven by 1929. The minimum

age has remained a constant since then, even as society and educational practice has gone through major changes.

Education--early education--is very important. Senate Bill 283 helps give our children the beginning they deserve.

CO-CHAIR THOMAS offered himself up for questions the committee might have. He pointed out the information packet he had provided the committee which included some of the studies that have been done on early childhood development. He also referred to the presentations that have been given by Bright Beginnings in which they discuss the dramatic growth of the brain from birth until the age of seven. They explain that after the age of seven the growth of the brain slows down. Senator Thomas continued that early childhood education can be a good time to pinpoint any learning disabilities early on and correct or at least give the child the opportunity to rise to their highest potential. He asserted that the children that most need the schooling are the ones that are not put in school early enough.

[8:05:41 AM](#)

SENATOR HUGGINS asked if the bill would impact Head Start's parameters.

MURRAY RICHMOND, aide to Senator Thomas, said no, most children are in school by that time. It would not affect Head Start.

CO-CHAIR THOMAS expanded further by explaining that the children affected the most are those who are in no formal early educational training for a variety of reasons. He explained that, for this reason, the bill would bring those children into the system that most need it.

SENATOR STEVENS asked if they had received any response from school boards or school districts.

MR. RICHMOND answered that the only response that they had received was from the Literacy Council who was in favor of SB 283.

[8:07:21 AM](#)

CO-CHAIR THOMAS said the response from the Anchorage and Fairbanks School Districts was positive.

SENATOR HUGGINS asked how much exposure the bill has received. He questioned whether they were really accomplishing something in looking into SB 283 or were they facilitating actions that are already taking place.

MR. RICHMOND answered that SB 283 brings the statute into what they are doing now. By having the age seven they have made a statement that they do not believe that early education is important. By changing the age to six he believed they would be recognizing this importance. Also, in regard to opposition, 12 exemptions exist in the current statute for not placing a child in school (for example, homeschooling or an absence due to illness). None of the exemptions would be affected by the bill.

SENATOR DAVIS agreed with the Mr. Richmond's statement and pointed out that the bill has been introduced in similar forms in the past and would not come as a surprise to the public. In the past, she believed that the reason there was opposition in trying to pass the bill was because they had tried to move the age to five. She asserted that parents that are in opposition to SB 283 would be able to choose from the 12 exemptions that already exist.

CO-CHAIR MEYER asked if the reason the bill had not passed before was because they attempted to move the age to five.

SENATOR DAVIS answered that in the past it did not receive enough attention to be heard. However, for the past four years the bill had received more attention, but the age was five instead of six.

CO-CHAIR MEYER agreed with Senator Davis and recognized that the public has been made aware of this bill for some time.

SENATOR STEVENS asked when a child would be required to attend school if they turn six during the school year.

MR. RICHMOND said to his understanding there is a cutoff date that is established and if the child is six before that established date they would be required to attend school that school year. If the child turns six after the cutoff date they are not be required to attend school that year.

CO-CHAIR THOMAS agreed with the Mr. Richmond's statement.

[8:12:55 AM](#)

LARRY LEDOUX, Commissioner, Department of Education and Early Development (DEED), commented that SB 283 is a good thing. It is important that young children have some early education so that they can learn to read. SB 283 would allow DEED to intervene if necessary in a circumstance where a child is not receiving the needed instruction at home.

SENATOR HUGGINS asked about the waiver to start children earlier than the mandatory age. He asked if this would lower that age.

COMMISSIONER LEDOUX responded that the statute currently allows children who are five by September 15 to begin school. He does not believe it is good to start any earlier than they should. He has not seen a lot of good come from starting a child really early and he supports this state law. SB 283 would not affect that statute.

[8:15:04 AM](#)

CO-CHAIR MEYER closed public testimony. He asked if the committee had any other questions or comments about the bill and confirmed that SB 283 had a 0 fiscal note.

[8:15:28 AM](#)

SENATOR DAVIS moved to report SB 283, version R from the committee with individual recommendations and attached fiscal note(s). There being no objection, SB 283 was moved from committee.

[8:18:22 AM](#)

SENATOR OLSON joined the meeting.

At ease from 8:16 AM to 8:18 AM.

SB 224-POSTSECONDARY SCHOLARSHIPS

[8:18:33 AM](#)

CO-CHAIR MEYER announced consideration of SB 224. Before the committee was CSSB 224, version S. Today, he said, the committee will hear more from the commissioner about his concerns on the committee substitute (CS).

[8:19:21 AM](#)

LARRY LEDOUX, Commissioner, Department of Education and Early Development (DEED), began by saying that the department has read the book Crossing the Finish Line and found it very informative. He said they spoke with the committee aides yesterday and wanted to share his concerns in evaluating the committee substitute.

His first concern with the CS was the removal of the intent goals language. He explained that SB 224 is intended to inspire students and he believes it is important to keep the reasoning behind the original bill in the CS. He asserted that the most important category of students to inspire and focus on is the C+ students. The type of student found in this category are typically trying to strictly get by, they are not looking for a rigorous curriculum. If one of these students was inspired by the Governor's Performance Scholarship (GPS) to take a rigorous curriculum and receives a C+ because that would be an enormous accomplishment. He stressed that this is the kind of student the scholarship is intended to help and that he wants to inspire. That is why accountability is so important and why the intent language is important. Additionally, it inspires C students to become B students and B students to become A students; it pulls everyone forward. Keeping the goals in the bill is very important for this reason.

COMMISSIONER LEDOUX stressed that SB 224 is part of a comprehensive effort to increase the success of our kids. It is a critical component in the continuum for educational success because it targets the attitudes of students.

In Section 5 on page 8, lines 3-7, the CS removed the career scholarship and left only the academic scholarship. It then states that the academic scholarship could be used to go to a career school. This differentiates from the House's CS [identified as 26-GH2771\|P] which separated the two scholarships. He explained that there are three reasons to keep the two scholarships separate. The first is that often the career component is lost in preparing kids for college. Even though the vast majority of students will not be going to college, they will be preparing to enter the workforce. The second reason is because the State Board of Education is charged in SB 224 to develop the programmatic standards for the scholarship. He visualized a slightly different set of rigorous courses for a career student. He agreed that there are common courses that all students are required to take (for example, language arts and social studies). However, with some subjects, like math, there are only particular courses that every student needs and should be required to take (for example, algebra I, algebra II and geometry). He questioned whether a student who plans on going to a technical student should be required to study calculus. The answer, he said, is no. By combining the two scholarships into one, we lose the ability to differentiate between slight, but important, variations in course requirement.

The third reason to keep the two scholarships separate can be found in the change made on page 11, line 21, of the CS. This allows a student to receive 12 semesters of paid scholarship. This means that a student would be able to attend college for six years, which a lot of students would like. He argued that part of the idea behind the scholarship is accountability. A student should stay on course once they begin postsecondary school and finish in four years. This would also increase the scholarship by 50 percent, assuming students took advantage of all 12 semesters.

[8:27:47 AM](#)

COMMISSIONER LEDOUX continued on page 9, lines 22-26, of the House version P that deletes the six year window of eligibility. This makes the scholarship available to students indefinitely. One thing that we know with most state colleges they require that the student begin college right after high school in order to take advantage of the scholarship. This is not always the case with Alaska sometimes a student will take time off before attending college or attend a college out of state. We allow the flexibility so that a young person can begin the scholarship program anytime during this six year window. If the scholarship eligibility date were to be extended indefinitely the cost of the scholarship will increase. It would not provide the accountability that is needed. It would mean that a student who qualifies for a scholarship would not be required to use it. We want them to go to college or technical school, he said. He clarified that when he uses the word college he means both college and technical school. The next change he found in the CS version S to the House's CS version P was the removal of the approved tuition. The University of Alaska currently charges by the credit. This means that 15 credits would cost more than 12 credits, but both are considered "full time." The approved tuition was based on 15 credits, however in the CS, version S, it says "full time." We believe, he said, that the CS should say 15 credits because this is a typical load a student would take and it would give them greater funds to attend college.

[8:30:59 AM](#)

SENATOR DAVIS asked Commissioner LeDoux to clarify what the Senate's CS, version S, stated.

COMMISSIONER LEDOUX answered the House CS, version P, is based on 15 credits, while the Senate CS, version, says "full time." He said he believes that the committee meant to say 15 credits so that students would receive the maximum amount of credits

possible. If the applied tuition remained as strictly "full time" then a student would receive only 12 credits.

CO-CHAIR THOMAS asked if they should also define half-time in credit hours.

COMMISSIONER LEDOUX deferred to Diane Barrans.

DIANE BARRANS, Executive Direction, Alaska Commission of Postsecondary Education (ACPE), answered that currently the CS, version S, indicates that they would receive a "pro-rata" benefit. It would be more effective to state that the half-time recipient be eligible for 50 percent of their full scholarship amount relative to their eligibility.

CO-CHAIR THOMAS asked about the credit hour for half-time students.

DIANE BARRANS responded that anyone taking six to 11 credits is considered half-time.

CO-CHAIR MEYER clarified with Commissioner LeDoux that he wanted to return the provision in the original bill and the current House CS that includes the six year time frame rather than leaving it open.

COMMISSIONER LEDOUX said yes.

SENATOR DAVIS asked if the time frame was left open in the current House version.

COMMISSIONER LEDOUX answered no, it is six years and eight semesters (as opposed to 12 semesters).

SENATOR STEVENS asked if there are other ways to address the non-traditional students.

MS. BARRANS answered yes. There is a program that primarily serves non-traditional students. The Alaska Advantage Education Grant is a needs based grant whose average recipient is between the ages of 29 and 31 years old and are all independent students from a financial aid perspectives.

SENATOR STEVENS said that it is important not to forget about the non-traditional students who, in his experience, make up a large majority of the student body in the state.

MS. BARRANS agreed that is true, but one of the primary objectives of the scholarship is to change that. She explained that those individuals who delay their education reduce the economic and social benefits to themselves and their families.

8:36:03 AM

SENATOR DAVIS asked for details on the funding of the grant program.

MS. BARRANS responded it is a blend of funds that include state general funds appropriated through the capital budget, a small amount of federal funds and, up until 2010, some student loan corporations receipts included. But, unless a student is part of a workforce shortage program, the most a student can receive is \$1000 per year. In terms of the purchasing power of the program it is not comparable to the Governor's Performance Scholarship (GPS).

SENATOR DAVIS asked Ms. Barrans to clarify whether she did not want this funding added in to SB 224.

COMMISSIONER LEDOUX answered that they are two different programs. As Ms. Barrans indicated, the entire purpose of the program is to get kids to attend college early and complete their program. The funding for a program that includes non-traditional students would be extensive compared to what they have available for GPS. He said he is not arguing that such a program is not important.

SENATOR DAVIS said she was confused because they are not giving any recommendations for what they can do for non-traditional students with SB 224.

COMMISSIONER LEDOUX said there are a number of options nationally for non-traditional students. He did not have any recommendations to respond to this need without changing the intent and goals of SB 224. He offered to work with Senator Davis at a later time in order to help craft a bill that focuses on non-traditional students.

SENATOR DAVIS returned to the Alaska Advantage Grant program. She asked Ms. Barrans to confirm that the program was funded by the state in previous years and asked her how much the student can receive.

MS. BARRANS answered that the appropriation was for the 2009 capital budget that was spread over three years. The last year

that there would be funds already appropriated for this grant would be for the 2010/2011 academic year. A student can receive \$1000 to \$2000.

SENATOR STEVENS asked, in regards to the overall goal, isn't the real purpose of this scholarship to get students to begin college early and finish in four years.

COMMISSIONER LEDOUX answered yes.

SENATOR STEVENS suggested they include that goal clearly in the letter of intent.

CO-CHAIR MEYER asked Commissioner LeDoux to continue presenting his concerns with the CS to the committee.

COMMISSIONER LEDOUX responded that on the advice of the DEED lawyer the definitions of the commissioner and the department in both the current House CS and version S Commissioner be included on page 15 (Sec. 14.43.890). The Department of Labor and Workforce Development (DOL) will maintain the eligible list of qualifying programs. We want to make sure, he said, that the institutions and programs that the scholarship is supporting are quality programs that contribute to the workforce in the state.

CO-CHAIR MEYER asked the commissioner to confirm that the DOL would have the list.

COMMISSIONER LEDOUX answered yes. He continued that in regards to the \$3000 limit on career and technical programs, he believes this amount is a good number. It is above the tuition for most of the programs that are offered. They don't want to set a "gold standard" that inspires programs to raise their costs due to this scholarship.

CO-CHAIR MEYER confirmed that the CS had removed that cap. He asked if the commissioner wanted the \$3000 limit for career schools to be replaced.

COMMISSIONER LEDOUX concurred. He added that included in the bill is an annual review and report to the legislature. If the allotted funds for career schools turns out to be insufficient it can be changed later.

[8:46:24 AM](#)

MS. BARRANS said that she had some technical concerns with the CS. Regarding section 4, beginning page 5, adds the authority

for the Alaska Student Loan Corporation (ASLC) to enter into an agreement with the commissioner to administer the program. She recommended that the whole section be taken out so the commission and its staff can carry out activities without having to enter into a contract with the corporation. Her concern is any interpretation from an external party that this program is an obligation to the ASLC but rather to the state.

She continued on to Section 5, page 8, line 4-14, the language used in the CS uses language that appoints the commission to administer the daily operations of the program. However, on page 9, lines 14-18 the CS gives the department the authority to adopt regulations for the application procedure. She believes that it is more appropriate that the commission to be tasked with that responsibility.

She recommends on page 11, lines 19-20, that for students enrolled on a half-time basis being eligible for an award on a "pro-rata basis" should be capped at 50 percent of what they would receive if they were attending full time. The other issue in section five, she explained, is a difference between the senate CS, version S, and the current House CS where the full time tuition not only explains what "full time" is but what amount will be used to calculate full time tuition. The dates that lock down this tuition in the House CS is the 2009/2010 school year. Also, there is no reference to the University of Alaska in section five in regards to tuition. If the university is going to be the benchmark for the program it needs to be stated in this section. Currently, the CS simply states that a student go to a qualifying postsecondary institution. If the benchmark is not tied to a specific institution the GPS would not be uniform in where students would attend college and how much their tuition would be.

CO-CHAIR MEYER agreed it was their intent to tie the tuition to the University of Alaska. He asked if the difference between the University of Alaska campuses differs in regards to tuition

MS. BARRANS said they've used an average of 15 credits and that the tuition is the same at the three main campuses in Alaska. There is some variation at Prince William Sound and some of the rural campuses. There was discretion given to chancellors or college presidents in those areas to set slightly lower rates.

The last item of concern, she said, is on section 8, page 16-21, which is essentially an update of the procurement code. On page 20, line 23 she suggests that the "guarantee phrase" be changed

to "servicing." The reason behind this is that the use of the phrase "guarantee" is very specific to the federal scholarship programs, while "servicing" is more generic.

Finally, in the current House CS there is a time frame for when a student can apply for the GPS, which is no earlier than six months prior to graduation. The reason for behind this was from an administrative standpoint and the benefit of the student it does not make sense to apply too early. This time frame was left out entirely of the CS, version S, and she asked that it be put back into the bill.

[8:54:07 AM](#)

CO-CHAIR MEYER commented that the big difference between the original bill and the senate CS is the issue of non-traditional students. The rest appears to be fairly minor.

SENATOR HUGGINS said one subject that has not been addressed is the shortage of specific disciplines in the state and whether a component of the GPS should target on producing individuals in specific disciplines (for example, math teachers). Also, the first year of college, and especially the first quarter, is the biggest attrition period. College students themselves suggested that they don't receive the scholarship until they have been in college for at least one quarter. The GPS then would be an incentive to do well in the first quarter of college.

MS. BARRANS responded that her instinctive reaction from the standpoint of an administrator is that it may cost more to administer than they would save. Further, the information that she has received from the university is that students are more likely to drop out at the beginning of their second year. It would also require financial aid administrators to recalculate a student's financial aid package as a result of late arriving non-load aid. From an administrative standpoint this would be highly problematic.

COMMISSIONER LEDOUX added that, if this program is successful, he believes that students will be better prepared and less likely to drop out.

SENATOR HUGGINS said they still need to discuss the shortage of some disciplines within the Alaska workforce, for example math teachers.

COMMISSIONER LEDOUX said there are a number of federal programs that target teachers in the math and sciences specifically.

SENATOR STEVENS asked what specific science classes the commissioner recommended for all high school students.

COMMISSIONER LEGDOUX responded that he believes that to be eligible for either scholarship all students should take a life science, physical science, earth science, and applied science. In general science classes are a bit more eclectic than math classes and students have more choices. However the science courses can differ depending on the postsecondary program a student plans on attending. For example an individual going to vocational or technical school might take more applied science. DEED did create a list of potential courses which he will send on to the committee.

SENATOR STEVENS said that just like trigonometry may not be necessary for all students to take, physics may not be necessary.

COMMISSIONER LEDOUX said yes and that they wanted to provide maximum flexibility while maintaining the rigor of the required courses. They intend to work with school districts to develop these standards and courses that would meet the requirements. He does not expect a student that is on a career or technical path to have to take calculus or physics.

[9:01:48 AM](#)

CO-CHAIR MEYER said the committee will discuss the commissioner's concerns about the Senate CS on Monday [March 15, 2010] and bring forward new CS or amend version S by Wednesday [March 17, 2010]. He expressed his hope in moving SB 224 out of committee by Friday [March 19, 2010].

SENATOR STEVENS asked about the letter of intent. It seems that it focuses a lot on primary and secondary education and does not emphasize that it is to encourage students to enter college early and complete college early. He believes that the letter of intent needs to be reorganized.

CO-CHAIR MEYER asked the commissioner if the letter of intent is basically the governor's original goals.

COMMISSIONER LEDOUX replied yes but the House may have made some changes. He included that he would be available on weekends if necessary to work with the committee.

CO-CHAIR MEYER said they will be working on the CS given the suggestions that have been made over the weekend and on Monday during the committee meeting.

9:06:01 AM

MS. BARRANS said she believes that the House framed the inclusion of the goals to explain that these are administrative principals that the DEED and the DOL should be mindful of in further developing the program.

CO-CHAIR MEYER said that the committee would consider how that was addressed. He said they would take SB 224 up again at the next meeting.

9:06:55 AM

There being no further business to come before the committee, CO-CHAIR MEYER adjourned the meeting at 9:06 a.m.