

**ALASKA STATE LEGISLATURE
JOINT MEETING
HOUSE EDUCATION STANDING COMMITTEE
SENATE EDUCATION STANDING COMMITTEE**

April 7, 2010
8:06 a.m.

MEMBERS PRESENT

HOUSE EDUCATION STANDING COMMITTEE

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

SENATE EDUCATION STANDING COMMITTEE

Senator Kevin Meyer, Co-Chair
Senator Joe Thomas, Co-Chair
Senator Bettye Davis, Vice Chair
Senator Charlie Huggins
Senator Donald Olson

MEMBERS ABSENT

HOUSE EDUCATION STANDING COMMITTEE

All members present

SENATE EDUCATION STANDING COMMITTEE

Senator Gary Stevens

COMMITTEE CALENDAR

PRESENTATION: MOORE V. STATE

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

NEIL SLOTNICK, Senior Assistant Attorney General
Labor and State Affairs Section
Department of Law (DOL)
Juneau, Alaska

POSITION STATEMENT: Participated in the Moore v. State presentation.

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

POSITION STATEMENT: Participated in the Moore v. State presentation.

HOWARD TRICKEY, Attorney at Law
Jermain Dunnagan & Owens, P.C.
Anchorage, Alaska

POSITION STATEMENT: Participated in the Moore v. State presentation.

CHERYL MANDALA, Attorney at Law
Jermain Dunnagan & Owens, P.C.
Anchorage, Alaska

POSITION STATEMENT: Participated in the Moore v. State presentation.

ACTION NARRATIVE

[8:06:28 AM](#)

CO-CHAIR JOE THOMAS called the joint meeting of the Senate and House Education Standing Committees to order at 8:06 a.m. Present at the call to order from the House Education Standing Committee were Representatives Seaton, Munoz, Gardner, Buch, Keller, and Peggy Wilson. Representative Edgmon arrived as the meeting was in progress. Present at the call to order from the Senate Education Standing Committee were Senators Thomas, Meyer, Huggins, and Davis. Senator Olson arrived as the meeting was in progress.

Presentation: Moore v. State

[8:06:59 AM](#)

CO-CHAIR THOMAS announced that the only order of business would be a presentation on Moore v. State. He noted that the

legislators would hear from representatives of the administration, attorneys for the plaintiffs, and legislative counsel. Senator Thomas read from the superior court's most recent decision and order as follows [original punctuation provided]:

In evaluating the State's responses at this time, this Court returns once again to the language of the Alaska Constitution, which places the responsibility "to maintain a system of public schools open to all children of the State" squarely upon the Legislature-- not upon the Department of Education and Early Development and not upon local school districts.

SENATOR THOMAS said the question for today was what this order means to the legislature. He reminded committee members and witnesses the purpose of the meeting was not to retry the case; moreover, because the case is still in litigation, some testimony may be limited.

[8:09:01 AM](#)

NEIL SLOTNICK, Senior Assistant Attorney General, Labor and State Affairs Section, Department of Law (DOL), informed the committees he was the lead counsel defending the state in the Moore v. State litigation. As an introduction, Mr. Slotnick stated that the case was filed as a constitutional attack on the adequacy of the education system in Alaska, thus the DOL considers both the legislature and the Department of Education and Early Development (EED) defendants in the case. The original case was filed in 2004, and the plaintiffs argued that the education system was inadequate, particularly due to funding. In fact, the main point at that time was that the amount of funding for education was insufficient. He referred to the committee packet handout titled "Excerpts from the Moore Decision, June 2007," and said a consistent theme throughout the court from this litigation is that the responsibility for Alaska's schools rests with the legislature. Mr. Slotnick acknowledged that there are issues with education in the state, especially in rural areas; in fact, records show that achievement by students in rural areas is disappointing, but the arguments made about funding were rejected by the judge and she ruled that funding for education was adequate. He advised that if all of the school districts were healthy at that time, the case would have ended in 2007. However, when the judge analyzed the data, she noted that at some of the plaintiff school districts, resources had not been adequately or effectively

directed to the classroom. Further, the court found that this action was ongoing, and the state was not taking sufficient corrective measures. The judge saw evidence that there is a strong adherence to local control for schools in the state, and although the state had begun an intervention at one of the plaintiff school districts, local control was actually an impediment to the state's oversight of local districts. He paraphrased two excerpts from the above referenced document which read [original punctuation provided]:

If a school, despite adequate funding is failing to accord a child with a constitutionally adequate education - such as failing to give that child a meaningful opportunity to acquire proficiency in the State's own performance standards - then the concept of local control must give way because the school is not being maintained as required by the Education Clause.

[T]he State has failed to take meaningful action to maximize the likelihood that children at these troubled schools are accorded an adequate opportunity to acquire proficiency in the State's standards when a school has demonstrated an unwillingness or inability to correct this situation on its own.

[8:15:01 AM](#)

MR. SLOTNICK continued to explain that the two parts to the judge's decision were that the state must provide more oversight to the local districts, and the state must provide assistance to districts that are unable to improve standards of education on their own. Since 2007, two later decisions have indicated that the court is not satisfied with the state's response to the troubled school districts. Mr. Slotnick stated that Larry LeDoux, commissioner of the EED, has directed his department, the state, and the DOL, to provide the level of assistance and oversight that is needed to turn the troubled school districts around; in fact, the EED is focused on providing assistance and oversight so that the local school districts can respond. He also relayed that the commissioner has encouraged settlement of the case in order to maintain a strong state and school district partnership to solve the problems of education in rural Alaska, rather than continue an argument about who is at fault.

[8:17:52 AM](#)

LES MORSE, Deputy Commissioner, EED, informed the committees the primary role for his position of deputy commissioner has been to build a system of support for school districts, particularly to improve student achievement. In 2008, SB 285 provided authority for the department to intervene in school districts in order to improve instructional practices. The funding provided by the referenced legislation pays for three professionals who, along with federally funded staff, work directly with the deputy commissioner and local school districts. At this time, seventeen contractors, primarily retired educators, work in the field to assist the department in moving school district improvement plans forward. The contractors work on district-wide issues such as school climate, work with teachers in classrooms, and assist school boards with planning. He described State System of Support (SSOS) teams of highly experienced teachers in math, reading, art, science, and technology, who are regularly sent to intervention districts to assist the districts in improving their instructional practices. Mr. Morse said a detailed documentation of this program is found in the committee packet titled "Moore v. State, Building a State System of Support," by Les Morse.

[8:26:26 AM](#)

MR. MORSE continued to describe the coordinated efforts by teams of teachers and indicated further actions being taken by EED to improve districts through the Alaska Statewide Mentor Project. There are one principal mentor and three mentor teachers that coordinate with the SSOS teams and he stressed that the efforts of all of these programs are cohesive, coordinated, and connected by regular contact. Mr. Morse advised that in one intervention district early childhood learning is a major component; in fact, the department's early learning coordinator and the director of rural education will help facilitate a community meeting on ways to coordinate early learning and prepare kindergartners for school. In addition, two other intervention districts have been provided grants for early learning. He turned to the subject of statewide efforts to improve the education system and noted that the department's focus this year is on reading to ensure that the reading curriculum in districts is aligned with the standards. Mr. Morse acknowledged that districts and the department are challenged by the work required, especially the curriculum alignment task. Last year, the department sponsored a statewide leadership institute for intervention districts and others. He emphasized the effect of continuing coordination between the Alaska Administrator Coaching Program, the Alaska Statewide

Mentor Project, and intervention districts, although testing will indicate where greater action is needed. Local control may need to give way if the department's current efforts fall short, and he cautioned that the order from the court may accelerate the department's actions and incur additional cost.

[8:28:16 AM](#)

CO-CHAIR THOMAS asked whether the department has itemized a list of issues to be addressed and resolved. Furthermore, noting that the order said funding is not always the solution, he asked what the legislature may be able to do.

MR. MORSE explained that each district has a district improvement plan that guides the actions of the department. The intervention district in his previous example must ensure that the teachers are teaching the adopted curriculum, that the curriculum is aligned, and that the principal can provide appropriate support to teachers. Furthermore, resources are dedicated to the specific deficiencies found, such as literacy skills that are needed to bring students to proficiency.

[8:30:06 AM](#)

CO-CHAIR THOMAS restated his question about action by the legislature.

[8:30:17 AM](#)

MR. MORSE opined legislative action may be premature, but there is a potential need for additional resources to fund contractors, or for help to align the curricula. Furthermore, the judge's order to accelerate the department's compliance could increase costs. He declined to speculate on other needs.

[8:31:04 AM](#)

CO-CHAIR THOMAS referred to parental involvement and asked if the department is working with families.

MR. MORSE said yes. He added that parental involvement is a focus of the new director of rural education and said, "We have accelerated our efforts around that this year."

[8:32:06 AM](#)

REPRESENTATIVE P. WILSON asked for further information on individual remediation plans.

[8:32:25 AM](#)

MR. MORSE explained that all grade 11 and grade 12 students who have not passed the HSGQE have remediation plans. Furthermore, the department audits the remediation plans filed by intervention districts. This year, the district audited 100 percent of the remediation plans for three intervention districts, and "spot checks" were done in the other intervention districts. In this manner, the department is complying with that component of the order. In further response to Representative Wilson, Mr. Morse stated that remediation plans are reviewed by department staff and feedback is given to the district. Each remediation plan should be for an individual student, must address the areas of which the student has not passed, and should match with the records kept by the department.

[8:34:44 AM](#)

CHAIR SEATON referred to the department's current request for funding for three curriculum specialist positions. He asked whether there have been positions that the legislature has not funded.

[8:35:17 AM](#)

MR. MORSE confirmed that the department asked for specialists in math, language arts, and science, to assist in the alignment work. Last year's funding request was met. He was unsure how the possible settlement of Moore v. State will affect funding needs. In further response to Chair Seaton, Mr. Morse said funding requests from the department have been funded in the governor's budget, except for the three new positions.

[8:37:28 AM](#)

HOWARD TRICKEY, Attorney at Law, Jermain Dunnagan & Owens, P.C., informed the committee he was representing the plaintiffs in Moore v. State. Mr. Trickey said his intent was to address how the legislature comes into compliance with the constitutional obligations set out by the court. He reminded the committee of their oath to uphold the state constitution, and of the judge's order that the legislature is not in compliance. Mr. Trickey said he would briefly speak to the court order issued in June

2007, and pointed out that there are subsequent orders that supersede the 2007 order. He called attention to the document in the committee packet titled, Moore v. State, "Core Rulings June 2007 Order," submitted by Jermain Dunnagan & Owens, P.C., and said the order construed that the substance of the state's constitutional obligation is to have a system of education open to all children in the state. This constitutional clause rests on four pillars: adopt standards to define what children should be expected to learn; establish methods to assess children's progress in learning; provide adequate funding to enable schools to meet the performance standards; maintain adequate accountability and oversight to ensure that local schools comply with the standards set by the state and the constitution. He explained that on the third point the state was found in compliance on a statewide basis, but that there may be a need for targeted resources for some schools. The fourth point is where the judge found the state in violation in its ability to maintain accountability and oversight; however, the court also found a corresponding constitutional right of children to receive an adequate education. The judge defined an adequate education as: a meaningful opportunity to become proficient in math, reading, and science; meaning exposure to all of the remaining content standards. He advised that "the case then shifted ... [the judge] directed the state to work in concert with local districts in order to develop ways to address those problems, and that's what has led to the February 2009, order and the ... most recent March order."

[8:42:38 AM](#)

MR. TRICKEY continued to explain the shift in the case came in 2009, after the court had given the state one year to comply. After further testimony, the court found that the state underestimated the complexity of the problems, had minimal plans for intervention, and had not provided support and assistance. The court focused on the classroom and recognized two long-standing root causes for failure in many rural schools: (1) children do not arrive at school with oral language development or emergent reading or writing skills; (2) teaching capacity. Mr. Trickey opined that the ruling does not mean that the state's system of education is unconstitutional, nor that local control is the problem.

[8:45:24 AM](#)

MR. TRICKEY directed attention to the document in the committee packet titled "Draft Blueprint for Constitutional Compliance: Moore v. State" and read [original punctuation provided]:

Components for Constitutional Compliance

1) Provision of Targeted Educational Resources to Schools/Districts ...

Considerable evidence has been presented to the Court on specific, targeted resources necessary for chronically low performing schools and districts to meet the unique needs of students in those districts. These could include access to resources for specialized professional development, specialized curriculum for particular high-needs students (for example, students whose first language is not English), access to experienced and knowledgeable teaching mentors, content specialists, language development specialist, or social services.

MR. TRICKEY pointed out that the judge identified available targeted resources as being necessary because the court found that the state had "underestimated the complexity of the challenge." Regarding the teaching capacity issue, the court found problems in teacher recruitment, professional development, and teacher retention in rural school districts. In its February 2009 order, the court noted the department's interventions had failed to "address teaching capacity due to high turnover, teacher inexperience, and unique educational challenges in the chronically underperforming schools." The court also put significant emphasis, he related, on the value of high quality pre-kindergarten (pre-k) with parental involvement; in fact, the order criticized the failure of the department to consider and address intensive early learning initiatives as part of its intervention in the underperforming districts.

[8:48:41 AM](#)

MR. TRICKEY cited education research that many rural students arrive at school two or three years behind in developmental language skills and must catch-up by grade three in order to have a 50 percent chance to ever reach grade level. Therefore, the order directed an alignment of curriculum with professional development and with identified research-based instruction strategies. He stated that the judge found the department needed to conduct its own audit about its course of action to

support education and build the capacity of local schools and districts.

[8:50:46 AM](#)

MR. TRICKEY stressed that this case is not about whether local districts do not have the ability or willingness to perform, or whether the department has the ability or willingness to perform, but is about successfully closing the achievement gap. He suggested that the citations from the order chosen by Mr. Slotnick do not fully address the case, but support the department's reluctance to request appropriate resources from the legislature, and that the department has become "a monitoring and a compliance agency with a bit of a punitive aspect to it: it's all stick and no carrot." Mr. Tricky observed that a settlement in the case will require that the legislature and the administration embrace the court's decision and work with the plaintiffs. For the best interest of children in classrooms, additional support and assistance is needed. The judge has focused the case, not on throwing money at the problem, but on providing educational resources and services where they can have a direct impact. Mr. Trickey concluded that the importance of pre-k instruction in efforts to prevent the failure of students in school cannot be overstated.

[8:54:27 AM](#)

CO-CHAIR THOMAS asked whether the business of the legislature is to examine the equality of rural and urban curricula, as well as teacher screening and hiring practices.

[8:55:48 AM](#)

MR. TRICKEY advised that teacher training and preparedness is a significant aspect to the root cause of teacher failure and capacity. He agreed that the University of Alaska (UA) can play a large long-term role in improving teacher preparation and quality. However, studies show that teacher retention is affected by four aspects: satisfaction and mastery of their position; professional development; a feeling of support; salary and benefits.

[8:58:42 AM](#)

REPRESENTATIVE MUNOZ observed that some rural districts have a strong Native language culture, but assessments in kindergarten and grade one are based on English speaking models. She asked

whether alternative assessments, reflecting first languages, are under consideration by the department.

[8:59:38 AM](#)

MR. TRICKEY referenced testimony by Dr. Linda Darling-Hammond, Stanford University, that in pre-k Native languages and emergent English oral and reading skills are not mutually exclusive; in fact, educational research supports that the development of both can take place.

[9:01:14 AM](#)

[Co-Chair Thomas handed the gavel to Chair Seaton]

The committees took an at-ease from 9:01 a.m. to 9:06 a.m.

[9:06:22 AM](#)

REPRESENTATIVE P. WILSON asked whether it is incumbent upon the legislature to require additions to the teacher curriculum at UA that include training specific to teaching children without emergent language skills.

[9:07:26 AM](#)

MR. TRICKEY stated that further testimony from Dr. Darling-Hammond indicated that a teacher with the highest credentials would have a difficult time succeeding in a rural school setting, because 70 percent of the students are English language learners. He was unsure whether this problem would be solved by one or two classes. Furthermore, there is a wide variation in teacher preparation throughout the nation, and only 30 percent of the teachers in Alaska are trained in Alaska. The UA system could play a major role in instructional strategies for training teachers, along with state teacher certification. However, school districts are hiring teachers to teach, and should not carry the burden of training the teachers.

[9:11:25 AM](#)

REPRESENTATIVE P. WILSON asked whether the department should be strengthened.

MR. TRICKEY said yes. Again, expert testimony indicated the need for a larger department in order to support the teaching capacity of local school districts. He suggested that the

legislature should conduct an independent audit and review of the department to determine its strengths and weaknesses.

[9:13:19 AM](#)

CHAIR SEATON recalled the legislature was asked to fund three curriculum specialists. He asked whether this is an adequate response, or if further action is needed.

MR. TRICKEY opined three positions are not enough to provide effective teacher mentoring and modeling in the intervention districts. In fact, the current mentoring schedule is insufficient in scope and intensity.

[9:16:12 AM](#)

REPRESENTATIVE BUCH asked for Mr. Trickey's opinion about the direction the department has taken during the past year.

MR. TRICKEY said the plaintiffs report a change in the attitude of the department away from punitive and retaliatory and toward a focus on monitoring and compliance. He advised that veiled threats are counterproductive and do not lead to a trusting relationship; furthermore, there is no research that supports take-over measures as an effective means of improving student achievement. This recent shift in attitude may recognize the court's shift in focus to the classroom. However, in terms of action, such as technical support, educational resources, the introduction of pre-K programs, and teaching capacity issues, there remains a lack of response. Mr. Trickey emphasized that the evidence of the case proves that the state has underestimated the complexity of the problem, designed "one size fits all" interventions, and provided directives and mandates versus effective and targeted resources.

[9:20:07 AM](#)

REPRESENTATIVE BUCH asked for the plaintiff's expectations.

MR. TRICKEY referred to a document in the committee packed titled "Draft Blueprint for Constitutional Compliance: Moore v. State," prepared by Jermain Dunnagan & Owens, P.C. He stated that this nine page document has a full response for short- and long-term specific goals, and contains "what we think are reasonable expectations." However, he added that reasonable expectations must also comply with the constitution, because the court noted "it doesn't matter what community you live in [in]

this state, if you're a child you have a right to a constitutionally adequate education."

[9:22:29 AM](#)

CHAIR SEATON asked whether Mr. Trickey was aware that the legislature has required UA to analyze its teacher education program and look at its adequacy for training teachers across the state.

MR. TRICKEY said yes; however, he was unsure of the outcome from that consultation between the legislature and UA. He has heard there is a disconnect between the academic departments such as the school of education, and practitioners in the field.

[9:23:49 AM](#)

REPRESENTATIVE KELLER referred to the court's recommendation for exit interviews of teachers leaving their positions. He asked whether the findings of the court approach micromanagement of the department and local districts. There is a natural tension between local control and administration regarding oversight. From his perspective, the specificity of the court's findings is "a little offensive."

[9:24:57 AM](#)

MR. TRICKEY affirmed that it is the court's role to interpret the constitution and inform other branches of government. This case is unique in that it is the first time the court has given substantive content to the meaning of the state's obligation to establish and maintain a school system open to all children. Mr. Trickey reminded the committee that federal troops have been sent into states in order to enforce U. S. Supreme Court rulings about every child's right to education. He expressed his hope that the legislature will respect the court, as the court has been respectful of the legislature and the department. He pointed out that the judge has heard many hours of testimony and has read thousands of documents; in fact, her grasp of the depth and detail of the case is beyond the legislature's capacity. The proposed blueprint submitted by the plaintiffs is a road map to constitutional compliance and he said, "I'm not offended at all by what the court has ordered."

[9:28:42 AM](#)

REPRESENTATIVE KELLER expressed his appreciation that the plaintiffs and the department will be working together.

[9:28:59 AM](#)

CHAIR SEATON referred to the focus of Mr. Trickey's testimony on preparing children for school. He observed that "observation and hands-on" learning styles may be cultural. If voluntary pre-k is not being utilized, he asked whether the plaintiffs recommend that the legislature mandate pre-k in the affected districts.

MR. TRICKEY disagreed with the implication that pre-K is available in the affected districts. He surmised that pre-K, if offered, will be utilized; however, the program must be academic with an element of parental involvement and parental education. This type of program would result in high participation rates and does not need to conflict with a child's cultural environment at home.

[9:31:52 AM](#)

CHERYL MANDALA, Attorney at Law, Jermain Dunnagan & Owens, P.C., informed the committee that research shows unambiguously that for low-income kids, and those who come to school with a deficient English background, high quality academic pre-k has enormous potential and enables them to succeed in school.

CHAIR SEATON cited the Hoonah Parents as Teachers program, which has been very successful, but does not enjoy 100 percent participation. He asked, from the plaintiff's perspective, for the percentage of participation in a pre-K program that would be acceptable.

[9:33:58 AM](#)

MR. TRICKEY opined without the availability of a high quality pre-k it would be difficult to anticipate what percentage might not participate. However, if low participation was a problem, there could be a means to incentivize or mandate services through legislation. A parental involvement and parental education component has been found to raise the participation rate of pre-k.

[9:35:39 AM](#)

REPRESENTATIVE GARDNER observed the Hoonah program may be limited by the space available.

[9:36:29 AM](#)

REPRESENTATIVE P. WILSON suggested that the state could provide a week of training for every new teacher at the university campus, in order to increase the level of preparedness. However, she cautioned that the cost could be high.

[9:38:05 AM](#)

MR. TRICKEY clarified that the plaintiffs are not asking the legislature to throw money at the problem. As the court has focused on targeted remedies for particular schools, and teacher retention has been identified as a problem, intensive professional development through UA may prepare teachers so they will succeed and stay. He supported legislation to provide such a program.

[9:40:12 AM](#)

SENATOR DAVIS said she felt she did not have sufficient information necessary to discuss either the settlement of this case, or relevant draft legislation. Testimony specific to the department's action in each of the five affected districts has yet to be heard, she stressed.

[9:41:10 AM](#)

CHAIR SEATON requested comments from school district representatives regarding pre-k, teacher capacity, mentorship programs, and the leadership institute offered for the benefit of the five districts and others. He also welcomed any "third party" viewpoints on these issues.

[9:43:34 AM](#)

MR. TRICKEY observed that all of the questions are excellent and responses will be provided to the committees; however, his understanding was that this hearing was to focus on the court order. Therefore, representatives of the five affected districts are not in attendance to provide testimony.

[9:44:22 AM](#)

CHAIR SEATON stated that the purpose of the House and Senate Education Standing Committees is to improve education throughout the state, thus the committees need to hear from the school districts on the effectiveness of the changes that are being made. Their testimony may be specific to the Moore case, as well as pertinent to other districts.

[9:45:23 AM](#)

REPRESENTATIVE GARDNER recalled that the plaintiffs in the case are not local school districts or residents. She asked how the orders are being received by school districts in the affected communities.

MR. TRICKEY clarified that the case was initiated by parents in most of the communities. He has heard school board members welcome the court's influence on the state. Parents in the communities want their children to succeed in two worlds, and the court order stated that schools have to engage the community in order to affect school attendance and other issues. He said the general view was, "This is going to get us some of the help that we need, and the support we need, that hasn't been there in the past."

[9:48:02 AM](#)

SENATOR DAVIS asked about the 60-day court deadline.

MR. TRICKEY explained that the state has 60 days to comply with the order, and then the plaintiffs have 30 days in which to file a response.

[9:48:34 AM](#)

SENATOR DAVIS asked how the legislature will be involved, after the 90-day period.

MR. TRICKEY responded that provisions of any settlement will have to be supported and approved by the legislature; thus, if a settlement is close, he would recommend approaching the court regarding the timeline. In response to Chair Seaton, he said the filings in the case will be a matter of public record and will be provided to the committees.

[9:51:19 AM](#)

[For the record, Chair Seaton directed that relevant documents from plaintiffs and the state will be forwarded to the House Education Standing Committee and the Senate Education Standing Committee when available.]

[9:51:52 AM](#)

REPRESENTATIVE P. WILSON indicated that within the five affected school districts there are many small, widespread schools, which may have three or fewer teachers. She asked for the expectations regarding teacher capacity deficiencies for small k-12 schools.

MR. TRICKEY said this situation is the reason capacity of the department is a critical piece in complying with the court's order. Teachers in small schools need to be able to have the department as a resource when they need expertise in particular content areas. The court's order will ensure that the department can supply research-based materials and proven instructional strategies to teach and re-teach wherever needed. The initial focus of the department on the intervention districts, comprised of 42 schools and over 5,000 students, has come to include all Level 4 low performing schools across the state.

[9:55:23 AM](#)

REPRESENTATIVE EDGMON called attention to debate on the governor's scholarship program (GPS) legislation. He asked for Mr. Howard's comments on the proposed bill, given the fact that rural educators are skeptical about whether the rural school districts can "rise up ... over a period of time to meet those standards in the scholarship program, under the mantra of education reform."

[9:56:55 AM](#)

MR. TRICKEY opined incentives for students can be positive; however, he questioned whether the GPS bill is rooted in strategies that are proven to address the problem of behavior change. What is known is that root causes of low student performance and the achievement gap can be addressed by specific research-based remedies. "That's not to say it isn't a good idea, because it may motivate ... some of the best students out there...", he concluded.

[9:59:06 AM](#)

CHAIR SEATON countered that the GPS was based on other states' programs that have found broad success in reforming education and elevating student performance in postsecondary education and vocational certification.

[10:00:08 AM](#)

ADJOURNMENT

There being no further business before the committees, the joint meeting of the House and Senate Standing Committees on Education was adjourned at 10:00 a.m.