

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

February 25, 2011
8:04 a.m.

MEMBERS PRESENT

Representative Alan Dick, Chair
Representative Eric Feige
Representative Paul Seaton
Representative Peggy Wilson
Representative Sharon Cissna
Representative Scott Kawasaki

MEMBERS ABSENT

Representative Lance Pruitt, Vice Chair

COMMITTEE CALENDAR

PRESENTATION(S): PRIBILOF SCHOOL DISTRICT

- HEARD

HOUSE BILL NO. 5

"An Act requiring a standardized statewide history of American constitutionalism curriculum and a secondary school history of American constitutionalism examination in public schools in the state; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 93

"An Act relating to school gardens, greenhouses, and farms."

- MOVED CSHB 93(EDC) OUT OF COMMITTEE

HOUSE BILL NO. 104

"An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; establishing the Alaska performance scholarship investment fund and the Alaska performance scholarship award fund and relating to the funds; making conforming amendments; and providing for an effective date."

- BILL HEARING POSTPONED TO 2/28/11

PREVIOUS COMMITTEE ACTION

BILL: HB 5

SHORT TITLE: CONSTITUTIONAL HISTORY CURRICULUM

SPONSOR(s): REPRESENTATIVE(s) KELLER

| | | |
|----------|-----|--|
| 01/18/11 | (H) | PREFILE RELEASED 1/7/11 |
| 01/18/11 | (H) | READ THE FIRST TIME - REFERRALS |
| 01/18/11 | (H) | EDC, FIN |
| 02/09/11 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/09/11 | (H) | Heard & Held |
| 02/09/11 | (H) | MINUTE(EDC) |
| 02/18/11 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/18/11 | (H) | -- CANCELED - Rescheduled to 02/21/11 - - |
| 02/21/11 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/21/11 | (H) | Heard & Held |
| 02/21/11 | (H) | MINUTE(EDC) |
| 02/25/11 | (H) | EDC AT 8:00 AM CAPITOL 106 |

BILL: HB 93

SHORT TITLE: SCHOOL GARDENS, GREENHOUSES, AND FARMS

SPONSOR(s): REPRESENTATIVE(s) GUTTENBERG

| | | |
|----------|-----|---------------------------------|
| 01/18/11 | (H) | READ THE FIRST TIME - REFERRALS |
| 01/18/11 | (H) | EDC, FIN |
| 02/16/11 | (H) | EDC AT 8:00 AM CAPITOL 106 |
| 02/16/11 | (H) | Heard & Held |
| 02/16/11 | (H) | MINUTE(EDC) |
| 02/25/11 | (H) | EDC AT 8:00 AM CAPITOL 106 |

WITNESS REGISTER

JAMIE STACKS, Superintendent
Pribilof School District
St. Paul Island, Alaska

POSITION STATEMENT: Presented an overview of the Pribilof School District.

REPRESENTATIVE WES KELLER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Reviewed HB 5, as prime sponsor.

JIM POUND, Staff
Representative Wes Keller
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Responded to questions, during the hearing on HB 5, on behalf of Representative Keller, prime sponsor.

REPRESENTATIVE DAVID GUTTENBERG

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Introduced the committee substitute (CS) for HB 121, as prime sponsor.

JAY HARDENBROOK, Staff

Representative David Guttenberg

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Explained the committee substitute (CS) for HB 121, on behalf of Representative Guttenberg, prime sponsor.

MARK LEWIS, Manager

Administrative Operations

Division of Teaching and Learning Support

Department of Education and Early Development (EED)

Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on HB 93.

AL POINDEXTER, Retired Teacher

Anchor Point, Alaska

POSITION STATEMENT: Testified with concern, on HB 93.

SUSAN WILLSRUD, Director

Calypso Farm and Ecology Center

Ester, Alaska

POSITION STATEMENT: Testified on HB 93.

CYNDY CURRAN, Director

Division of Teaching and Learning Support

Department of Education and Early Development (EED)

Juneau, Alaska

POSITION STATEMENT: Responded to questions, during the hearing on HB 93.

ACTION NARRATIVE

[8:04:17 AM](#)

CHAIR ALAN DICK called the House Education Standing Committee meeting to order at 8:04 a.m. Present at the call to order were

Representatives Dick, Kawasaki, Wilson, Seaton, and Feige. Representative Cissna arrived while the meeting was in progress.

PRESENTATION(S): Pribilof School District

CHAIR DICK announced that the first order of business would be a presentation by the superintendent of the Pribilof School District.

[8:06:19 AM](#)

JAMIE STACKS, Superintendent, presented an overview of the Pribilof School District beginning with the positives that are enjoyed by both the St. Paul and St. George schools, and directed attention to a slide to indicate the following: 100 percent highly qualified staff; 97 percent Aleut student population; continuing to meet AYP (adequate yearly progress); culturally responsive teaching; fiscally sound; overall great staff and families; and supportive parents, community and school board. Addressing the slide titled "2010 Academic Progress," she indicated the 2009 vs. 2010 progress results for both schools in reading, writing and mathematics, and said there is room for improvement. One of the greatest things in the district is the community partnerships, she said, and both schools have preschool program. The programs are funded by outside sources, but housed in the school buildings to serve 2-5 year olds. The Central Bering Sea Fisherman's Association (CBSFA) funds St. Paul's Montessori based preschool, the Aleutian Pribilof Island Association (APIA) funds the St. Paul HeadStart program, and the St. George Traditional Council funds the St. George preschool. These programs ensure that the children have a strong foundation prior to entering kindergarten. She reported that in 2010, \$120,000 was raised for local student activities. Another partnership is with the St. Paul Tribal Government, building relationships with the Native elders. A grant from the AASB (Association of Alaska School Boards) is helping with the initiative, which includes a focus on language preservation. She said state grants provide important programs to the district, as well, and provided a list of benefits, which included: library; artist in schools; CDL (Consortium for Digital Learning) - computers for students and staff development; UAA AEIN (University of Alaska Anchorage Alaska Educational Innovations Network) - staff development; AASB staff and student training to promote social emotional learning; carpentry in conjunction with the Denali Commission; UAF (University of Alaska Fairbanks) Future Educators; \$400,000 matching grant for housing and to renovate older teacher housing

units; and E2T2 (Enhancing Education Through Technology) - \$92,000 for staff development and technology purchases. She highlighted the UAF grant, which is focused on training future educators. In an effort to "grow our own" teachers, she said, students are able to take dual college credit classes and graduate with college experience and postsecondary credits in mathematics. Federal grants have recently provided \$2.4 million for roof repair on St. George School and she indicated a list of other federal support, which included: \$24,000 in Education Law funds; e-Rate funds 90 percent of communication telephone, internet and video; funding for vocational programs via the Carl Perkins Grant; and the Indian education-bilingual program. The greatest resource, and the reason the district is successful is the staff, she opined. All of the teachers are highly qualified, and 40 percent have master's degrees. She said many of the educators, and staff members, have been serving for over ten years, and the pride that is taken in the schools and students equals success. District concerns revolve around two primary issues: a declining student enrollment, and the physical condition of the St. Paul School building. The enrollment is at 98 in the St. Paul School, and 11 at St. George School. The budget is being sustained under the hold harmless funding rule. Like many rural schools, the local gymnasium is the center for community events, and the St. Paul School gym is in decay and a safety concern. Returning to the declining enrollment issue, she said the effects include fewer opportunities for students, fewer staff members who must take on more duties, and the possibility of the closure of the St. George School. Finally, she listed the focus areas for the coming year, which include: working to meet the goals of the new strategic plan; continuing to work to improve student achievement through individualized instruction based on data analysis and state standards; continuing parent and community involvement and collaborations; completion of teacher contract negotiations; and remodeling the 40 year old St. Paul School gymnasium.

[8:15:35 AM](#)

REPRESENTATIVE P. WILSON referred to the governor's bill for performance scholarship funding, and asked for comment on the ability of the district to deliver the required courses.

MS. STACKS stated that students are enrolled in the WorkKeys program, and the school curriculum is challenging, which will allow students to qualify for the scholarship.

[8:16:57 AM](#)

REPRESENTATIVE FEIGE acknowledged the high teacher retention rate and inquired how it is accomplished.

MS. STACKS indicated that the remoteness of the district is a challenge; however, the teacher compensation package is good, the housing is excellent, and the community is embracing.

REPRESENTATIVE FEIGE noted the high student success rate and asked how this is measured by the district.

MS. STACKS pointed out that only one student in ten years has not passed AYP (adequate yearly progress), the dropout rate is low, and school pride is high.

[8:19:58 AM](#)

CHAIR DICK queried why the population is in decline.

MS. STACKS cited the difficulty of living in rural Alaska. The loss of just one family could mean the loss of four children, and it's an expensive place to live.

[8:20:44 AM](#)

REPRESENTATIVE P. WILSON asked for the population of both islands and the cost of travel to Anchorage.

MS. STACKS replied that the population of St. Paul is 450, down from 600, and St. George is at 86. A round trip ticket, to Anchorage, may cost between \$742 and \$942.

[8:22:24 AM](#)

REPRESENTATIVE SEATON assumed that the hold harmless aspect of the funding formula has been helpful to the district.

MS. STACKS said yes, with the drastic enrollment decline, the hold harmless provision has allowed the district to prepare.

REPRESENTATIVE SEATON commented that the provision appears to be working and helpful in the way in which it was intended.

HB 5-CONSTITUTIONAL HISTORY CURRICULUM

[8:24:47 AM](#)

CHAIR DICK announced that the next order of business would be HOUSE BILL NO. 5, "An Act requiring a standardized statewide history of American constitutionalism curriculum and a secondary school history of American constitutionalism examination in public schools in the state; and providing for an effective date." [A committee substitute (CS) labeled CSHB 5, 27-LS0018\D, Mischel, 2/1011, was adopted as the working draft, at the 2/21/11 meeting; also available in the committee packet was a document labeled CSHB 5, 27-LS0018\E, Mischel, 2/24/11.]

[8:25:56 AM](#)

REPRESENTATIVE SEATON moved to rescind the action adopting CSHB 5, 27-LS0018\D, Mischel, 2/1011. There being no objection Version D was rescinded.

REPRESENTATIVE SEATON moved to adopt CSHB 5, 27-LS0018\E, Mischel, 2/24/11. There being no objection, Version E was adopted as the working draft.

The committee took an at-ease from 8:26 a.m. to 8:27 a.m.

[8:27:20 AM](#)

REPRESENTATIVE KELLER referred to Section 3, subsection (a) to note the deletion of the requirement for testing in the twelfth grade, and pointed out that the legislation does not establish testing standards.

[8:29:17 AM](#)

REPRESENTATIVE KAWASAKI queried whether existing statute defines the term "curriculum segment."

REPRESENTATIVE KELLER deferred.

[8:29:40 AM](#)

JIM POUND, Staff, Representative Wes Keller, Alaska State Legislature, answered that various terms were juggled in an effort to arrive at one which would allow local superintendents, and school boards, to determine how they want to classify the segment.

REPRESENTATIVE KAWASAKI asked for the sponsor's definition of the term "curriculum segment."

MR. POUND recalled his high school experience to suggest that it could be a six week course.

REPRESENTATIVE SEATON pondered the options of specifying a segment of time versus stipulating required curriculum. He suggested that required curriculum could be incorporated into an established program; a less onerous approach.

REPRESENTATIVE KELLER offered that the intent is to provide broad language and allow the districts to establish curriculum and determine when the segment will be taught.

[8:33:31 AM](#)

CHAIR DICK stated support for the intent of the bill, but expressed concern for the school districts receiving an unfunded mandate, and asked whether testing would be imperative; particularly attached as a graduation requirement.

REPRESENTATIVE KELLER agreed that mandates are difficult to impose, but the issue is important and should be brought to the fore. Testing is necessary, as it creates a point of business that must be accomplished. The school board is the contact between the parents and what occurs in the schools, and specifics for meeting curriculum requirements should be in their hands for discussion. It is important to have an evaluation of learned knowledge, and, to that end, a test is the best vehicle.

CHAIR DICK pointed out that about 25 percent of prisoners don't understand the process by which the government acted to place them in lockup.

REPRESENTATIVE KELLER concurred.

CHAIR DICK pointed out that, given the parameters of the bill, a one day course and a two minute test could be acceptable.

REPRESENTATIVE KELLER said yes, that is the latitude that the bill allows.

[8:37:27 AM](#)

REPRESENTATIVE P. WILSON, referring to Section 2, paragraph (4), and Section 3, subsection (a), which name the seven documents to be taught, recalled that the sponsor's intent to have American values taught. She said:

There's a big difference ... between teaching these [documents], and teaching American values. ... I'm not quite sure what you want taught.

REPRESENTATIVE KELLER explained that the suffix "ism" implies standards and values, and the documents capture the values of the nation. The source and the core of American human rights are natural, as specified in these documents. He allowed that some teachers may already be teaching some aspects of these documents in existing curriculum.

REPRESENTATIVE P. WILSON pointed out that current U.S. government values are different than when the named documents were adopted.

[8:41:41 AM](#)

REPRESENTATIVE CISSNA commented that the urban and rural values, in Alaska, may create a discrepancy, and opined that imposing non-indigenous values into the Native culture may not be appropriate; other priorities may need to be addressed first.

REPRESENTATIVE KELLER pointed out that the bill does not include the Alaskan Constitution, but provides segue to that course of study as well. He contended that the most important rights for rural and urban Alaska, core values of sovereignty, are included in the required documents.

[8:46:26 AM](#)

REPRESENTATIVE SEATON said that law suits may be forthcoming should this legislation be enacted. The bill does not require the teaching of the specific documents, but rather instruction of something portrayed in the documents. He paraphrased a previous statement from the sponsor, stating:

Your response was that we're teaching the values that were established when the [U.S.] Constitution, and ... the Articles of Confederation, etcetera, were adopted, and as was pointed out, those values aren't necessarily the values today. ... We don't have slavery ... we've got a lot of different things that we incorporate in diversity today. Women didn't have the right to vote - those kinds of things.

REPRESENTATIVE SEATON pointed out that lacking a definition of American Constitutionalism, and addressing it by the named documents, which are peripheral to the ism, as well as lacking a clear statutory definition of what values are to be taught under the rubric, may invite challenges from the districts.

REPRESENTATIVE KELLER disagreed, but acknowledged that the values are not defined in the bill. He maintained that the term "American Constitutionalism" is a definable term, and the bill is to require the instruction of how the U.S. government was formed.

REPRESENTATIVE SEATON argued that the term is not commonly used and said it would be important to prevent a misunderstanding of what is to be taught by inserting a definition in the bill.

REPRESENTATIVE KELLER underscored the intent to provide broad language, and thus, allow latitude to the local school districts.

REPRESENTATIVE SEATON maintained his concern to have clear language regarding what is to be taught, in the proposed statute. Additionally, he asked why the Alaskan Constitution is not included in the list of source documents; Section 3, subsection (a).

REPRESENTATIVE KELLER responded that it would change the scope of the bill, and allowed that the committee has the jurisdiction to amend the working draft. Some teachers may choose to include the Alaskan Constitution, but he said:

This is a mandate to teach history, and some of the circumstances, stories, values and things that surround a fifteen year block of history in the United States of America.

[8:52:45 AM](#)

REPRESENTATIVE P. WILSON said that the intent is not clearly stated in the bill. She said:

I'm not sure that what you really want is what the bill says. ... You just want ... American history taught with the start of the context of these documents. That could mean just going over the documents pretty quickly and then going onto ... [other] American history.

REPRESENTATIVE KELLER said the bill is very clear and directed attention to page 2 lines 20-25, and read [original punctuation provided]:

An approved syllabus must ensure a students' understanding of the history of American constitutionalism as portrayed in the Declaration of Independence, the first state constitutions, the Articles of Confederation, the Constitution of the United States, the Federalist Papers, the Bill of Rights, and other historical documents produced in the founding of our constitutional republic model of government.

REPRESENTATIVE P. WILSON maintained concern for the intent not being clearly stated.

CHAIR DICK interjected that the intent of the committee is to continue public discussion and consideration of HB 5.

[8:55:07 AM](#)

REPRESENTATIVE SEATON directed attention to the committee packet to point that the Mat-Su Borough School District has provided a resolution recommending that the legislature mandate a required half credit course be taught in civics, focused on the Alaskan Constitution, the U.S. Constitution documents, and the Declaration of Independence. The district supports teaching these documents along with civics, but the bill indicates teaching the values held by the people, during the fifteen year period when the documents were created. He noted that the CS does not appear to reflect the resolution points, and asked whether the Mat-Su Borough School District could choose to institute a half credit class, under current statute.

REPRESENTATIVE KELLER said that the district could offer a class; however, the resolution requests that classes be offered statewide, in a specific and consistent manner.

[8:58:08 AM](#)

CHAIR DICK announced that the bill would be held.

HB 93-SCHOOL GARDENS, GREENHOUSES, AND FARMS

[8:58:56 AM](#)

CHAIR DICK announced that the final order of business would be HOUSE BILL NO. 93, "An Act relating to school gardens, greenhouses, and farms."

[9:00:23 AM](#)

REPRESENTATIVE SEATON moved to adopt the committee substitute (CS) for HB 93, labeled 27-LS0227\I, Mischel, 2/23/11. With no objection, Version I was adopted as the working draft.

REPRESENTATIVE P. WILSON objected for discussion.

[9:01:08 AM](#)

CHAIR DICK read the three changes, reflected in Version I, to wit [original punctuation provided]:

Sec. 5. ... (b) ... not more than \$10,000 for each school ...;

Sec. 5. ... (c) The department may not, in a fiscal year, award grants for the operation of more than five gardens, greenhouses, or farms that were not previously the subject of a grant award under this section; and

Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to read:

GRANTS FOR SCHOOL GARDENS, GREENHOUSES, AND FARMS. Notwithstanding the limitation placed on the number of new grants awarded for the operation of a school garden, greenhouse, or farm under AS 14.30.377(c), added by sec. 5 of this Act, the department may award grants for the operation of not more than 10 gardens, greenhouses, or farms in fiscal year 2010.

[9:02:30 AM](#)

REPRESENTATIVE P. WILSON noted that seven schools currently have gardens, and referred to Section 5, subsection (c), to surmise that the proposed limit of five would eliminate two of the existing gardens.

[9:03:34 AM](#)

REPRESENTATIVE DAVID GUTTENBERG, Alaska State Legislature, explained that the gardens in place now would come under statute in the transitional year. Thus, in 2012, ten schools could be funded, and each proceeding year five could join the program. To a follow up he underscored that the bill covers programs not previously subject to the grant awards.

[9:04:40 AM](#)

JAY HARDENBROOK, Staff, Representative David Guttenberg, Alaska State Legislature, clarified that the first year [2012] creates a baseline of ten programs, and every year after five can be added. The seven existing programs could apply for the grant the first year, and a total of ten would be eligible to receive grants.

[9:05:25 AM](#)

REPRESENTATIVE FEIGE asked if there is an amended fiscal note.

CHAIR DICK indicated that the fiscal note will be forthcoming, and will show \$100,000 for the first year and increases of \$50,000 for proceeding years.

REPRESENTATIVE GUTTENBERG reviewed how the fiscal note was calculated, and said it is not expected that every grant will be awarded.

[9:07:16 AM](#)

REPRESENTATIVE P. WILSON expressed a desire to have the program benefit as many schools as possible, and stated her hope that successful programs will become self sustaining; otherwise the grant will increase by \$50,000 every year. She asked how many different school buildings exist statewide.

REPRESENTATIVE GUTTENBERG deferred to the department regarding the number of school buildings, and said that EED will administer the grants. He pointed out that Fairbanks will not need a grant, and said having more schools with programs will represent a success.

[9:09:39 AM](#)

REPRESENTATIVE KAWASAKI asked how the department envisions taking applications, if it's a competitive process.

[9:10:09 AM](#)

MARK LEWIS, Manager, Administrative Operations, Division of Teaching and Learning Support, Department of Education and Early Development (EED), answered that a competitive grant application process would be established. The potential exists for a successful district to receive the total fund, and win, if no other districts indicated interest, or fail the application process.

[9:10:58 AM](#)

REPRESENTATIVE FEIGE opined that a particular greenhouse could receive \$10,000 per year in perpetuity.

MR. LEWIS said, yes.

REPRESENTATIVE FEIGE asked at what point the greenhouses could expect to become self sustaining and be weaned off of state support.

MR. LEWIS indicated that it would depend on the school district. Nothing would prohibit a district from taking over the operational costs. However, he deferred to districts regarding how each may choose to handle the program.

REPRESENTATIVE FEIGE noted that there's no incentive, for a school district to discontinue state support.

MR. LEWIS that is correct.

[9:12:50 AM](#)

CHAIR DICK suggested that the inclusion of language specific to the re-application process and requiring activity reports, could provide a means to limit continued access to state funding.

[9:13:14 AM](#)

REPRESENTATIVE GUTTENBERG pointed out that many schools have greenhouses that are lying fallow, possibly due to the lack of a steady funding stream, which is important to ensure continuity for a program. To a follow-up question, he said that many times a single person generates the enthusiasm for a garden program, and speculated that, if the key person leaves the community, the matching funds would cease.

[9:14:55 AM](#)

REPRESENTATIVE CISSNA interjected that performance standards would need to be met, and maintained, in order to continue funding.

[9:15:33 AM](#)

REPRESENTATIVE P. WILSON noted that there is no limit in the bill, to wean programs off of state funding, and speculated that, through yearly exponential increases, in ten years the fiscal note could mushroom to \$500,000. She stated support for the program, and said the burden should not be placed entirely on education funding. The bill indicates a strong entrepreneurial involvement; and entity which should share the cost.

[9:18:34 AM](#)

REPRESENTATIVE FEIGE acknowledged the importance for start-up money, and suggested that the bill could stipulate a decreased grant award with each renewal of a particular program to provide incentive for diversification of funding sources.

REPRESENTATIVE GUTTENBERG explained that the cooperating entity must hold a 501C3 non-profit status, which eliminates the possibility of corporate participation. Further, he said that sustained funding is important, and the proposal is for the state to match the non-profits contributions. He underscored that these programs are a significant benefit to the students, and that rural schools, growing local produce, will represent a great success.

[9:22:42 AM](#)

AL POINDEXTER, Retired Teacher, expressed concern that HB 93 might create competition between the state, effectively subsidizing non-profits, and private enterprise farmers. However, if the goal is to educate children, then certified teachers should be required to work with the students. He reported that he was restricted from volunteering to instruct a class, as his teaching certificate has expired. A non-profit may lack the scope to meet educational needs, but the national program, Future Farmers of America (FFA), established in 1923, could be enlivened for students at the high school level. He reported that, although there are perhaps three today, 27 FFA Chapters once existed in Alaska, and he reviewed the technical

and vocational merits, which he opined as being more valuable and appropriate than a school garden. The garden program may be useful at the elementary level, he agreed. Further, he questioned the relationship that was reported between the garden and school lunch programs and the exchange of revenue, as well as the disposition of funds garnered from the sale of excess produce. The awareness that these programs, including FFA related, revolve around a motivated individual is accurate, he said.

REPRESENTATIVE GUTTENBERG said the involvement of FFA is hoped for and would be welcomed.

MR. POINDEXTER reported that FFA chapters exist in Palmer, Kodiak, and North Pole. Finally, he opined that the bill needs more work, and offered to make himself available.

[9:32:23 AM](#)

REPRESENTATIVE P. WILSON returned to the comment that Mr. Poindexter has been prohibited from volunteering his teaching services, and asked for further details.

MR. POINDEXTER reported that the teachers union disallowed him to volunteer services as a Natural Resources teacher, due to the lapse of his teaching certificate.

REPRESENTATIVE P. WILSON asked whether lessons could have been scheduled the lesson outside of school hours, and for clarification whether it was the teachers union or FFA restrictions that prohibited his actions.

MR. POINDEXTER said FFA requires that the program be administered through a scheduled school class, and the rules of the state were apparently being violated.

[9:34:24 AM](#)

REPRESENTATIVE CISSNA encouraged the witness to pursue further involvement, and become a vital part in what the sponsor is hoping to create.

MR. POINDEXTER stated that he runs a commercial greenhouse; however he said he would be interested in assisting to operate an FFA program; current rules do not allow him to volunteer his services.

[9:36:22 AM](#)

SUSAN WILLSRUD, Director, Calypso Farm and Ecology Center, said an FFA Chapter exists in Fairbanks, but the program is not thriving. She opined that HB93 could serve to enliven FFA in Alaska.

The committee took an at-ease from 9:37 a.m. to 9:38 a.m.

[9:39:09 AM](#)

REPRESENTATIVE SEATON requested that information be provided from EED regarding the certification requirements brought to the fore by the preceding witness. Specifically, are restrictions imposed at the state or district level, and what is the relationship regarding the teachers union. The bill establishes a program outside of the state certificated requirements and it will be important to understand any restrictions that need to be considered.

[9:40:19 AM](#)

REPRESENTATIVE SEATON offered Conceptual Amendment 1 to, page 2, line 4, following the word "sold" insert "if reinvested in the program". The intent of Conceptual Amendment 1 is to address the concern for competition regarding the sale of excess produce, he said.

The committee took an at-ease from 9:40 a.m. to 9:42 a.m.

[9:42:11 AM](#)

REPRESENTATIVE P. WILSON objected for discussion.

[9:42:16 AM](#)

REPRESENTATIVE SEATON requested a response from EED whether the participating non-profits, or the garden master, are required to be teacher certified.

[9:43:10 AM](#)

CYNDY CURRAN, Director, Division of Teaching and Learning Support, Department of Education and Early Development (EED), indicated that she would research the requirements and provide the information to the committee.

REPRESENTATIVE SEATON acknowledged that the type "M" certificate may cover the situation, and asked the department to provide adequate assurance that it would align with the bill.

[9:45:18 AM](#)

MS. WILLSRUD interjected that the Calypso farm staff act as assistants to the state certified teachers; farm staff do not instruct without the presence of a teacher.

[9:46:43 AM](#)

REPRESENTATIVE SEATON established that the proposed state statute is not setting up a program for non-teachers to act in a capacity other than as aides or resources to accomplish the goal of a school garden; nor is the state authorizing independent supervision of students, during the school day, by non-teachers.

[9:47:21 AM](#)

CHAIR DICK interjected that the intent of state statute is to ensure the safety of children, while not limiting access to individuals who are knowledgeable resources.

[9:47:31 AM](#)

REPRESENTATIVE CISSNA asked whether Calypso pays its helpers.

MS. WILLSRUD responded that the garden assistants are trained and vetted, and act as volunteers receiving a stipend.

[9:49:23 AM](#)

REPRESENTATIVE P. WILSON removed her objection to Conceptual Amendment 1.

CHAIR DICK, hearing no further objection, announced that Conceptual Amendment 1 was adopted.

[9:50:35 AM](#)

REPRESENTATIVE SEATON moved to report the CSHB 93, Version I, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no further objection, CSHB 93 (EDC), 27-LS0227\I, Mischel, 2/23/11, was moved from the House Education Standing Committee, as amended.

[9:51:41 AM](#)

CHAIR DICK announced the next meeting.

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:52 a.m.