

ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE

February 1, 2012
8:07 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

HOUSE BILL NO. 256

"An Act repealing provisions relating to the power and duties of the Department of Education and Early Development to intervene in a school district to improve instructional practices."

- HEARD & HELD

HOUSE BILL NO. 145

"An Act establishing the parental choice scholarship program to be administered by school districts for the purpose of paying the cost of attending grades kindergarten through 12 at public and private schools; and providing for an effective date."

- HELD OVER TO FEBRUARY 1, 2012, 3:00 PM MEETING

PREVIOUS COMMITTEE ACTION

BILL: HB 256

SHORT TITLE: REPEAL STATE INTERVENTION IN SCHOOLS

SPONSOR(s): REPRESENTATIVE(s) DICK

01/17/12	(H)	PREFILE RELEASED 1/6/12
01/17/12	(H)	READ THE FIRST TIME - REFERRALS
01/17/12	(H)	EDC, FIN
01/25/12	(H)	EDC AT 8:00 AM BARNES 124
01/25/12	(H)	Scheduled But Not Heard
02/01/12	(H)	EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

REPRESENTATIVE BOB HERRON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 256.

DIANE GEORGE, Assistant Superintendent
Yupiit School District (YSD)
Akiachak, Alaska

POSITION STATEMENT: Testified during the hearing on HB 256.

HOWARD DIAMOND, Superintendent
Yupiit School District (YSD)
Akiachak, Alaska

POSITION STATEMENT: Testified during the hearing on HB 256.

ACTION NARRATIVE

[8:07:38 AM](#)

CHAIR ALAN DICK called the House Education Standing Committee meeting to order at 8:07 a.m. Representatives Dick, P. Wilson, Seaton, Cissna, Feige, and Kawasaki were present at the call to order. [Please note that the chair mistakenly announced that the day was January 27, 2012.]

HB 256-REPEAL STATE INTERVENTION IN SCHOOLS

[8:08:04 AM](#)

CHAIR DICK announced that the only order of business would be HOUSE BILL NO. 256, "An Act repealing provisions relating to the power and duties of the Department of Education and Early Development to intervene in a school district to improve instructional practices."

CHAIR DICK noted that today will be testimony by invitation only. He then passed the gavel to Representative P. Wilson.

[8:09:19 AM](#)

CHAIR ALAN DICK, speaking as the prime sponsor of the HB 256, offered his belief that there was "a discrepancy between what I perceived should happen and what is happening;" therefore, Senate Bill 285 should be repealed and he directed attention to

the handout titled "Reasons for Repealing SB 285." [Included in members' packets]. He paraphrased the handout:

The previous [Senate Bill 285], the Department [Department of Education and Early Development] already had authority to intervene in underperforming schools under NCLB [No Child Left Behind]. So, [Senate Bill 285] gave more authority. Since, [Senate Bill 285] was in response to the Moore case [Moore, et al. v. State of Alaska], the Moore case is now been settled and, ... the provisions are no longer necessary. Under No Child Left Behind, every school in the state will be out of compliance by 2014. This means that every school will be on the path to intervention. ... I believe, the department has not worked collaboratively, and has violated the spirit and intent of [Senate Bill 285]. ... In 2004, Citizens for the Education[al] Advancement of Alaska's Children filed suit against the State, that was the Moore case recently settled. In 2008, as a response to the Moore case legislation, [Senate Bill 285] addressed the responsibility and role of the Department of Education [and Early Development]. [Senate Bill 285] amended the powers and duties of the department for improving instructional practice in school districts. ... During the discussion of the bill, there was a concern that the department would use the interception of school district funds as a very heavy hammer because it's a simple approach. It's an easy thing to do. There is a question as to why the department would intervene in one district and not in another; it seemed to be a subjective process ... The Director of the Council of School Administrators, during the time, during the conversation, considered a collaborative approach with communities that are having difficulty meeting [Adequate] Yearly Progress. Interestingly, it's a department representative said it's the legislature's responsibility to intervene when districts are not making progress. As we know, Yupiit School District scores have not improved since it has been in Intervention. It's time for the legislature once more to intervene in this process. ...

CHAIR DICK referred to minutes from the 2008 hearings on [Senate Bill 285], and highlighted portions of minutes that relate the concerns people held at that time. He read the following portions of minutes:

Neil Slotnick, the Assistant Attorney General, said the department is only asking for authority to use district funds to hire contract personnel, no intention to create more infrastructure, the idea is to do what the judge said in directing additional resources into the classroom. That's the point of this authority that we're asking for.

Mr. Eddy Jeans responded the intent is to work cooperatively through local school district administrations to develop an improvement plan that will lead to increased student achievement. There is no intention to step into the local school and start directing the principal on how to run his or her school.

Mr. Carl Rose ... thought they would welcome the assistance, but not the heavy-handed way this is being done. Apparently, the perception at that time, that there was a heavy handedness going on.

Chair [Gary] Stevens, said he appreciated they were concerned but the real problem they're facing is that there appears to be a must-have piece of legislation that needs to be moved through the legislature in 45 days. It was a rush process to get this thing through.

Again, Eddy Jeans said he didn't see this as the department taking control, but rather the legislature directing school districts to accept guidance and direction from the Department of Education [and Early Development]. We absolutely intend to work collaboratively with the school district administration, with the school board, with the individual school principals, in implementing the school improvement plan.

Senator [Gary] Stevens wanted to make sure that everyone understood the intervention would not be a hostile takeover, only the opportunity to offer help and support to the school.

Senator [Kim] Elton remarked that the language of the bill sounded like a takeover.

So, those are just selected excerpts from the minutes that I've been through with my staff trying to find the intent that was going on at that time

8:15:30 AM

REPRESENTATIVE DICK stated that this was the groundwork for the proposed bill, declaring that he would like to move on to testimony.

REPRESENTATIVE P. WILSON returned the gavel to Chair Dick.

8:15:59 AM

REPRESENTATIVE BOB HERRON, Alaska State Legislature, testified in support of HB 256, and, prefacing that his comments about proposed HB 256 and intervention rules would not be a polite conversation, stated that his comments were based on dialogue with his constituents over the last several months. He stipulated that "Yupik parents are not confrontational; it's not in their makeup." He pointed out that, since 2005, there had been five commissioners in the Department of Education and Early Development (EED). He opined that this high rate of turnover could lead to some inconsistencies in the department leadership. He clarified that he did not question anyone's integrity, but he offered his belief that EED was a machine without a conscience, and that there was an institutional bias, or discrimination, against Western Alaska.

8:18:49 AM

REPRESENTATIVE HERRON reported that, in 2010, he had requested a meeting with the YSD school board, EED leadership staff and Commissioner LeDoux, and Attorney General Sullivan, in Akiachak, with members of the Department of Law (DOL) and EED attending via teleconference. He declared this meeting to be a frank, "animated conversation about the direction the department [EED] was going toward our school district." He opined that an understanding had been reached between DOL, EED, and community leaders to move forward in "true collaboration." However, he noted, several weeks later a new EED commissioner, Michael Hanley, was appointed, and then Attorney General Sullivan was appointed as the commissioner of Department of Natural Resources (DNR). He declared this to be a "starting over." He provided an analogy that EED had been given a tool box for collaboration but that the only tool being used for intervention was the hammer, regardless of what was actually required. He declared

the EED staff to be "trapped in a machine that they can't get out of." He emphasized that a one size fits all approach was flawed, especially for a small, not wealthy community. He opined that the words of collaboration were hollow, essentially just lip service. He declared:

when the machine [EED] is single minded, has a single minded focus, about it has to raise test scores, but they do it in a vacuum, they don't live there, they don't understand what's going on in the community, so they don't take into account about the students, and about the community.

Representative Herron assessed that this forced the community, the students, the parents, and the teachers to have this same single minded focus. He offered his belief that this focus did not take into account the entire individual, and that resistance to it was a natural reaction.

[8:23:21 AM](#)

REPRESENTATIVE HERRON established that the intervention process began in 2005 with a district improvement plan provided by EED. He emphasized that any collaboration for this plan had been minimal. He directed attention to the next improvement plan, a result of EED dissatisfaction with the initial plan, which did not include any discussion with the school district. "They were tellin' 'em how to do it." He expressed his desire that the current commissioner of EED [Mike Hanley] could provide true collaboration. He directed attention to a memorandum of understanding (MOU) with the Yupiit School District, expressing his concern that lawyers and do not reside in these communities and would lack understanding of the local ethos. He declared the MOU to be "take it or leave it," and that the school district was forced to accept the MOU. He indicated that any coordination and collaboration in advance had been "laughable."

[8:25:42 AM](#)

REPRESENTATIVE HERRON ascertained that, as his constituency was frustrated with this process and concerned that any challenge would be met with punitive action, he had been approached. He recounted that the Yupiit School District had been asked by EED to identify three important focus areas, and that YSD had identified curriculum, professional development, and support. He relayed that the EED response had been "your focus ideas are not working." He underscored that the school district was

expected to follow direction from a remote supervisor without any on-sight support. He observed that HB 256 was not solely to eliminate Senate Bill 285, but was written for collaborative work toward successful intervention. He declared that the educational leader was, by default, the leader of the community, with an expectation for many responsibilities. He urged consistency from the leadership in EED, with intervention to be directed by a person living in the rural community.

[8:31:21 AM](#)

REPRESENTATIVE SEATON asked how proposed HB 256 reached this desired conclusion, directing attention to page 3, line 13, which eliminated all the restrictions and criteria on EED. He offered his belief that proposed HB 256 removed the security for school districts to know that a plan was necessary. He suggested that an elimination of restrictions on EED for intervention could be interpreted as a future discretionary intervention by its commissioner.

REPRESENTATIVE HERRON, in response to Representative Seaton, stated that while it was necessary to direct attention to a problem, the solution could not be created in a vacuum, which would erode any successes. He declared a necessity to create an "effective, protected process." He opined that the current EED process was punitive.

[8:35:09 AM](#)

CHAIR DICK, in response to Representative Seaton, described the work to craft a bill that would be prescriptive to the situation. He declared "this is the hammer that we're referring to here," and read from Senate Bill 285, page 5, line 17:

redirect public school funding under AS 14.17 appropriated for distribution to a school district, after providing notice to the district and an opportunity for the district to respond

He declared that this passage raised concern for all the school superintendents with whom he had spoken. He stated his desire to arrive at a prescriptive solution that did not include "some outside source coming and telling us how to direct our funds."

[8:36:54 AM](#)

REPRESENTATIVE SEATON reflected that the proposed bill had not yet been amended in committee, and he questioned whether elimination of the constraints on the commissioner of EED to intervene was the best approach as it could result in a school district remaining in intervention. He reminded the committee that former EED Commissioner LeDoux had proposed collaboration with each community for its educational model, but that certain prescriptive legislative requirements, such as the High School Graduation Qualifying [Examination], were a basis for education. He cautioned the committee that it was necessary to recognize the constraints for balancing the laws and the proposals.

REPRESENTATIVE HERRON commented that prescriptive language was necessary to require collaborative service from EED; currently, he opined, the onus was on the school district. He emphasized that a successful implementation of intervention was "true collaboration, true problem solving."

[8:40:53 AM](#)

REPRESENTATIVE P. WILSON offered her belief that, as the Alaska State Constitution established that each governor may appoint commissioners of choice, "the train gets goin', the engine changes, but there's so many cars on the track that it's goin' and we get a new engine in here, but it's just pushin' along and they say we've already got this program started, we've spent all this money, and now we wanna change direction." She expressed the difficulty for each commissioner to "come in and change gears." She opined that it was the responsibility of the legislature to address this issue.

CHAIR DICK reminded the committee that the proposed bill was "opening a Pandora's box."

[8:44:44 AM](#)

REPRESENTATIVE CISSNA observed that different worlds existed in the various communities throughout Alaska, and that a lack of communication was part of the issue. She suggested that rural Alaska was not well heard. She stated: "I want to hear everybody."

[8:47:28 AM](#)

REPRESENTATIVE FEIGE replied that he had also lived in Bush Alaska, and he asked Representative Herron if there were urban and bush lifestyles, attitudes, and cultures. He surmised that

EED was attempting to apply a statewide educational standard when it would be more appropriate to have divisions in EED to separately address urban and rural districts.

REPRESENTATIVE HERRON provided an analogy that EED was flying a plane while they were still building it.

8:50:15 AM

DIANE GEORGE, Assistant Superintendent, Yupiit School District (YSD), provided testimony on HB 256, paraphrasing from a prepared statement:

I want to thank you for allowing me to tell my story of intervention as it has unfolded in the Yupiit School District since the fall of 2005. I'd like to let you know that I have lived in Akiachak for 31 years. I started working for the Yupiit School District in 1988, as a special education teacher, and have been in the district office since 1999.

It's my intention here to let people know what's been happening in our district, and how the imposition of the current model has impacted the district. It's not my intent to pick on anybody in particular or to point fingers at anybody.

In the fall of 2005 I received a phone call from then Commissioner of [Department of Education and Early Development], Roger Sampson. He was dissatisfied with our district improvement plan. He felt that it was not well aligned with our school improvement plans and was not appropriately focused. He told us that he intended to send out a team to help us. We were informed that our NCLB [No Child Left Behind Act] funds would not be released until we had participated in a training in November of 2005 and had made revisions to our district improvement plan.

In November of 2005, approximately five individuals arrived at the Yupiit School District district office and provided five days of training. We brought in the three principals, we brought in our literacy leaders, some teacher leaders, and I was present at the training. The focus of the training was the implementation of the AIMSweb assessment system. As well, the facilitator of the meeting worked with us to

set some goals and provide a more direct focus. By the end of those five days, we had, the teams had gone around to all the schools, every student had been tested, given the AIMSweb test, we had revised our district improvement plan, based on recommendations, and we had set some goals and scheduled weekly collaborative meetings

It's important to realize that before this happened; the district administration and staff had recognized that there were things that we needed to do to improve We were focusing on literacy, we had put literacy leaders in each of our schools, we were providing what we felt was high quality professional development in reading and writing, and we had implemented assessments to track student progress. I want you to understand, as I said, that we recognized there was a need and, at the time, we were doing the best we knew how to address those issues.

During either 2006-2007 or 2007-2008, the department [EED] assigned a district coach to our district. This was something that we weren't aware of until the person was introduced to us. That first year I have a vague recollection of very infrequent visits and not really much impact on the district [YSD]. I do remember that there was reporting that we needed to do, but it was minimal.

For 2008-2009, that year the coach made monthly visits into our district. We talked frequently. I felt he served as a mentor and a guide to myself and to our principals. We worked together. He helped me facilitate monthly principal meetings. The department had provided us with a district improvement plan that year. We focused our principal meetings, and when he was in the district, he focused his efforts on what we were doing to meet the requirements of the district improvement plan.

By this time we had functioned under the department imposed district improvement plan for three years. As a result of the requirements of the plan we had eliminated many of the different things that we had initially attempted to do in our district. We were experiencing difficulty with professional development that we felt was necessary to provide to our staff, we

were having trouble with trying to schedule and figure out how to get the requirements of the district improvement plan in place, as well as what we felt was important. It became more and more difficult to provide professional development that we thought was appropriate for our staff.

At the end of the 2008-2009 school year, myself, Joe Slats, then superintendent, Willie Kasayulie, our regional school board chair, met, via phone, with some department folks. At that time, we discussed the district writing its own district improvement plan using the guidelines of the department. It was our understanding at the conclusion of that meeting, that while the district improvement plan template was very comprehensive, and included many different facets, that we could focus on a couple, and in particular, after meeting with the principals at a later date, and looking forward to the following year, we decided that it was important to look at curriculum and professional development.

During May of 2009, when I attended the Alaska State Leadership Institute, I then met our new district coach ... There was no consultation with us, no previous introduction.

Then, in 2009, Howard Diamond began his tenure as superintendent. It was then that he and I met with Commissioner LeDoux during our August in-service when we were in Anchorage. At that time, Commissioner Ledoux discussed the continued involvement and what he was calling intervention plus and the intention to ratchet it up, and get the hammer out.

The requirements related to this Intervention Plus status were set out in a MOU [memorandum of understanding] which was given to the district by the department. The terms of the MOU were not developed in consultation with the district or based on any discussion with district administration about the district needs.

It indicated that the department's efforts would be coordinated and collaboratively discussed with the district in advance of implementation. I feel that did not ever happen. We were presented with an MOU.

We were presented with what needed to happen and even where we had been previously led to believe that specific requirements would not be in place, it then changed; the game changed. As I said, in the spring, we were given the impression that we could focus on certain aspects of district improvement planning. We chose those aspects because we felt that we didn't have the resources to focus on a broader spectrum. That fall we were told we had to focus on every facet of the district improvement plan, we had to address every facet. Yet still, we did not have the resources, nothing had changed from March to August, we still did not have the resources that we needed.

In terms of the design and implementation of the MOU, there was no coordinated effort or meaningful collaboration. That was the year that the content specialists began visiting the district. We were told that they would concentrate their efforts in Tuluksak. We were told when they were coming, we were told where they were going, and we were told what they would be doing.

I think it was the following year that the trustee was then introduced to our district. For me, this has been probably a very, even more frustrating experience. There was again no collaboration or coordination as to the role of the trustee. The trustee arrives in our district, he sleeps in our schools, he chats with our staff, he observes, that's what he does. A few times over the last year, previous years, we asked him to assist us with specific tasks, and we were told that he could not do those things. And so that's where we are today. The trustee is still in our district, it is not a collaboration, and I feel that we are not, have not, been heard in the past.

A few other key points that I would like to bring up.

Judge Gleason was the only person, to my recollection, who ever specifically said, what assistance do you need in your district?

I believe that the intervention has never been designed to support the district and build capacity within the district, and I think that it's critical

that we, in order for anything to be sustainable, the capacity has to be built within the district.

Test scores have been up and down. There's really very little consistency to the test scores, as far as, if you look at AYP [Adequate Yearly Progress], and for the few years that intervention has been in place, they have decreased.

I want to emphasize that we have, and have had, high quality staff in our district, who have recognized a need and we have sought grant opportunities, and tried to implement initiatives to improve student achievement in our district and to address the needs of our students, not only academic, but other needs of our students. But, there is always, a ... it's like juggling, if we do this, what do we let drop and if we're told we can't let something drop, then we have to let what we've chosen to do, drop. ... I think intervention has exasperated the situation.

We were told that there would be no boots on the ground when we indicated the need for on-site, full-time support specialists.

The content area coaches are knowledgeable professionals, they are good people. I have nothing against them. They are in our villages for a few days, a few months of the year. Their visits are too infrequent and too short in duration, in my opinion, to positively impact student learning.

The staff had to be told by our regional school board chair, Willie Kasayulie, in August of 2011, during our in-service he specifically told the staff that Howard Diamond was the Superintendent of YSD and in charge of the district, not the trustee. He said this because staff had expressed confusion over the role of the trustee. Why is he here? What is he doing? Is he our boss? Am I gonna lose my job if he sees that I'm not doing something?

Trustee and coaches, at times, have made statements that have caused confusion and, I believe, have undermined the authority of the district administration and school administration.

9:04:32 AM

MS. GEORGE stated that, in 2005, there was lack of a long term plan; instead, an immediate response to what was perceived to be a problem and lack of collaboration to solve the problem.

9:05:25 AM

REPRESENTATIVE KAWASAKI asked what changes had occurred since the passage of Senate Bill 285.

MS. GEORGE offered her belief that the initial intervention was not as intrusive or intensive, but had become much more intensive and punitive during the last four years.

REPRESENTATIVE KAWASAKI asked if YSD had any input into development of the plan prior to 2008.

MS. GEORGE replied: "no, we did not have any input into the plan, to the district improvement plans"

REPRESENTATIVE KAWASAKI asked if the opt out clause, included in the intervention plan in Senate Bill 285, had been considered.

MS. GEORGE replied that she was not aware of this option.

REPRESENTATIVE KAWASAKI pointed out that Senate Bill 285 included a process by which school districts could remove themselves from the intervention plan. He asked if it was possible that the collaboration and coordination was not dealt with in a timely manner because of the continual turnover of EED commissioners. He asked to know the effects for removal of intervention within a rural school district.

9:09:46 AM

REPRESENTATIVE FEIGE asked if confidence in the ability of the intervention person was lost.

MS. GEORGE, in response to Representative Feige, shared that she never had confidence that the person could lead them out of intervention.

REPRESENTATIVE FEIGE asked if the coach had any experience in rural Alaska.

MS. GEORGE offered her belief that he had been a superintendent, and possibly a teacher, in a rural school district.

REPRESENTATIVE FEIGE asked if he was qualified to provide the necessary help.

MS. GEORGE replied that he was a qualified individual, but that his role had not been clearly defined. She shared that they had built a collaborative relationship.

CHAIR DICK stated that it was a very difficult role.

[9:12:41 AM](#)

REPRESENTATIVE P. WILSON asked if there had been any schedule.

MS. GEORGE replied that currently there was a monthly schedule, but that previously there had not been.

REPRESENTATIVE P. WILSON asked about the observers.

[9:13:57 AM](#)

CHAIR DICK asked Ms. George to clarify the roles of the coach and the trustee.

MS. GEORGE explained that the content area coaches worked directly with the teachers; whereas, the trustee was the overseer for the operations of the district, and did not get involved at the classroom level.

[9:15:15 AM](#)

HOWARD DIAMOND, Superintendent, Yupiit School District (YSD), in response to Representative P. Wilson, noted that the trustee, upon arrival to the community, was asked to share the goals and timelines, as Mr. Diamond had not been involved with any of the planning. The trustee's response had been "to just observe." He shared that it was difficult to have someone just wander the school, observing. He had been told there would be an exit interview with the trustee at the end of the visit, at which time suggestions would be provided to the school district; however, he declared that these suggestions did not "meet the root causes of an underperforming school district." He confirmed that he had spent his career, more than 30 years, as a teacher and superintendent in rural Alaska, and when he left his job as superintendent in Yakutat, he had been approached to work

in the Yupitit School District, the lowest performing school district in the state.

9:17:43 AM

MR. DIAMOND declared that he had wanted to return to the Yupitit School District, and that upon his return, both the commissioner and the deputy commissioner met with him. He shared this conversation, as it focused on a demand for "considerable improvement on the test scores, considerable improvement on the direction of the district, that we will ratchet it up, we have the authority to give you a trustee, we have the authority to take over the school board and dissolve the school board, and basically we were told to go about our business and make the changes that were necessary to improve the district." He expressed that he departed the meeting feeling bewildered and confused, with a real sense for the feelings of the parents and the school board. He stated that he did not find any coordination with EED to establish goals and expectations for the district. He affirmed that the confusion still existed. He expressed his belief that these conversations would lead to more direct collaboration with the current commissioner, and to a structure that would be self-standing, regardless of the commissioner.

9:20:47 AM

CHAIR DICK asked about the contributions of [YSD] Trustee Sanborn, noting his yearly contract for \$193,000, which required ten to fifteen days each month in the community.

MR. DIAMOND, in response to Chair Dick, said that the trustee had not resolved any of the root causes to improving instruction in the district.

CHAIR DICK asked if, between May 15 and August 15, 2011, YSD had any meaningful interaction with Trustee Sanborn.

MR. DIAMOND replied, "I can't recall."

9:21:49 AM

REPRESENTATIVE CISSNA, indicating that there did not appear to be an integral relationship between the trustee and the school district and community, asked about the number of district staff, and how the contract with the trustee worked.

MR. DIAMOND replied that there were approximately 50 certified teachers in the district, with an additional 100 staff. In response to Chair Dick, he declared that a root cause for failure in rural Alaska schools was that although highly qualified teachers were identified and attracted to the district, almost 30-40 percent would leave by the end of 10 months. He reported that the combination of living off the road system, in a different culture, with unusual weather patterns, and a bombardment of programs from the state and the district was a lot to handle. He reported that it took about six months for an understanding and vision of village life. He declared that the teacher turnover was difficult and a root cause of problems in the district.

[9:25:25 AM](#)

REPRESENTATIVE SEATON asked to clarify that the role of content coaches were for professional development, and that the role of the trustee was to observe. He asked if there would be a conflict with the role of the superintendent if the trustee inserted himself.

MR. DIAMOND agreed that the school district was confused with the role of the trustee. He pointed out that conversation and collaboration would eliminate confusion and result in solutions.

REPRESENTATIVE SEATON asked why there had not been a teleconference with the EED commissioner to establish the role of the trustee within the district.

MR. DIAMOND replied that there had not been any conversation with the commissioner for the first two years. He offered his belief that the trustee represented the department and answered to the commissioner. He pointed out that, under the new administration and with a new commissioner, there were now conversations and that an exit strategy for intervention had been developed for the district. He reported that the new EED commissioner had admitted his lack of background with rural school districts, and had visited the village, meeting with the local advisory board, the regional school board, the teachers, and the parents. He surmised that this had offered the commissioner a better understanding to some of the problems in rural school districts.

[9:29:51 AM](#)

CHAIR DICK clarified that the intent was for the creation of a stable system that did not fluctuate with the changes to administration. He referenced an earlier meeting he had organized in Anchorage between EED Commissioner Hanley, Mr. Diamond, Ms. George, and Mr. Kasayulie. He reported that the two issues discussed were testing, and the YSD trustee. He noted that the EED commissioner had informed YSD that the same trustee would be retained. He asked Mr. Diamond to speak about the \$7 million appropriation by the legislature, in 2010, which was to be directed toward intervention districts for improvement of instruction.

[9:31:22 AM](#)

MR. DIAMOND relayed that discussions had ensued among the superintendents upon hearing of the appropriation for the intervention districts. They had discussed ideas for the funding, which encouraged all of them until they were informed that each district would have to apply for the funds, with awards being proffered. He summarized a serious incident which occurred late that summer in Tuluksak, a sexual assault of a teacher, and that safety became an issue. He reported that, as law enforcement was minimal in Tuluksak, a security surveillance system was agreed to as a layer of safety. He had requested the cost of \$.5 million be awarded as the appropriation share to Tuluksak; however, the commissioner's office had responded that the estimate seemed high, and suggested obtaining two more proposals, although there was not a guarantee of approval. Mr. Diamond pointed out that the initial proposal had taken six weeks, and so he included the initial security system proposal with the district's appropriation application. In the summer of 2011, EDD announced that some of the 2010 funds were still available. Mr. Diamond conveyed his frustration that he was never contacted regarding these solicitations, either by e-mail or by telephone. He stated that the funding went unused, and the proposal for a security surveillance system was not awarded. He expressed his frustration as this funding could have provided a solution toward safety and teacher retention.

CHAIR DICK offered his belief that more than \$4 million of the appropriation was not spent. He expressed his concern that the trustee had not contacted Mr. Diamond about the still available funding. He reiterated his desire for a positive solution.

[9:38:17 AM](#)

CHAIR DICK asked Ms. George whether the previous YSD superintendent had been defiant toward EED.

MS. GEORGE, in response, said "not to my knowledge, no." She added that, as they were the two administrators in the YSD office, they had worked closely.

CHAIR DICK asked if the previous superintendent had made a statement that indicated "some kids can't learn" or that "some kids do have challenges."

MS. GEORGE, in response, said that a statement may have been made with the intent that some students "have a more challenging time learning, and there may be different things that need to be done in order to meet the needs of these kids."

[9:39:43 AM](#)

REPRESENTATIVE SEATON asked that Mr. Diamond provide the committee a list of the other core problems not contained in the improvement plan.

[9:40:44 AM](#)

CHAIR DICK directed attention to an earlier visit by Phyllis Carlson [Alaska Director of Rural Education] to YSD, asking what YSD needed and wanted. He paraphrased the community response, "we do want to learn the academics, but we do need to have that within the context of our local culture." He asked Mr. Diamond to compare this to conversations with the trustee.

MR. DIAMOND, in response, explained that culture was the basis for what programs were emphasized in the Yupiit School District, but that some of these curriculums had been set aside to meet the new mandates. He listed the career technical education programs, including small engine repair, welding, and construction, as being very important for rural Alaskans, yet it was these programs which had been eliminated. He confirmed that local advisory school board meetings were very spirited, as people stated their program requests. He pointed out that there were no certified music, art, or Physical Education teachers in the district. He emphasized that, although student attendance exceeded 90 percent, an education relevant to where they live and to their culture was not being delivered.

[9:44:08 AM](#)

REPRESENTATIVE P. WILSON asked for the reasons to not schedule the other classes.

MR. DIAMOND replied that the district was being judged on criteria that included more testing with an emphasis on reading, writing, and math; therefore, time did not allow the other curriculums.

CHAIR DICK remarked that enrichment programs engaged students. He asked if either the coaches or the trustees had initiated an event with parent involvement.

MS. GEORGE replied, "Not that I'm aware of, no."

CHAIR DICK asked if there was ever a model for involvement of parents with the school programs.

MS. GEORGE replied that school activities, usually initiated by either the teacher or the principal, had occurred in which a coach may have been involved.

MR. DIAMOND observed that although the coaches were competent, experienced, and tended to participate, they did not organize parent involvement groups.

[9:46:46 AM](#)

REPRESENTATIVE CISSNA offered her belief it was necessary that skill sets to help children live in the community be taught, and not to solely focus on teaching western culture. She said that it was imperative to have school board members from rural Alaska participate in these discussions.

[9:48:14 AM](#)

CHAIR DICK reported that rural school boards had been frustrated with EED for a lack of input to the process.

MR. DIAMOND assured the committee that he would return to Juneau with a YSD board member, and they would schedule discussion time with each committee member.

REPRESENTATIVE CISSNA replied that these conversations needed to be shared statewide.

[9:50:08 AM](#)

REPRESENTATIVE SEATON affirmed his agreement with Representative Cissna for community engagement and community goals; he pointed out, however, that state law required that specific testing occur. He assessed that the committee had declared a need for community standards and parental engagement, yet this was not what was required by law. He specified his concerns that proposed HB 256 included the removal of criteria for intervention but did not address the root cause for intervention. He declared that the decision should be toward realignment and allowance for education. He emphasized that it was unfair to ask a community to set its goals for education, if the laws already declared that measurement and testing were necessary for other objectives. He observed that too often the committee discussed what was wanted, but did not address how to attain it. He opined that intervention could be used as a means to address the root causes of what was acceptable for relevant education in rural Alaska. He declared the need for a balance between the education requirements for college and the needs of living in rural Alaska.

[9:54:17 AM](#)

CHAIR DICK reflected on an earlier conversation with Alaska State Board of Education & Early Development member, Patrick Shier. Mr. Shier said that the only testimony he had heard about an intervention was from Trustee Sanborn in YSD, and that this testimony had projected an image that YSD was in turmoil and that EED had the solutions in place. Chair Dick reflected that this testimony had only included pieces of the total picture.

[9:56:22 AM](#)

REPRESENTATIVE P. WILSON commented that four members of the House Education Standing Committee were also members of the Education & Early Development Finance Sub-Committee, and she pledged her support.

[HB 256 was held over.]

[9:58:45 AM](#)

ADJOURNMENT

CHAIR DICK announced that the meeting of the House Education Standing Committee was recessed at 9:58 a.m.