

**ALASKA STATE LEGISLATURE  
HOUSE EDUCATION STANDING COMMITTEE**

February 22, 2012  
8:02 a.m.

**MEMBERS PRESENT**

Representative Alan Dick, Chair  
Representative Lance Pruitt, Vice Chair  
Representative Eric Feige  
Representative Paul Seaton  
Representative Peggy Wilson  
Representative Scott Kawasaki

**MEMBERS ABSENT**

Representative Sharon Cissna

**COMMITTEE CALENDAR**

PRESENTATION: ALEUTIANS EAST BOROUGH SCHOOL DISTRICT

- HEARD

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

**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
02/01/12	(H)	Heard & Held
02/01/12	(H)	MINUTE(EDC)
02/03/12	(H)	EDC AT 8:00 AM CAPITOL 106
02/03/12	(H)	Heard & Held

02/03/12 (H) MINUTE(EDC)  
02/06/12 (H) EDC AT 8:00 AM CAPITOL 106  
02/06/12 (H) Heard & Held  
02/06/12 (H) MINUTE(EDC)  
02/22/12 (H) EDC AT 8:00 AM CAPITOL 106

#### **WITNESS REGISTER**

DR. PHILLIP KNIGHT, Superintendent  
Aleutians East Borough School District  
Sand Point, Alaska

**POSITION STATEMENT:** Provided the presentation of the Aleutians East Borough School District.

ANNETTE KREITZER, Staff  
Representative Alan Dick  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided a sectional analysis for the proposed committee substitute (CS) for HB 256.

DR. NORMAN ECK, Superintendent  
Arctic Northwest Borough School District  
Kotzebue, Alaska

**POSITION STATEMENT:** Testified in support of HB 256.

DOUG CONBOY, Superintendent  
Kashunamiut School District  
Chevak, Alaska

**POSITION STATEMENT:** Provided a review of the current intervention practice, during the hearing on HB 256.

JERRY COVEY, Education Consultant  
Former Commissioner of Education  
Anchorage, Alaska

**POSITION STATEMENT:** Provided perspectives on intervention practices, during the hearing on HB 256.

#### **ACTION NARRATIVE**

[8:02:54 AM](#)

**CHAIR ALAN DICK** called the House Education Standing Committee meeting to order at 8:02 a.m. Present at the call to order were Representatives Dick, Seaton, P. Wilson, and Kawasaki.

Representatives Pruitt and Feige arrived while the meeting was in progress.

**Presentation: Aleutians East Borough School District**

8:03:20 AM

CHAIR DICK announced that the first order of business would be a presentation from the Aleutians East Borough School District.

8:06:28 AM

The committee took an at-ease at 8:06 a.m.

8:06:39 AM

DR. PHILLIP KNIGHT, EdD, Superintendent, Aleutians East Borough School District, began the presentation with a description of the geographic area and demographics of the district, which include: 2,547 miles of coastline, 15,000 square miles, accessible by air and ferry service, and a total enrollment of 227; 136 students are grades k-6 and 91 attend grades 7-12. Three schools have less than 10 students and 4 schools are expected to have less than 10 students for the 2012-13 school year. He reported that the 2010-11 school year had a graduation rate of 100 percent, and that the average yearly progress (AYP) levels have been met in five of the six schools. Dr. Knight said that distance learning has been important for the district and courses are delivered daily via videoteleconferencing (VTC), which include: advance placement (AP) English, algebra, Bush physics, nautical science, and the AKLN (Alaska's Learning Network) content. Additionally, VTC is used for board meetings, in-services, academic/athletic competitions, and CILC (Center for Interactive Learning and Collaboration) virtual field trips. Technological devices include Promethean Interactive Whiteboards, 1:1 laptop computer deployment to secondary students, and 1:1 iPad deployment in grades k-6. Wind generation provides an alternative source to help keep district energy costs down. The windmill is used in conjunction with the hydro energy plant, an effort which has reduced the fuel bill by 50 percent. Vocational technical training is a focus and implemented through the student skiff building project, the Sand Point School Aquaculture Building hatchery facilities, and in partnership with the communities' emergency trauma technician (ETT) team. The skiff building process includes technical skills such as welding. The first skiff has been sold, and others are being marketed. At the hatchery, scientific

applications are integrated with the technical aspects of salmon rearing, and the return of the first salmon run is highly anticipated. Intramural activities include: NYO (Native Youth Olympics), cross country, wrestling, volleyball, basketball, student council, band, and drama. He pointed out that student enrollment has decreased from nearly 400, in 1983, to the current 227. Enrollment is the main challenge faced by the district, but the list also includes: meeting highly qualified requirements for educators; no counselor or curriculum director; and high utility, travel and shipping costs.

CHAIR DICK expressed concern for the declining population. He asked whether the two year grace period, allowed for a school with an average daily membership (ADM) below 10, has been helpful.

DR. KNIGHT answered that options for means to provide adequate education for minimal numbers of students are being explored, and said that if the ADM minimum number was 5 it would be more helpful.

[8:25:12 AM](#)

REPRESENTATIVE P. WILSON asked whether the marketed skiff resulted in a sale price that satisfied the project goals.

DR. KNIGHT responded yes, and reported that \$5,001.00 was the sale price. He indicated that subsequent sales are expected to bring a higher price, as the student's workmanship becomes known in the area.

[8:26:26 AM](#)

REPRESENTATIVE SEATON referred to the iPad deployment in the k-6 grade levels and asked whether interim progress results are available.

DR. KNIGHT responded that data has not yet been analyzed; however, he predicted the results will indicate improvements. He relayed how quickly the students were able to enter the technological age, and understand device manipulation at a higher level than many people who have been progressing through years of upgrades and advancements. He opined that the iPad II will be especially beneficial, and the district plans to transition away from the laptop program due to the iPad capabilities, as well as projected cost savings on the devices.

REPRESENTATIVE SEATON recalled the extended learning time that has been reported, from Canby, Oregon, when students have full possession of the iPads and asked whether the district checks the devices out or retains them in the classroom.

DR. KNIGHT answered that the laptops are checked out to students in grades 7-12, but the iPads have thus far been kept in the classroom.

CHAIR DICK noted that the Aleutians East and the Delta Junction districts are both utilizing the Bush physics program, offered through the University of Alaska, via technological delivery, to good benefit.

### HB 256-REPEAL STATE INTERVENTION IN SCHOOLS

8:30:31 AM

CHAIR DICK announced that the final 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 passed the gavel to Representative Pruitt.]

The committee took an at-ease from 8:30 a.m. to 8:33 a.m.

REPRESENTATIVE SEATON moved the proposed committee substitute (CS) for HB 256, labeled 27-LS1171\E, Mischel, 2/21/1. Without objection, Version E was before the committee.

8:33:16 AM

CHAIR DICK pointed out that a similar bill has been lodged in the Senate [SB 194], which further validates the need for this legislation to elicit a change in the current intervention practices. The first element, of the proposed committee substitute (CS), renames the requisite action to restoration rather than intervention, which will set a more harmonious tone to begin the work. Then the CS provides for an evaluation of the Department of Education and Early Development (EED) by the superintendents of the state as a means to promote accountability and allow even the most remote school districts to call official attention to needs that might otherwise go unnoticed. Also, the CS eliminates the role of trustee, and redefines the method of appointment and duties of the coaches.

Overall, the proposed language provides for a clear, collaborative, inclusive, step by step strategy for improvement to occur over a period of years, and provides the legislation which the commissioner and attorney general both urged as necessary, with the repeal of SB 285. The CS requires that EED include a district representative when holding formal conversations regarding intervention plans; thus ensuring that the opinions of the local officials are included in "the loop." Another element specifically addresses districts that are comprised of 50 percent or more Alaska Native students. The "Alaska Standards for Culturally Responsible Schools" are stipulated as the guideline for developing improvement strategies in these areas. He reviewed the history and development, and summarized the content of the guidelines, available in the committee packet. The current research based education is based on the studies of a target audience which did not include Alaska Natives, he opined. The proposed legislation provides for appropriately directed research to be conducted and included in the educational structure. Finally, the CS removes EED as the sole authority for the redirection of district funds and places the decision in the hands of a team comprised of school district officials, in collaboration with the department.

[8:40:34 AM](#)

ANNETTE KREITZER, Staff, Representative Alan Dick, Alaska State Legislature, provided a sectional analysis, paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

Section 1- Department annual report:

Amends the requirements of the Department of Education & Early Development's annual report:

Removes the reference to schools having a designation of "in crisis" since that term is not defined;

Replaces the term "intervention", with restoration - since that is the goal of efforts to assist local school districts to improve instructional practices.

Adds a requirement that the Department report the reasons for turnover in certificated personnel and superintendents, not just report the numbers and percentages.

Section 2- School and district accountability:

Requires the Department to give technical assistance to a public school or district that receives a low performance designation. This is in recognition that smaller districts may not have the technical capacity to devote the appropriate resources to developing a district improvement plan.

MS.KREITZER emphasized that the court [decision of Moore, et al. v. State of Alaska, 3AN-04-9756 CI, (2010)] noted this area of accountability as a specific concern.

[8:42:18 AM](#)

REPRESENTATIVE P. WILSON referred to Section 2, and asked how technical assistance is defined.

MS. KREITZER responded that the court summary may include language which is broader than is actually contained in the bill. The reference in the sectional analysis is meant to encompass the kind of talent that is specific to creating a school improvement plan, she explained, then continued the presentation, paraphrasing from the prepared statement, which read as follows [original punctuation provided]:

Section 3:

Adds a Department accountability section. This section sets up a process for superintendents to evaluate the Department as to:

Whether the staff was supportive of the district;

Description of the support received and an evaluation of the support;

Quality of the level of contact the district had with the Department;

Its reporting requirements; and

How the Department may improve services to the district.

These evaluations would be summarized to lessen personal identities and provided to the Governor, Legislature, and Commissioner of Education.

MS. KREITZER elaborated on the importance of removing the identities from the evaluation process, allowing for an arms-length relationship, as a means to cultivate productive and candid critiques. She then continued, the presentation referring to, paraphrasing from the prepared statement, which read as follows [original punctuation provided]:

Section 4- Duties of the department:

Amends the duties of the department to include more cooperative opportunities for the department and school districts.

Includes opportunity for school and district personnel to participate in the Department's review of the needs of Alaska's public schools toward the goal of improving the schools.

In adopting regulations to implement improvements, the regulations must include appropriate cultural standards that must be included in instructional practices in districts in which 50% or more of the students are Alaska Native.

The Department must

Identify intensive learning opportunities for each district.

Analyze community involvement and methods for improving it.

Address teaching capacity, retention and development and provide for technical assistance to teachers.

Ensure districts develop and maintain elective and career and technical courses.

Notify a district of a low performance designation, offer technical assistance consisting of predictable, research-based strategies tailored to Alaska before beginning state restoration activities.

Describe research-based strategies that target educational performance.

The Department has to employ qualified personnel to provide advisory/consultative services to districts. However, these services must be consistent with AS 14.07.030(14), which is amended in this bill. Restoration activities do not include hiring a trustee.

Ensures that elective and career and vocational courses are included in regulation as a minimum course of study.

Removes the requirement that student proficiency be tied solely to standards-based assessments. The district must demonstrate three consecutive years of improvement or measures identified as indicators of student success and achievement under AS 14.03.123(f).

(Page 6, beginning at Line 23):

When a school is designated as low performing, the rest of Section 4 sets out a collaborative, rather than punitive process for the Department and the district to work together to improve school performance

After being designated a low performing school for two years,

The Superintendent of the District and the Commissioner shall select appropriate independent experts to evaluate the school and prepare a report for the Commissioner, the local school board and the Superintendent. The report will also be made available to the public through Internet posting of a summary.

If a school is designated a low performing school for a third year, there will be frequent consultations between the Department and the staff at the school and the Superintendent.

A School Improvement Team will be established consisting of the Commissioner or his designee, the district Superintendent, school improvement coaches, a

member of the local school board and a member of the legislature.

The School Improvement Team will evaluate the school for best practices applicable in Alaska relating to major areas of school administration, governance and instructional practices.

Section 5 - Powers of the Department:

Specifies that regulations adopted by the Department related to restoration of a school or district must be consistent with federal and state law and the superior court's findings, dated February 4, 2009, in Moore v. State of Alaska. These regulations must provide for:

Qualified employees to exercise supervisory authority for instructional practices in the district or in a school.

Training and other support as necessary to implement a school or district improvement plan.

Regular monitoring, evaluation and modification of improvement efforts tailored to the strengths and weaknesses of the school or district.

Availability of courses and remedial programs necessary for students in these schools to meet state standards for graduation in the expected time frame.

Section 6 - Powers of the Department:

Before the Department may redirect public school funding for a low performing school, the department must:

Assemble a school improvement team and that team must have requested funding to be redirected for a specified purpose related to improving instructional practices.

Provide notice to the legislative committees with jurisdiction over education.

Provide notice to the district and provide an opportunity for the district to respond.

Establish a timeline for redirecting the funding back to the district after the team determines improvement has occurred.

Section 7 - Powers of the Department:

Adds language to codify the cooperation that should exist when instructional coaches and expert staff are brought in to assist a low-performing school or district.

Section 8 - State Board of Education Duties:

Requires the State Board of Education to review the Department's compliance with its statutory responsibilities related to school monitoring, improvement and restoration.

Requires the Board to provide the Superintendent and local school board who are the subject of an item for consideration on the Board's agenda to be provided notice that the item is on the agenda and an opportunity to respond.

[8:50:49 AM](#)

REPRESENTATIVE PRUITT referred to Section 3, regarding the requirement to have superintendents from other districts involved in the evaluation process, and asked about the effectiveness, and applicability of comments from someone who may not be familiar with the area under intervention.

MS. KREITZER suggested that it would be similar to an emergency medical debriefing, as might occur during an emergency medical team (EMT) response. Further, she opined that an outside voice, with related experience, can provide important situational help to assist in moving beyond a sticking point.

[8:54:00 AM](#)

REPRESENTATIVE P. WILSON interjected that the superintendents tend to relate to each other and inherently provide mentorship support that surpasses district boundaries.

[8:55:27 AM](#)

REPRESENTATIVE SEATON directed attention to the CS, Section 1, page 2, line 14, and asked whether the intent is to conduct teacher exit interviews.

CHAIR DICK responded that paragraph (8) directs the department to make a best effort survey for discovery of why teachers leave a restoration district. The current exit data has been gathered informally and is incomplete, thus, it provides minimal information to assist districts with teacher retention.

REPRESENTATIVE SEATON pointed out that the CS appears to create a mandate to have a survey completed, which would need to become an aspect of the statewide teacher contractual agreements. He suggested that if the intention is to gather more thorough information via a superficial effort, that the requirement not be placed in statute.

MS. KREITZER offered that contractual concerns would not enter into the requirement, as any district may choose to conduct an exit survey. She suggested that every district has a desire to gain a better understanding of teacher turnover, particularly in view of the expenses involved when hiring replacement staff. Requiring a district to make inquiries, summarize the information, and report findings to the department, should not prove burdensome to a district, she opined.

REPRESENTATIVE SEATON agreed; however, he said that the CS places the onus for information gathering directly on the department, not the district.

REPRESENTATIVE P. WILSON stated her understanding that, although the language stipulates that the department shall report to the legislature, EED is not the required source of the data, thus leaving the charge for compiling the information open for determination.

[8:58:52 AM](#)

REPRESENTATIVE KAWASAKI turned to the CS, Section 3, page 2, line [29], to reference the term "shall" and asked what if a district chooses not to provide a departmental evaluation; does a consequence exist.

CHAIR DICK responded that the intent is to provide a superintendent the opportunity to evaluate the department's actions, and agreed that the language may need amending, as part of the committee process.

[9:00:36 AM](#)

REPRESENTATIVE P. WILSON inquired about the possibility of adopting the bill as a three year pilot program; allowing for feedback and review.

CHAIR DICK agreed on the plausibility.

[9:02:05 AM](#)

REPRESENTATIVE PRUITT referred to the analysis of Section 4, and paraphrased the language which read [original punctuation provided]:

There will be frequent consultations between the Department and the staff at the school and the Superintendent.

REPRESENTATIVE PRUITT noted that concerns have arisen due to the current intervention scheme, and asked what differentiates HB 256.

CHAIR DICK explained that the intent is to ensure collaboration in choosing the coaches, as well as throughout the entire process.

REPRESENTATIVE PRUITT agreed that intervention is a sensitive issue and a hostile environment needs to be avoided; however, the department needs to keep districts on track to meet specific goals and appropriate expertise must be made available.

CHAIR DICK referred to the committee packet handout titled "Sequence of Assistance," which delineates the HB 256 intervention stratagem. He suggested hearing from the invited witnesses to gain a better understanding of what is occurring and what is being proposed.

[9:06:36 AM](#)

REPRESENTATIVE P. WILSON stated support for the efforts of the current commissioner, and asked to have his comments put on record.

[9:07:36 AM](#)

REPRESENTATIVE PRUITT passed the gavel back to Chair Dick.

DR. NORMAN ECK, Superintendent, Arctic Northwest Borough School District, testified in support of HB 256, paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

I am Dr. Norman Eck, superintendent of Northwest Arctic Borough School District. We have 1950 students in 12 schools in our 11 villages. None of our villages are accessible by roads and all supplies have to be flown in. I have been employed in Northwest Arctic for 14 years, one year as a Director, 5 ½ years as principal, and now I am in my 7th year as superintendent.

I appreciate this opportunity to speak with you today. I support changes in language in School Intervention law. We need to be sure we have as an objective Intervention process as possible. We need to focus on what things are needed based upon the local school situation and listen to local voices as well as provide guidance and support to the educational programs in place.

It does little good to go back and complain about past problems or grievances with the Department of Education over how we were treated when Northwest Arctic was under Intervention by the department. However, now that we are working to craft a better and improved process and model for Intervention, it is valuable to look at past mistakes, mistakes of my own district and mistakes of the Department of Education, in order to put in place an Intervention process that will be a positive model for students, staff, community and school. Working together, and placing the needs of students above all else, we can do this.

First, we must have an objective process for Intervention within a school. To place an entire district under Intervention may not be what needs to be done. For example, Northwest Arctic, as an entire district was placed under Intervention on account of 3 schools with poor academic achievement, but a number of our schools were doing very well. Additionally, when Northwest Arctic was placed under Intervention, two other districts were also placed in Intervention at the same time, Yupiit and Lower Yukon. However,

there were 7 other districts with student achievement scores lower than Northwest Arctic, but those districts were not placed under Intervention. The placement of Northwest Arctic seemed to me to be a political placement rather than an objective placement.

Second, programs that are considered "best practices" in general by educators on a State or National level may not be strategies that work well in some of our isolated rural villages. We need to look at the local situation and evaluate what can work best here and then look at choices and see what the local capacity is for program change. In the case of Northwest Arctic the Department of Education dictated specific "best practices" and had given instructions to observers and consultants to come and do certain things that were in conflict with what is the best program or action to take locally. Much of this failed.

Third, the current instructional improvement plan that the local district or school may have in place needs to be looked at and worked with before it is thrown out or over-written by a new plan that is dictated by the Department of Education. In our case, when Intervention was put upon Northwest Arctic we already had an excellent improvement plan in place. We already had contracted with certain consultants to help us in a constructive manner. We were forced to use the Department of Education's plan, and then overlay that plan and the Departments consultants in our schools.

Fourth, the Department of Education, alone, lacks the depth of knowledge and expertise to conduct the Intervention process. Even today, the situation in the Yupiit District is one of conflict with the local district instead of working in concert and supportive of the District and its administration. For example, expertise from other Districts in the State can be a most valuable resource for advice to a fellow District in need. School Board members from other similar Districts can be a resource and support to the local District Board members in need. Surveys and inventories of processes and programs should be undertaken. Other Districts with similar professionals

can be a most valuable resource to the Intervention School and the Department of Education in these cases.

These are good reasons to be concerned about the Intervention process and how it has worked and not worked, well. In the case of Northwest Arctic, we were fortunate to be able to establish good relationships with the head consultants assigned to our District, John Holst and Richard Hebbardt, over a period of 4 years. We learned from them and they each learned from us as we worked together to improve services to students.

Finally, I want to commend the Department of Education for releasing Northwest Arctic from Intervention in August of 2010. In August of 2011, Yukon-Koyukuk was released from Intervention. A national statistic is that only 5% of districts that have gone under Intervention have been released from Intervention.

I want to commend the Department of Education and the Governor for the settlement in the Moore Case. The process for providing targeted assistance to low performing schools as lined out in Moore Settlement can be very instructive to us. The solutions are not dictated or directed by any one party, but by a coming together of parties, listening to the needs of the local school, and providing help that is requested by the Intervention School in the categories authorized in the agreement. In this way, much can be accomplished.

Finally, for successful Intervention (or a better term is school improvement), a process of assistance must be detailed that will provide supports for the students, teachers, administrators, communities, and school board. Districts that need help must be afforded a process of Intervention that truly assists the schools to enable improved student academic performance through targeted assistance in terms of personnel, policy, and finance for specific programs.

[9:16:21 AM](#)

DOUG CONBOY, Superintendent, Kashunamiut School District, provided historic testimony, to review the intervention process,

paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

I began my tenure as Supt of Schools in Chevak in July of 2009. I knew early on of several important issues that were going to need to be addressed. For starters, the Curriculum was in disarray, the leadership of the district had undergone significant change with a new Principal and Superintendent and there were several folks on the teaching staff new to Chevak.

We had started the clean-up of the curriculum in April of 2009 shortly after I had accepted the position of Superintendent by looking for a reading program, we wanted this program to be literacy based, and scoped and sequenced for grades K-8. We found that in the Treasures reading program. We also made sure that KSD had a team in the state sponsored Curriculum Mapping Institute workshops scheduled for the fall of 2009. My second effort was to work at improving the learning environment; to that end we contracted with PEAK to train our staff in best practice for teaching and learning.

In September of 2009 I was contacted by DEED and told that some DEED people would be coming to Chevak for a visit. I asked what the nature of this visit would be and was told it would be purely supportive in nature. That visit took place over a two or three day period shortly thereafter. In meetings with DEED staff we were asked what we saw as problems in our district, and also what we planned to do to address those problems.

After laying out what we had identified as our most pressing issues and showing the DEED staff what we had planned to address them, we were praised for what had been done and for the direction we were taking to make improvements. DEED staff asked that we document our efforts and record progress. KSD staff was already doing that and we continued to monitor what we were doing noting problems and the adjustments we were making along the way toward the goal of implementing our plan. This kind of re-tooling of the delivery of education services takes time and our plan was to work on this over a much longer period of time than one school year.

This was communicated to the DEED staff with favorable reactions from them.

Later that same school year, a group charged by DEED to conduct an Instructional Audit of our district contacted me. After asking several questions of this audit group I was told that the audit came as a mandate from DEED and that it would occur in early March. We were then presented with a lengthy list of materials and items that the auditors would want to see when they came as well as a list of people they would want to interview as part of their job in Chevak.

These Auditors referred to their work as an "investigation", I took exception to this and asked them if we had done something wrong or had broken a law? At that point they said no and tried to assure me that what they would be doing was not to find wrongdoing but to help us. We took considerable care in preparing a portfolio for them containing all the information they had requested and a schedule of the people they wished to interview with dates and times. After receiving the portfolio the auditors called back to tell us that they wanted to change the schedule around. They were told that there would be no schedule changes. The auditors were being allowed to disrupt our daily schedule already and that level of disruption was not going to increase. We provided them everything they had asked for in our portfolio and we would adhere to the schedule in it.

The audit was conducted over a three-day period in March of 2010. Several weeks later we received the report from the audit. In that report, we were told things we already knew, curriculum was weak, assessment also weak, leadership not strong, learning climate quite good, etc., etc. All of these things were the same as we had discussed and gone over with DEED staff back in September. However the report was written in such a way as to indicate that this was news to us. In late April or Early May of 2010 I received a call from DEED in response to this audit report. The purpose of the call was to offer me some "quick fixes". At that point I lost patience and strongly disputed the concept of a "quick fix". First

there is no such thing as a quick fix for education, second if there were quick fixes, why wasn't DEED telling schools about them before they got in trouble? In essence this call was made to tell me to do what we were already doing about problems we already knew about. Again I got the impression that we were regarded as too stupid to know what the problems were, and also too stupid to know what to do about them.

My questions:

How much money did it cost to send the DEED staff to Chevak in September?

How much more money did it cost to first pay the auditors and then bring them to Chevak, to do a totally redundant report?

What happened after the visit from DEED staff in September to demand this audit? From my perspective, it had to be that we were not trusted to do what we said we were going to do about the problems we had identified.

What sense does it make to expend this amount of funds and time to tell schools things they already know and then order them to do things they are already doing? Is this a reasonable use of state money?

Given what seems to be a scarcity of funding at present, I cannot help but think that this expenditure should have been avoided due its total redundancy.

The individuals involved here were doing what was asked of them. As such, I have no hard feelings toward any of the people mentioned here. I do take exception to a course of action that is redundant and wasteful of both time and funds.

[9:23:18 AM](#)

JERRY COVEY, Education Consultant, Former Commissioner of Education, said it is important that EED be allowed to intervene in districts that are consistently below standards, and expressed concern for how intervention occurs. He addressed Representative Pruitt's inquiry regarding the collaboration of superintendents from other districts, and said that local

decision making may not be the best approach. It is often helpful to have an outside perspective, which might offer an objective and validating opinion. Intervention by nature may initially put people at odds, he said, and not everyone has the same capacity, understanding, and motivation to effect change. He stressed the need to objectify key points of the process. He agreed with Representative P. Wilson that the bill could be launched as a pilot program and reviewed on a timeline basis. He said the trick lies in the deployment and delivery of services that are supportive, influential, and respectful. The challenges are immense, particularly considering the geographic and winter conditions in the state. A collaborative effort on the frontend is imperative and would represent an appropriate response, he opined.

[9:29:46 AM](#)

REPRESENTATIVE P. WILSON offered that the initial contact can be uncomfortable in a village setting, and the beginning of the collaborative process may be difficult; however through perseverance improvement will become apparent, she predicted.

MR. COVEY said that collaboration requires time, commitment, respect and an appreciation for a variety of viewpoints. Given positive intent there is a possibility to move forward and he said the bill will provide a structure to support that type of work.

[9:32:36 AM](#)

REPRESENTATIVE KAWASAKI noted that the testimony has indicated a lack of collaboration, during the recent interventions. He asked for comment from the commissioner's office to describe the experience from the department's perspective.

MR. COVEY stated support for the means by which the bill outlines intervention. He offered a description of how a collaborative process would take place, beginning with an agreement of the facts, followed by commitment to a plan, which may include delivery of services, and the implementation of agreed upon strategies.

CHAIR DICK added that accountability standards are a key aspect.

REPRESENTATIVE KAWASAKI opined that some language could be considered subjective, and cited Section 1, page 2, line 14, and Section 3, page 2, line 31. Further, he asked about the

anonymity factor that has been raised, and whether that would cultivate transparency in the process.

MR. COVEY said that a standardized format could be generated to gather and report data regarding why teachers leave districts; without data nothing can be reported. Further, he said it is a common practice for organizations to self-evaluate, and an objective approach could be devised to collect valid data for improvement purposes.

[9:38:40 AM](#)

CHAIR DICK interjected to provide an example of how a current REAA superintendent has been confounded by departmental priorities regarding school maintenance funding. In the example the superintendent understood that his district was number 25 in the order to receive funding; however, distribution only extended to the first 20 schools on the list. The superintendent then assumed that the following year, his would be ranked as the fifth for funding, but instead became number 53, which has resulted in confusion and frustration on the part of the REAA. Although accountability for this type of action should be forthcoming, a response has yet to be offered by the department. The department should be held answerable to these types of reasonable questions, he opined.

[9:39:56 AM](#)

REPRESENTATIVE PRUITT suggested that codifying collaboration requirements is not easy, and asked whether it's entirely necessary.

MR. COVEY expressed his belief that although it is not plausible to legislate collaboration, an appropriate process can be established. The department sought and received the authority to intervene, as was necessary under NCLB directives. He suggested that the process could have been better crafted, with additional considerations given, prior to inception, and modifications that have occurred have not been satisfactory. The proposed bill provides a formalized, objective means to accomplish the task in a more thoughtful manner, he opined, stating that it is a step in the right direction.

[9:43:46 AM](#)

CHAIR DICK referred to the "Sequence of Assistance" committee handout, and reviewed the three year approach. He paraphrased from the document, which read [original punctuation provided]:

Year 1

By Sept 15, the district needing assistance will be evaluated by independent recognized expert(s) in the areas that may include: business services, board governance, leadership, maintenance, human relations, instruction and the degree of community interaction with the school and preparedness of students to learn. By Oct 15, the report will be made available. By Nov 15, the **superintendent and DEED will** choose a coach to address the needs identified by the independent expert(s).

CHAIR DICK said that in the first step responsibility for improvement is identified, and includes the parents as well as elements of each component to be considered. He continued paraphrasing from the document, which read [original punctuation provided]:

Year 2

The **superintendent will** choose a second coach. Agreement with DEED is not necessary. The existing plan will remain in place. Resources, like content and technical coaches as well as teacher mentors, may be made available.

CHAIR DICK elaborated that the superintendent is allowed the latitude to choose a second coach, not in collaboration with the department, in order to work closely on specific aspects. He continued paraphrasing from the document, which read [original punctuation provided]:

Year 3

**A team will** be formed that will evaluate the results of the original restoration plan (RP1). The Team **will** develop a three year restoration plan (RP2).

The **school board will** be part of the Team. The Team will include: 1) DEED; 2) Superintendent; 3) Coaches; 4) School Board; and 5) Member of Legislature.

CHAIR DICK said a member from the legislature will be an important team member, due to the educational oversight responsibility held by the state. He conjectured that if the

Yupiit representative had initially been involved in the intervention within his district, the process may have unfolded differently. He continued paraphrasing from the document, which read [original punctuation provided]:

**The Team will** develop a three year plan (RP2). A copy will be sent to the parents, DEED, and Legislature. The information will also be posted on the school website. The team will additionally consider all aspects of local education, technology, maintenance, admin, etc.

[9:46:49 AM](#)

CHAIR DICK explained that a certain amount of superintendent turnover is experienced and local politics are an important aspect to be considered. An outside voice can be helpful in handling some situations, particularly in a small community where personalities are well known, and he provided an example to clarify the point. The superintendent is likely to be entirely immersed in the local environment, which would hamper certain actions on his/her part. Further, parents also need to be held accountable and the coaches from outside of the community may be in the best position to approach, rally, and solicit participation from family members.

[9:49:35 AM](#)

REPRESENTATIVE PRUITT expressed concern, stating that the involvement by the department appears to be minimal. He indicated that if a lawsuit were filed, EED would be the named defendant, and suggested that it would be important to include more involvement on the part of the department.

MR. COVEY agreed that equality of voices is important and a balance needs to be found among participants. He then referred to Chair Dick's comments regarding the need for assistance from outside experts, to stress that this is a valid point. Additionally, he said that conducting a broad base analysis of the situation is necessary to consider the variety of contributing factors, and should include system reviews of elements such as teacher housing, instructional leadership and support within the district, school board decisions, and facility maintenance.

[9:53:20 AM](#)

REPRESENTATIVE P. WILSON questioned the three-year time frame.

CHAIR DICK pointed out that NCLB is a five-year process: Year 1 notification is given to the district, Year 2 students are allowed the opportunity to relocate to another school, which is not applicable in the majority of Alaskan districts, Year 3 students can request/receive free tutoring provided by the district, Year 4 restructuring occurs, and Year 5 radical action occurs. The approach proposed in HB 256 consolidates the effort into a concise plan: Year 1 the problem is perceived and coaches and other help are provided, Year 2 additional help is sought, and Year 3 a firm three-year plan is developed.

MR. COVEY added that the bill addresses the need for collaboration at the district level. Flexibility exists in the plan, which allows a district to enter the process at the applicable stage, and may not require three years to complete. Finally, he stated support for HB 256 and said it presents an opportunity for better services to be provided.

[9:57:32 AM](#)

REPRESENTATIVE P. WILSON said that a single district may have several schools with perhaps only one not meeting AYP, and suggested the need for this scenario to be considered.

[HB 256 was held over.]

[9:58:25 AM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:58 a.m.