

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

March 21, 2012

8:04 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

All members present

OTHER MEMBERS PRESENT

Representative Chris Tuck

COMMITTEE CALENDAR

PRESENTATION: KUSPUK SCHOOL DISTRICT

- HEARD

SENATE BILL NO. 8

"An Act relating to questionnaires and surveys administered in the public schools."

- MOVED OUT OF COMMITTEE

HOUSE BILL NO. 330

"An Act establishing a Joint Legislative Task Force on Education Standards; requiring the Department of Labor and Workforce Development to provide information and resources to the task force; establishing state education standards; amending the authority of the Department of Education and Early Development to adopt education standards; and providing for an effective date."

- HEARD & HELD

HOUSE JOINT RESOLUTION NO. 39

Urging the Governor to direct the Department of Education and Early Development to prepare and submit a request for flexibility under the federal Elementary and Secondary Education Act of 1965 to obtain a waiver of select requirements of the No Child Left Behind Act of 2001 and to direct the commissioner of education and early development to provide a comprehensive improvement plan that will guarantee that students in the state will be adequately prepared for academic and vocational success.

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 8

SHORT TITLE: STUDENT QUESTIONNAIRES AND SURVEYS

SPONSOR(s): SENATOR(s) DAVIS

01/19/11	(S)	PREFILE RELEASED 1/7/11
01/19/11	(S)	READ THE FIRST TIME - REFERRALS
01/19/11	(S)	EDC, HSS
02/16/11	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/16/11	(S)	Scheduled But Not Heard
02/21/11	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/21/11	(S)	Heard & Held
02/21/11	(S)	MINUTE(EDC)
02/25/11	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/25/11	(S)	Heard & Held
02/25/11	(S)	MINUTE(EDC)
02/28/11	(S)	EDC RPT 3DP 2NR
02/28/11	(S)	DP: THOMAS, DAVIS, FRENCH
02/28/11	(S)	NR: MEYER, STEVENS
02/28/11	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
02/28/11	(S)	Moved SB 8 Out of Committee
02/28/11	(S)	MINUTE(EDC)
03/16/11	(S)	HSS AT 1:30 PM BELTZ 105 (TSBldg)
03/16/11	(S)	Moved SB 8 Out of Committee
03/16/11	(S)	MINUTE(HSS)
03/18/11	(S)	HSS RPT 2DP 1DNP 1NR
03/18/11	(S)	DP: DAVIS, EGAN
03/18/11	(S)	DNP: DYSON
03/18/11	(S)	NR: MEYER
04/01/11	(S)	TRANSMITTED TO (H)
04/01/11	(S)	VERSION: SB 8
04/04/11	(H)	READ THE FIRST TIME - REFERRALS
04/04/11	(H)	EDC, HSS
01/27/12	(H)	EDC AT 8:00 AM CAPITOL 106
01/27/12	(H)	Scheduled But Not Heard

02/20/12 (H) EDC AT 8:00 AM CAPITOL 106
02/20/12 (H) Heard & Held
02/20/12 (H) MINUTE(EDC)
03/21/12 (H) EDC AT 8:00 AM CAPITOL 106

BILL: HB 330

SHORT TITLE: STATE EDUCATION STANDARDS

SPONSOR(S): REPRESENTATIVE(S) DICK

02/17/12 (H) READ THE FIRST TIME - REFERRALS
02/17/12 (H) EDC, FIN
02/24/12 (H) EDC AT 8:00 AM CAPITOL 106
02/24/12 (H) Heard & Held
02/24/12 (H) MINUTE(EDC)
02/29/12 (H) EDC AT 8:00 AM CAPITOL 106
02/29/12 (H) Heard & Held
02/29/12 (H) MINUTE(EDC)
03/05/12 (H) EDC AT 8:00 AM CAPITOL 106
03/05/12 (H) <Bill Hearing Canceled>
03/21/12 (H) EDC AT 8:00 AM CAPITOL 106

BILL: HJR 39

SHORT TITLE: URGING THE STATE TO OPT OUT OF NCLB

SPONSOR(S): REPRESENTATIVE(S) MILLER

02/22/12 (H) READ THE FIRST TIME - REFERRALS
02/22/12 (H) EDC
03/21/12 (H) EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

BRAD ALLEN, Superintendent
Kuspuk School District
Aniak, Alaska

POSITION STATEMENT: Provided a presentation of the Kuspuk School District.

BRUCE JOHNSON, Executive Director
Alaska Counsel of School Administrators (ACSA)
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 8.

CARL ROSE, Executive Director
Association of Alaska School Boards (AASB)
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 8.

ANDREA THOMAS
Sitka, Alaska

POSITION STATEMENT: Testified in support of SB 8.

PETE HOEPFNER, President
Cordova School Boards
Cordova, Alaska

POSITION STATEMENT: Testified in support of SB 8.

DR. CHRISTINE ERMOLD, EdD
Principal, Kenai Peninsula School District;
Member, Alaska Association of Elementary School Principals
Sterling, Alaska

POSITION STATEMENT: Testified in support of SB 8.

JEAN MISCHEL, Attorney
Legislative Legal and Research Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Responded to questions, during the hearing on SB 8.

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

POSITION STATEMENT: Presented the proposed committee substitute (CS) to HB 330, on behalf of Representative Alan Dick, Sponsor.

MIKE HANLEY, Commissioner
Department of Education and Early Development (EED)
Juneau, Alaska

POSITION STATEMENT: Testified with concern on HB 330, and responded to questions.

REPRESENTATIVE BOB MILLER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HJR 39, as Prime Sponsor.

TROY BOUFFARD, Staff
Representative Bob Miller
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Responded to questions, during the hearing on HJR 39.

ACTION NARRATIVE

[8:04:17 AM](#)

CHAIR ALAN DICK called the House Education Standing Committee meeting to order at 8:04 a.m. Representatives Dick, P. Wilson, Seaton, Kawasaki, and Feige were present at the call to order. Representatives Pruitt and Cissna arrived as the meeting was in progress.

Presentation: Kuspuk School District

[8:04:42 AM](#)

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

[8:05:27 AM](#)

BRAD ALLEN, Superintendent, Kuspuk School District, began with a description of the demographics. Kuspuk district encompasses 12,000 square miles along the central region of the Kuskokwim River and hosts a student body of 336, comprised primarily of Yup'ik Eskimos and Athabaskan Indians. In ten years the enrollment has declined from about 500 to the current number. He continued, summarizing each of the nine schools by location, grades served, and the enrollment at each location, which are: Joseph & Olinga Gregory School, Kalskag, k-3, 46; Zachar Levi Elementary School, Lower Kalskag, 4-6, 33; George Morgan Sr. High School, Kalskag, 7-12, 56; Auntie Mary Nicoli Elementary School, Aniak, k-6, 65; Aniak, Jr./Sr. High School, Aniak, 7-12, 64; Crow Village Sam School, Chuathbaluk, k-12, 28; Johnnie John Sr. School, Crooked Creek, k-12, 23; Jack Egnaty Sr. School, Sleetmute, k-12, 13; and Gusty Michael School, Stony River, k-12, 9. The district's mission statement, motto, and educational vision also held with the communities, are important guiding factors for the success of the schools. He paraphrased the three doctrines, which read [original punctuation provided]:

Mission: Kuspuk School District: Where all children learn - whatever it takes!

Motto: Motivating, Engaging, and Supporting ALL Students in Learning.

Vision: Kuspuk School District will work with community members to graduate all students who will be successful in both the traditional and global society.

MR. ALLEN explained that the district uses a balanced instructional model for teaching; sometimes referred to as the Quality Schools or Chugach Model. The model requires that students demonstrate mastery of each of ten content areas, prior to advancement versus achieving a particular grade or attaining a certain age. Students are assessed on the required standard, or they present a project to illustrate attained skills, concepts, and principles. A student's grade level does not constrain them from advancing at their own pace, perhaps beyond their peers in some areas, and the model also clearly reveals which students require additional assistance and focus to reach achievement standards. Additionally, each student has an individualized learning plan (ILP) tailored to specific needs. He pointed out that "seat time" is not considered in the achievement equation. The small population of students, 336, allows this method to be successful, he conjectured. The mentality held by the staff is that there is always room for improvement, and he attributed the upward trends in the assessment scores to their commitment. A crucial key, particularly for students in Bush areas, he said, is to have low teacher turnover and Kuspuk teacher retention is high; 90 percent in 2011. The district supports this effort by offering a number of incentives such as longevity bonuses. Recruitment, new teacher training, and other costs associated with turnover are minimized as a result. Additionally, teacher retention affords more time to improve the delivery techniques of returning teachers, as well as honing the model of instruction. He emphasized that the district is increasing the standards and educational opportunities to assist students in pursuing postsecondary education, including basics of vocational training. Extracurricular activities, educational or not, play an important role in the community and include a variety of sports and academic challenges including: volleyball, basketball, wrestling, Native Youth Olympics, academic decathlon, battle of the books, science fairs, cultural days, and arts festivals. Development in the area of technology has introduced the iPad program, and growth has leapt ahead with the implementation of the devices. Being part of the AASB CDL (Association of Alaska School Boards Consortium for Digital Learning) one-to-one laptop program has proven invaluable and various computer/Internet based programs are used to assist with learning and have served to further educational abilities. SMART Boards are now in every classroom, purchased through a

grant received last year from the U.S. Department of Agriculture. The boards are integrated into every classroom and have proven to be invaluable, he said.

[8:19:11 AM](#)

MR. ALLEN said that being a small REAA (Regional Educational Attendance Area), the district actively seeks funding where ever possible, which has led to three important partnerships offering expanded educational opportunities. The first is the Chugach School District, similar in size and utilizing the same educational model. Joining with Chugach a number of programs are shared, which include: Voyage to Excellence, Excel Camp, Outdoor Leadership Camp, and the funding of a pre-School program. In league with UAF (University of Alaska Fairbanks) students have the opportunity to receive professional certification through completion of Camp Kick Ash, participate in the Math/Science Expedition, or attend Career Academy. Finally, NACTEC (Northwest Alaska Career and Technical Center), located in Nome, provides students the possibility to learn welding, photography, and other classes not directly available in the district.

[8:22:52 AM](#)

MR. ALLEN continued, noting the challenges that the district is facing. He said the biggest budgetary bite is for energy costs, which consume about 20 percent of the \$9 million budget. Travel, freight, and other required expenditures are impacted by the rising energy costs. The declining enrollment is an issue, and the ripple effect caused by the rising price for fuel contributes to the decline. Another area of concern is being able to provide a quality education program to the students located in remote, isolated villages; accessible only by Bush plane. The Alaska Learning Network and correspondence programs are some options being used, but it is difficult to serve a minimum number of students for maximum results with limited direct access. Another challenge is providing early intervention, to ensure that when students enter school they are prepared to successfully progress through the educational model. Quality pre-K programs assist in the challenge to "set the table" for each student's school career. The department has a requirement for each student to achieve grade three benchmarks, which the local board supports and the schools work to achieve. Mr. Allen summarized, stating that the district staff is committed to the resolve of educating the students to achieve their greatest potential.

CHAIR DICK stated that he did his teaching practicum in the Kuspuk area.

[8:27:14 AM](#)

REPRESENTATIVE SEATON asked for an opinion on the proposed standards.

MR. ALLEN replied that the new standards appear to be good, with a thoughtful layout; however, a difficulty may arise regarding the satisfactory delivery of the new curriculum. He pledged that the new standards will be met and the district will offer what is necessary and required.

[8:29:48 AM](#)

REPRESENTATIVE CISSNA asked about the involvement of the communities and about the relationship that Natives hold with the curriculum.

MR. ALLEN said parental involvement varies depending on the locale from high to minimal. Parental Advisory Committees (PACs) are being formed to encourage and invite involvement on the part of the elders, as well as parents. The PAC events cultivate the heritage of the area and present traditional methods in relation with what the schools are currently offering. The response is varied, but the focus is to improve parental interest.

[8:34:14 AM](#)

CHAIR DICK interjected that the district is attempting to revitalize the vocational education center in Aniak, which could also prove to be a major source of income for villagers.

[8:34:45 AM](#)

REPRESENTATIVE SEATON asked to have the committee provided with information regarding trends in the SBA scores, AYP, and graduation rates, for further analysis of the qualitative and quantitative effects resulting from the district's unique approach.

SB 8-STUDENT QUESTIONNAIRES AND SURVEYS

[8:35:36 AM](#)

CHAIR DICK announced that the next order of business would be SENATE BILL NO. 8, "An Act relating to questionnaires and surveys administered in the public schools."

[Public testimony remained open from the previous hearing.]

[8:36:52 AM](#)

BRUCE JOHNSON, Executive Director, Alaska Counsel of School Administrators (ACSA), stated support for SB 8 and said the organization he represents stands fully behind the effort. He shared a quote [source not known], stating, "Feedback is the breakfast of champions." The bill will provide the necessary data to design prevention programs that will assist young people to avoid certain risks, he opined.

[8:37:47 AM](#)

CARL ROSE, Executive Director, Association of Alaska School Boards (AASB), stated support for SB 8 and said that without data it is not possible to know the effect of implemented programs. Passage of SB 8 is a means to gather meaningful data, he opined.

[8:39:22 AM](#)

ANDREA THOMAS, stated support for SB 8 and described the difficulties that occur when trying to obtain active parental consent for surveys. She said that the system is cumbersome: a notice arrives in the mail alerting parents to expect the consent form; the consent form arrives sometime after the notice; and finally the form is filled out and returned to the school in a timely manner. Finally, she stressed that the bill does not eliminate a parent's option to decline consent.

[8:42:26 AM](#)

PETE HOEPFNER, President, Cordova School Boards, stated support for SB 8 and said that consent forms are often lost in the process, when they are mailed to homes, which results in low participation on surveys and poor data collection.

[8:43:32 AM](#)

DR. CHRISTINE ERMOLD, EdD, Principal, Kenai Peninsula School District, Member, Alaska Association of Elementary School

Principals, stated support for SB 8 and said the collection of active consent forms presents an undue burden to the staff in small schools; particularly, when multiple schools are represented which are not in proximity to each other. The data that is collected is critical for informing the decisions that impact students, she stressed, and urged passage of SB 8.

[8:44:50 AM](#)

CHAIR DICK stated support for SB 8 and expressed a personal belief that it will be helpful for cultivating communication.

[8:46:06 AM](#)

REPRESENTATIVE P. WILSON stated support for SB 8 and, referring to the Sponsor Statement, paraphrased the language, which read [original punctuation provided]:

The Youth Risk Behavior Survey helps guide and evaluate important health and prevention programs in both the public and private sectors. Local, state, and federal officials, schools, state and federal agencies, public and private grant programs, and nonprofit health organizations rely on these surveys to educate, allocate resources, and compare trends concerning safe behaviors. These include injury prevention, tobacco prevention and control, obesity prevention, diabetes, heart disease, and stroke prevention, safe and drug free schools, substance abuse prevention, violence and suicide prevention, HIV and STD prevention, and connectedness to teachers, parents and other adults.

In short, SB 8 simply makes it easier to obtain information on youth risk behaviors without violating students' or parents' rights to privacy, nor diminishing the ability of parents to supervise their children. At the same time SB 8 increases parental notice with ample opportunity, instruction, and forms to opt out.

REPRESENTATIVE P. WILSON said this is important legislation that will facilitate the ability to obtain information on individual schools.

[8:47:51 AM](#)

REPRESENTATIVE PRUITT voiced concern that the bill is not restricted to the Youth Risk Behavior Survey (YRBS), and may have far reaching affects. Directing attention to page 2, line 14, he paraphrased from the language of the bill, which read [original punctuation provided]:

A student may refuse to answer specific questions on or participate in a questionnaire or survey administered in a public school. A student's parent or legal guardian may refuse to allow the student to participate in a specified questionnaire or survey by submitting to the teacher or school principal a written denial of permission for the student's participation.

REPRESENTATIVE PRUITT opined that a principal might decide to design and administer an independent survey, which could be accomplished without departmental oversight.

[8:49:40 AM](#)

REPRESENTATIVE SEATON offered that the bill establishes specific guidelines in the first section. He directed attention to page 1, line 5, and paraphrased language from the bill, which read [original punctuation provided]:

... a public school may not administer or permit to be administered in a school a questionnaire or survey, whether anonymous or not, that inquires into personal or private family affairs of the student ... unless written permission is obtained ...

REPRESENTATIVE SEATON explained that the language establishes the blanket requirement for permission to be obtained, and Section 4 exempts the YRBS specifically. Section 3 allows students and parents a means to deny consent for any survey, including the YRBS. To further address Representative Pruitt's concern, he said that Section 1 stipulates that without the written approval, any survey is disallowed; however, Section 4 allows passive consent for the administration of the YRBS, as the exception.

[8:54:20 AM](#)

JEAN MISCHEL, Attorney, Legislative Legal Counsel, agreed with the interpretation offered by Representative Seaton, and said

YRBS represents the only allowable exception. The notice provisions in Section 2 would apply to all surveys.

REPRESENTATIVE PRUITT asked for clarity, pondering whether Section 3 counteracts Section 1, as it does not specify the YRBS.

MS. MISCHEL explained that Section 3 provides an added ability for a student or parent, during the course of any survey to not answer specific questions. She offered that the bill structure may be difficult to follow; however, the language remains consistent and appropriate throughout.

[8:56:54 AM](#)

REPRESENTATIVE P. WILSON moved to report SB 8 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, SB 8 was reported from the House Education Standing Committee.

[8:57:20 AM](#)

The committee took an at-ease from 8:57 a.m. to 8:59 a.m.

HB 330-STATE EDUCATION STANDARDS

[8:59:24 AM](#)

CHAIR DICK announced that the next order of business would be HOUSE BILL NO. 330, "An Act establishing a Joint Legislative Task Force on Education Standards; requiring the Department of Labor and Workforce Development to provide information and resources to the task force; establishing state education standards; amending the authority of the Department of Education and Early Development to adopt education standards; and providing for an effective date."

[8:59:33 AM](#)

REPRESENTATIVE PRUITT moved to adopt the proposed committee substitute (CS) for HB 330, Version 27-LS1100\E, Mischel, 3/20/12, as the working document.

REPRESENTATIVE SEATON objected for discussion.

[9:00:20 AM](#)

ANNETTE KREITZER, Staff, Representative Alan Dick, Alaska State Legislature, directed attention to the handout, in the committee packet, titled "Sectional Analysis CS HB 330 () Version E State Education Standards," dated 3/20/12, paraphrasing the language, which read as follows [original punctuation provided]:

Section 1:

Sets out the findings substantiating the creation of the Jt. Legislative Task Force on Sustainable Education.

Section 2:

The purpose of the Task Force is to: examine the efficiency and effectiveness of education delivery in Alaska, with a specific focus on education funding and educational standards, and the ability to prepare students for significant careers.

The Task Force will submit a report of its findings and proposed legislative changes to the governor, the legislature and the Board of Education and Early Development by September 30, 2013, and make any additional reports it considers advisable.

The duties of the task force begin at Page 2, Line 30:

1. Create a process for vetting proposed education standards before the standards are adopted by the state board of Education and Early Development
2. Propose separate education tracks for postsecondary vocational and college readiness;
3. Evaluate school district challenges that result from implementation of federal education laws;
4. Evaluate the efficacy, cost-effectiveness, and redundancies of various education assessment, including the high school graduation qualifying examination, and make recommendations to the legislature, the governor and the state Board of Education and Early Development for improvement or restructuring of assessments;
5. Conduct an analysis of public education that funding that includes:

A. A determination of the adequacy of public school funding for coverage of appropriate education expenses;

B. A determination of the appropriate uses of the base student allocation;

C. Alternative methods of addressing fluctuating energy, health, insurance, personnel, and pupil transportation costs;

D. The total amounts of state, local, and federal funding available to each district and for each category of special needs service area;

E. A comparison of the allocation of administrative and instructional personnel among districts;

F. Whether the allocation of administrative and instructional personnel has an effect on the ability to provide effective instructional services in each district; and

G. The effect of pension and health care expenses on total state education costs

6. Evaluate the availability of courses meeting core academic curriculum requirements under AS 14.43.820(a)(3) in each district.

The membership of the Task Force begins on Page 3, Line 31:

The Task Force members are appointed by the Senate President and House Speaker and represent:

a. Six members of the Legislature including chairmen of the Education Committees

b. Eight members as follows:

i. a representative of the Department of Education and Early Development

ii. a small business owner

iii. a superintendent

iv. a school board member

v. a public member

vi. three representatives of major career destinations of high school graduates in the state, jointly nominated by the commissioner of labor and workforce development and the commissioner of commerce, community, and economic development.

The task force meets at the call of the chair. The Senate President and House Speaker shall jointly appoint the chair and vice chair of the task force.

Section 3:

The existing content and performance standards will remain in effect until the new process is developed and the newly vetted standards are adopted.

Section 4:

The task force is repealed on July 1, 2014. The temporary law in Section 3 is also repealed July 1, 2014.

Section 5:

The bill has an immediate effective date.

[9:04:21 AM](#)

REPRESENTATIVE SEATON removed his objection. Without further objection, Version E was before the committee.

[9:05:58 AM](#)

MIKE HANLEY, Commissioner, Department of Education and Early Development (EED), expressed concern for the lengthy timeline that is involved with the duties placed on the task force. The ability to adopt appropriate standards, and to bring a college ready curriculum to students of the state, would be delayed by at minimum one and one half years, which could be longer depending on legislative response or other adjustments. Thus far, the proposed standards have been in development for two years. Appointing a task force charged with beginning this

process over could delay introduction of new standards until 2016. The proposed standards have been developed to provide students with a career and college ready foundation, and he said, it has been recognized that the current standards do not provide the necessary rigor and have been deemed inadequate. College reports indicate that students arrive at college unprepared and require remediation, and employers report that new recruits lack necessary work skills. Also, three of the largest school districts have lamented that, "the State's going too slow," and indicated interest in adopting the federal common core standards rather than wait longer. He referred to the comments of Superintendent Allen, heard earlier today, who said that meeting the requirements of the proposed standards might be a challenge, but the necessary actions would be taken to accomplish the task. He opined that the cost of maintaining the status quo, or delaying the process, would be to the students. Regarding the development of a two track system, he said the burden could present an impossible mandate, particularly in small districts with limited staff. He offered an example of a small school, with an enrollment of 25, deciding which track to offer. Considering the statewide transient rate of 15-30 percent, a student could easily enter a new school with an alternate focus and find themselves out of alignment. The issue would then become a question regarding what could adequately be offered to students in a comprehensive way, and he predicted that two tracks would create disparity.

[9:10:05 AM](#)

REPRESENTATIVE KAWASAKI noted that the primary duty of the task force is to develop a process for vetting the proposed standards, prior to adoption by the Board of Education, and he asked for an understanding of how the current standards were developed.

COMMISSIONER HANLEY said it was an open process and federal guidelines were followed. Primarily educators provided feedback, but other stakeholders and members of the private sector were invited to comment and vest themselves in the development of the educational standards.

[9:12:02 AM](#)

REPRESENTATIVE CISSNA opined that rural Alaska is in a state of collapse, and enormous loss is occurring, as evidenced by the district presentations reporting declining enrollments. A variety of conditions are contributing to the loss including the

cost of energy and infrastructure for communities. Reports issued by Commonwealth North indicate that dependency on diesel, in the Alaskan Bush, is a major factor to the collapse. She stressed that the survival of rural Alaska and the human resources that exist in the Bush are on a timeline. The loss of what is currently in place would represent a cost to the state, she said, and suggested the need to take this under consideration. Additionally, she opined, the state must pay more attention to the educational needs and identify appropriate changes that are necessary for students to persevere and progress.

[9:14:25 AM](#)

CHAIR DICK agreed. He then said that educational rigor is important and the students need to be challenged. The proposed standards will prove suitable to prepare students for tackling postsecondary degree programs, he predicted, but questioned the lack of evidence indicating how the needs of the remaining 93 percent will be met. Referring to notes, he paraphrased a recent statement from Ben Bernanke, Chairman, U.S. Federal Reserve, stating:

The U.S. has to foster development of a skilled workforce, if it is going to enjoy good long term prospects. The U.S. education system, despite considerable strengths, poorly serves a substantial portion of our population.

CHAIR DICK said that the best and the brightest are being served, and concern must be directed to the students whose needs are not being met; those who will not complete a four year degree.

COMMISSIONER HANLEY stated his belief that the proposed standards will meet or exceed what is required for career and technical training.

CHAIR DICK concurred and pointed out that the question is whether or not every student must meet the standards. The idea to have every child excel is good, but in reality the needs of students who are not college bound may be lost. He indicated that only four non-educators were involved in the development of the standards and suggested it may be due to the prevalence of the esoteric language utilized. A conversation needs to occur that involves more stakeholders, he opined, stating that the process for creating standards has not changed and a better,

updated system, written in an applicable manner, would prove helpful.

9:19:43 AM

REPRESENTATIVE SEATON acknowledged that the development process for creating standards could be frustrating and give pause for questioning. However, he reminded, that the passage of HB 330 would accept and retain the current standards until 2016, and conjectured whether that would be appropriate. One third of the students may be opted out of the current standards, if three large districts elect to adopt the federal core standards in the coming months; removing the state from the process. The bill poses a challenging idea with a difficult timeline to consider, and he said his office would offer amendments.

9:22:26 AM

REPRESENTATIVE FEIGE agreed that additional outside opinions would be helpful in creating new standards. He suggested that industry retirees may be a resource.

COMMISSIONER HANLEY concurred.

REPRESENTATIVE FEIGE noted that the new standards will raise the bar, and opined that doing so does not represent a negative action. Raising the bar should that be a problem for students who do not aspire in the same direction as their peers. Further, he said that the proposed standards are reported to be understandable by the current teachers, and questioned the wisdom of putting a hold on the process, thus creating a possible four year delay. The change may be an attempt to fix something that is not necessarily broken, he opined. The idea of a task force is reasonable and he suggested proceeding with the adoption process, as well as seating a task force.

9:26:44 AM

CHAIR DICK reminded the committee that the proposed standards are purported to have been developed specifically, of, by and for Alaskans. However, having conducted a page by page comparison, he stated his believe that the standards were created by cutting and pasting the federal core standards, save a few minor changes. Referring to the Brookings Institute handout, available in the committee packet, he reminded members that the findings indicate how it is necessary to look beyond the common core standards in order to improve education in

America. The proposed legislation has drawn a cursory response that it would create a dumbing down of the standards, which is not the intent. To understand the intent it may prove helpful to scrutinize and understand the term "rigor" in an educational context. In a school setting, he said the term is understood to mean that a student will advance beyond comprehension and recall and learn higher level thinking skills as developed through synthesis, analysis, and evaluation. He directed attention to the committee handout, titled "Depth of Knowledge (DOK) Levels," and introduced it is a tool used by teachers when incorporating higher level thinking skills; that is rigor. One myth that needs debunking is that high level math, trigonometry and calculus, are required in order for rigor to preside; however, relating math to realistic, daily activities, can afford appropriate and adequate rigor, as applied to farming, mining, and other realistic situations. Further, he agreed that the current standards need to be replaced. He reported that he worked on developing the existing standards, and opined that the process was flawed at the time and that without change it will continue to be flawed. Referring to Representative Feige's suggestion to adopt the proposed standards and "go with the next cycle," he pointed out that it will require another six year cycle before assessments are analyzed and changes can again be considered. Once the proposed standards are adopted, there is no turning back on the path and, he maintained, further information is needed prior to taking that step. He suggested sending samples of the standards to districts for a period of time as a field test, as well as other means for improving the system, which could include writing the standards in layman language, and conducting a state survey asking participants to rate their Alaskan educational experience. He stressed that submitting the proposed standards to a task force for review would be important and perhaps result in advice to continue the process for adoption. Finally, he stated his belief in having high standards and pointed out that currently many districts are teaching beyond what is required, as the standards represent the information that will be assessed without restricting what is taught.

[9:33:48 AM](#)

REPRESENTATIVE SEATON recalled that districts currently establish independent policies for high school graduation requirements, and the standards should not mandate what classes a district must require. He said that the assessments allow comparison of the knowledge base between areas.

[9:35:48 AM](#)

CHAIR DICK stated his understanding that the proposed standards dictate to each district that every student is required to learn trigonometry. He predicted that having this mandate will affect AYP, and stressed the need to have standards that reflect the abilities of all students, while maintaining extremely high goals.

[9:36:52 AM](#)

REPRESENTATIVE P. WILSON commented that the commissioner previously indicated that the proposed standards are directly from the core standards, with minimal alterations. Also, districts have not been restricted from developing approaches and establishing course determinations and credit requirements for gradation, under the current standards. A problem does exist, when students arrive at college unprepared. She held that adopting new standards, developed by the state or common core, will not change what is occurring in the districts. However, adopting the proposed standards will allow the state to qualify for a waiver to opt out of NCLB, thus removing the AYP compliance factor. She opined that opting out of NCLB to avoid the AYP factor is not an appropriate action. Having a task force will prove to be helpful and provide important feedback, she said and predicted that meaningful determinations would be the result. Finishing, she conjectured that the standards are not a big deal, but it would be important to have a means to identify what is a big deal and take appropriate measures.

[9:41:29 AM](#)

CHAIR DICK commented on the rationale for providing two educational tracks and standards. The standards, and text books that are in use, are designed for college bound students, thus one track already exists. He suggested that college bound students may be slowed down in class by those who do not have the same focus. The two track approach taken in Northern Ireland has resulted in an increase of career bound students deciding to attend college. Regarding the development of the standards, he said it would be helpful to have input from professionals who did not create a foundation of financial success based on, or derived through, obtaining a college degree.

[9:43:29 AM](#)

REPRESENTATIVE SEATON said the Northern Ireland approach is instructive but creates a number of questions regarding how applicable it might be to the situation in Alaska, and the task force would make those types of determinations. He agreed with Representative Wilson that the standards aren't a dictate for the way in which children are taught, but represent the basis of what is to be learned. The knowledge base in what is important and what is being addressed in the schools. He stated support for a task force, and conjectured that it would be able to explore information, such as the Northern Ireland approach and whether it employs two sets of standards, or establishes two methods for student engagement utilizing vocational and academic tracks.

[9:45:22 AM](#)

COMMISSIONER HANLEY said the state standard establishes a requirement for a minimum of 21 credits for graduation, which must include two years of math and certain other courses. He pointed out that the two year math requirement could be satisfied without taking a senior level math course.

CHAIR DICK asked whether the students would be tested on the proposed standards.

COMMISSIONER HANLEY responded that the students would be assessed in grade 10 [HSGQE] on the standards. The standards are currently established for grades 3-10, and he said he would not anticipate a change in the assessment structure.

CHAIR DICK questioned the structure and accuracy of the assessments.

COMMISSIONER HANLEY explained that the curriculum will be aligned with the standards to help students attain their highest level of interest. He pointed out that two courses in math may put a student through Algebra but does not allow them to qualify for certain opportunities, including the Alaska Performance Scholarship, which requires four. In closing, Commissioner Hanley said HB 330 requires placing a freeze on the current standards until the legislature takes further action, and he expressed concern for creating that type of delay. Finally, he stated his understanding that the task force would be reviewing the process for creating standards, not reviewing the proposed standards for approval.

[HB 330 was held over.]

HJR 39-URGING THE STATE TO OPT OUT OF NCLB

9:49:52 AM

CHAIR DICK announced that the final order of business would be HOUSE JOINT RESOLUTION NO. 39, Urging the Governor to direct the Department of Education and Early Development to prepare and submit a request for flexibility under the federal Elementary and Secondary Education Act of 1965 to obtain a waiver of select requirements of the No Child Left Behind Act of 2001 and to direct the commissioner of education and early development to provide a comprehensive improvement plan that will guarantee that students in the state will be adequately prepared for academic and vocational success.

9:50:15 AM

REPRESENTATIVE BOB MILLER, Alaska State Legislature, presented HJR 39, paraphrasing from a prepared statement, which read as follows:

I sincerely hope this committee and others will allow due diligence when considering this critical, national and statewide issue.

Without doubt, the United States enjoys international recognition for having the best universities and colleges in the world. Regardless of any indicator or statistic, America remains the Great Land of Opportunity in no small part because of our exceptional structure of higher education. Aspiring students from all over the world know the value of learning in our institutions. With that, much of the focus on K-12 education must be pointed at practical and successful approaches to college- AND career-ready requirements within a structured time and with limited resources. Lawmakers and professionals responsible for our children's education should have a centralized priority; to prepare our children with the knowledge and ability to pursue a higher education if they so choose, or to be ready to transition directly into careers and/or technical training and trade schools.

Alaska will always have unique challenges and potential unlike any other state. This includes a continuous discussion on how best to provide Alaska's

kids with the best and most comprehensive learning opportunities. Each impact potentially shaping the personal future of our children requires our deepest consideration.

House Joint Resolution 39 encourages the Governor to provide his guidance and leadership in order to seek a federal waiver and options that will effectively relieve the state from the problematic No Child Left Behind (or NCLB) law. The US Secretary of Education has projected that nearly 90% of the schools nationwide will fail to meet Adequate Yearly Progress under the current NCLB mandated standards. By the end of this year, more than 40 other states will be granted waivers with no negative impact on federal education funds, along with opportunities to develop an Alaskan designed, rigorous and effective education system. Of primary concern though, if Alaska fails to apply before the 2014 deadline, the state could face unnecessary fiscal and administrative difficulties.

One particular feature motivating so many states to apply for a waiver involves the ability to design and implement what is known as "student growth models." With this capability, communities and school districts will be able to incorporate value-added, socio-economic factors to customize their local academic curriculum and performance standards. As a provision related to Adequate Yearly Progress, Alaska's Department of Education and Early Development would be allowed to request a measure of student growth in its definition. This would be applied to the reporting performance against the Annual Measureable Objectives or AMO's. (College-ready and common core standards are just two facets of a complex system though.) While standards are an integral component, much more is involved in development of a powerful, effective state instructional system. For nations with the most successful educational systems in the world, complete integration is the only known approach that has enabled them to produce their leading results. As Marc Tucker, the president of the National Center on Education and the Economy stated last month, "if we want to have standards that have an important effect on student performance, then they have to be operational, not aspirational."

In closing, NCLB was an honest attempt to address educational needs in America, but the extraordinary dynamics of teaching and learning continues to demand an unending refinement of approaches. There is widespread movement in almost every state towards getting relief from NCLB mandates. At the same time, states are jumping at the opportunities offered by the waivers, which will further empower an entire network of educators. With so many states eagerly working towards this new opportunity, I'm very confident that this valuable prospect will work for all of Alaska. With the majority of states aggressively pursuing this unprecedented education reform, Alaska is bound to benefit from the contribution of every education leader, including the members of this committee. We are being handed a great opportunity here; the chance to exit from a system that sets us up to fail, the chance to dodge the stigma and financial penalties of that failure, as well as increased federal oversight. But most importantly, the chance for us to design, create and customize Alaska's education system by Alaskans for Alaskans. Who knows what Alaska needs better than the people who live, work, play and learn here? I hope you will join me in supporting this resolution

[9:56:02 AM](#)

REPRESENTATIVE FEIGE referred to the resolution, page 3, line 7, and asked for clarification of the date specified and the penalties that may be incurred.

REPRESENTATIVE MILLER deferred.

TROY BOUFFARD, Staff, Representative Bob Miller, Alaska State Legislature, responded that the September deadline is the third deadline set by the U.S. Secretary of Education.

[9:57:15 AM](#)

CHAIR DICK confirmed that the September date is one point in a number of rolling deadlines, and asked about any consequences if a waiver is not granted.

REPRESENTATIVE MILLER responded that it is speculative, but all states that have applied have been granted a waiver.

REPRESENTATIVE FEIGE inquired about any financial penalties.

REPRESENTATIVE MILLER reported that approximately \$430 million is received from the federal government, and if AYP (annual yearly progress) is not attained, some of those funds will be in jeopardy, and as well as other possible consequences.

[9:59:06 AM](#)

REPRESENTATIVE P. WILSON opined that a positive outcome of NCLB has been to cause each state to assess existing educational systems, discover shortcomings, and strategize improvements. Referring to the sponsor statement, she paraphrased an excerpt which read [original punctuation provided]: "No Child Left Behind does not account for the geographic conditions, cultural considerations or economic challenges unique to Alaska." Prior to NCLB prompting, she opined, Alaska didn't do a particularly good job of addressing these points. The federal act has not been an easy mandate to comply with, and there will be some relief in receiving a waiver for opting out; however, she maintained, it has not been without some benefit for bringing focus to bear in areas that might otherwise have remained in the shadows.

[10:01:05 AM](#)

REPRESENTATIVE PRUITT asked why a resolution is being submitted versus a statute.

REPRESENTATIVE MILLER indicated that this is a strategic, coordinated effort being put forward in conjunction with Alaska's delegation to Washington, D.C.

[HJR 39 was held over.]

[10:02:07 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 10:02.