

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

April 4, 2012
8:06 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

COMMITTEE CALENDAR

HOUSE BILL NO. 369

"An Act relating to student participation in sports."

- MOVED CSHB 369(EDC) OUT OF COMMITTEE

CONFIRMATION HEARING(S):

University Board of Regents

Dale Anderson - Juneau

- CONFIRMATION(S) ADVANCED

PRESENTATION: LOWER KUSKOKWIM SCHOOL DISTRICT

- HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 369

SHORT TITLE: STUDENT PARTICIPATION IN SPORTS

SPONSOR(S): FINANCE BY REQUEST

03/28/12 (H) READ THE FIRST TIME - REFERRALS

03/28/12 (H) EDC
04/02/12 (H) EDC AT 8:00 AM CAPITOL 106
04/02/12 (H) Heard & Held
04/02/12 (H) MINUTE(EDC)
04/04/12 (H) EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

GARY MATHEWS, Executive Director
Alaska School Activities Association (ASAA)
Anchorage, Alaska
POSITION STATEMENT: Testified in opposition to HB 369.

REPRESENTATIVE DAN SADDLER
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Testified during the discussion of HB 369.

DREMA FITZHUGH
Chugiak Football Boosters Club
Chugiak, Alaska
POSITION STATEMENT: Testified during the discussion of HB 369.

MARY VALLIERES
Chugiak, Alaska
POSITION STATEMENT: Testified during the discussion of HB 369.

PETE HOEPFNER, President
Cordova School Board
Cordova, Alaska
POSITION STATEMENT: Testified in opposition to HB 369.

DALE ANDERSON, Appointee
to the University Board of Regents
University of Alaska
Juneau, Alaska
POSITION STATEMENT: Testified as an appointee to the University
Board of Regents.

DAN WALKER, Assistant Superintendent;
Instructional Programs
Lower Kuskokwim School District
Bethel, Alaska
POSITION STATEMENT: Provided the presentation on the Lower
Kuskokwim School District (LKSD).

CARLTON KUHNS, Assistant Superintendent;
Personnel/Student Services
Lower Kuskokwim School District (LKSD)
Bethel, Alaska

POSITION STATEMENT: Answered questions during the Lower Kuskokwim School District's (LKSD) presentation.

LYNN SMITH, Staff
Representative Dan Saddler
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented changes in the proposed committee substitute, identified as Version X, to HB 369.

ACTION NARRATIVE

[8:06:29 AM](#)

CHAIR ALAN DICK called the House Education Standing Committee meeting to order at 8:06 a.m. Representatives Feige, Seaton, P. Wilson, Kawasaki, and Dick were present at the call to order. Representatives Pruitt and Cissna arrived as the meeting was in progress.

HB 369-STUDENT PARTICIPATION IN SPORTS

[8:06:49 AM](#)

CHAIR DICK announced that the first order of business would be HOUSE BILL NO. 369, "An Act relating to student participation in sports."

GARY MATHEWS, Executive Director, Alaska School Activities Association (ASAA), stated that ASAA is the governing body of interscholastic high school activities in the state. Its 200 high school members follow a standard set of rules, bylaws and policies for interscholastic competition, including fine arts, athletics, and academic activities. He explained that this bill combines the "concussion bill" and the "home school" bill. He read his comments, as follows [original punctuation provided]:

Implementation of HB 369 will create a major change to student eligibility rules, which have been in effect for 56 years in Alaska. At this time it's not wise to adopt such a change when school districts across the state don't know the ramifications of this bill. Our

main concern is how the bill can be fairly implemented across the districts across the district of the state - all 53 school districts - which are members of Alaska School Activities Association (ASAA) and how parity can be ensured when home school parents are providing the curriculum and assigning grades. Alaska education regulation 4 AAC 06.115, Interscholastic Activities was adopted by the state Board of Education (BOE) on June 26, 1994. The purpose of which - and this is an excerpt - is to provide a procedure that enables school districts to promote and govern interscholastic activities effectively, economically, and fairly, while keeping those activities in their proper perspective, educationally.

8:10:26 AM

MR. MATHEWS read his comments, as follows [original punctuation provided]:

Under the proposed legislation the legislature, rather than school districts, regional Associations or Alaska School Activities Association would be setting policies for interscholastic activity participation. Fifty-three member school districts in Alaska, represented through the the Alaska School Activities Association are opposed to the passage of HB 369 for the points specified above.

If HB 369 is passed by the legislature, schools and ASAA will need some time to amend the rules and to adopt new procedures. ASAA Board of Directors and regional associations hold their final meetings of the year during March and April so some of the associations have already finished their meetings and the ASAA board will meet in two weeks in Bethel.

Implementing such a change by August 1 of this school year when our activity season starts will be extremely difficult and once the school year begins we must have all changes in place so that all activities programs are treated fairly - so we're not treating some sport's seasons differently than others.

It is my recommendation that changes to interscholastic eligibility rules resulting from

legislative action have an effective date of July 1, 2013 if HB 369 is passed. Thank you.

8:12:00 AM

REPRESENTATIVE SEATON explained one of the issues that the Kenai Borough School District (KBSD) has been reviewing the past few years has been the participation by students attending one school, but participating in another school that offers sports. He asked whether the ASAA would allow participation in either football or hockey in a school separate from the closest school at which a student may participate in other sports, such as basketball or other small team sports.

MR. MATHEWS responded that the question is difficult to answer. He said the schools in the area are all part of the Kenai Peninsula School District (KPSD) so smaller schools would have an opportunity to form cooperative teams with the larger schools. This currently happens with Homer High School and the small Old Believer schools just north of Homer. This bill would not affect that issue; however, HB 369 would affect students who attend private home schools and the statewide correspondence programs, such as IDEA, Raven, and Pace. School districts sponsor programs for students not only within their districts, but for correspondence students outside of their districts. He emphasized that would directly affect the aforementioned programs as well as private home schools. Private home schools currently may become members of ASAA and their kids can represent home schools in many sports and activities, but football or hockey are usually restricted since they are team sports.

8:14:40 AM

REPRESENTATIVE DAN SADDLER, Alaska State Legislature, asked whether Mr. Mathews has reviewed the first section of the bill related to concussions.

MR. MATHEWS pointed out the language in [section 1] of the bill is slightly different than what the ASAA had hoped for since the original request was to eliminate four words in the statute "and is currently certified." Last year, HB 115 was adopted to address treating sports concussions, but the bill included a provision requiring medical providers to obtain certification. He clarified that the state does not certify physicians or medical providers in concussion management, which was not

clarified in the bill. He said the ASAA could live with the current revision, which removes "and is currently certified, as verified in writing or electronically by the qualified person" He emphasized the ASAA had hoped the language "as verified in writing or electronically by the qualified person" would stay in the bill since the language would tend to protect school districts and would place the liability on the medical provider to say whether he or she is qualified rather than to have the school district make that determination. Thus the organization can manage with the current language in HB 369, with respect to concussion management, although it is not their preferred wording.

[8:16:15 AM](#)

CHAIR DICK noted general agreement and stated his observations seemed like good ones.

[8:16:30 AM](#)

REPRESENTATIVE FEIGE recalled an earlier question on the preferred effective date of July 1, 2013. He suggested that if the bill were to pass it would likely go into effect on July 1, 2012. He asked whether a year would be enough time for ASAA to implement the changes.

MR. MATHEWS related the ASAA's process for rulemaking, such that the ASAA has six regions, which have representatives on their Board of Directors, plus a representative of the school board association, the superintendents' association, and the student government association. He explained that proposed changes are brought forth from various entities, including regions to the board; a hearing process would occur and if it passes muster the board would implement the changes and any effective dates. He reported that the ASAA meets in two weeks, but will not meet again until October 2013 so any changes scheduled to go into effect for the 2013 school year must be approved by the board this month. Otherwise, some sports will begin under one set of rules and part way through the school year other sports - such as wrestling or basketball - would fall under another set of rules. He favored the ASAA working under one set of rules.

MR. MATHEWS explained that under the bill, student eligibility rules would need to undergo a complete review, which could prove cumbersome considering that the bill proposes a major policy change. An effective date would also need to be considered to

allow for any adjustments. He spoke about the cumbersome aspects since graduation and grade point averages requirements could be affected. He recalled problems physicians had when the concussion bill passed and anticipated similar problems. He reiterated many processes would change if non-enrolled students are involved and the organization would need time to inform people who will be affected by the changes. Additionally, penalties could apply to schools if they allow athletes to participate who have not met eligibility rules.

[8:19:55 AM](#)

REPRESENTATIVE FEIGE recalled most nonprofit organizations have provisions for special meetings of the board. He questioned whether that was possible with the ASAA.

[8:20:09 AM](#)

MR. MATHEWS answered that it is possible although once the school lets out board members are not available since many are teachers or school district employees. He focused his concern on the procedures. It would be necessary to develop an implementation plan since there are literally thousands of home schooled children in Alaska who may wish to participate at their nearest public school. The ASAA would need to develop processes to accept students for athletics, but still ensure that home school students follow the same set of eligibility standards other students must follow. He suggested if East Anchorage High School receives a request for ten home school students to participate on its football team the school would need to notify the ASAA to ensure each student has met eligibility standards. He reiterated that although the organization works during the summer, contacting the schools prior to the football season beginning, which is usually about the third week of July, would be difficult.

[8:22:19 AM](#)

REPRESENTATIVE P. WILSON asked whether an effective date for each section of the bill would be helpful.

MR. MATHEWS answered yes.

[8:23:01 AM](#)

REPRESENTATIVE PRUITT asked him to quantify the burden one home school student who wishes to participate in interscholastic activities at a high school might place on a school administrator.

MR. MATHEWS answered that the school would determine whether the student has met eligibility requirements, including attendance, grades, and other considerations. The school would obtain some of the information from parents or the statewide correspondence school. The timeliness would depend on the responsiveness of the parents or the specific correspondence school.

REPRESENTATIVE PRUITT acknowledged that currently home schooled students play on teams in Anchorage. He related his understanding the bill was introduced as the result of an issue that arose for a Chugiak High School homeschooled student. He asked for the basic changes between the current system and the interscholastic activities provisions under the bill.

MR. MATHEWS explained that the status quo in the Anchorage School District (ASD) is that the school runs its own home school programs. Students can enroll in the home school program and select a school of eligibility at their nearest school. Under HB 369, students who are not part of the ASD home school program - private home schooled students not affiliated with any entity in the state - would have the same benefits and play sports at one of the public high schools in Anchorage.

REPRESENTATIVE PRUITT asked whether he could foresee a student who cannot meet eligibility requirements in a public school could change to a private school status in order to regain eligibility to play on a team. He asked whether the bill would create a potential loophole in the eligibility process for interscholastic activities.

MR. MATHEWS answered yes. He recalled this happening when a student had become disenchanted with a school or had been removed from school for a disciplinary matter. The parents subsequently began home schooling the student. Several weeks later the student decided to participate in interscholastic sports through the home school program. The ASAA's ruling deemed the home school student's participation unfair since it would have given the student an advantage over students who had met eligibility requirements. He concluded that allowing the student to participate would have been unfair.

8:26:58 AM

REPRESENTATIVE SEATON referred to section 2 of the bill. He expressed concern that this provision would create a major change in the state supervision of home schools. He noted that if anyone wished to participate in fine arts or sports the school district would need to supervise the curriculum, the attendance, and the progress towards graduation. He suggested that before section 2 could be implemented the state would need to have a detailed conversation with home school parents. He asked whether the school districts would be more involved in certification of grades, attendance, and progress towards graduation than under the current process.

GARY MATHEWS agreed with the potential outcome since schools would be held accountable for reporting on the status of home schooled students.

8:28:54 AM

DREMA FITZHUGH, Member, Chugiak Football Boosters Club, referred to a student, Craig Lowe, who was deemed ineligible in midseason last year. She expressed her appreciation to Representative Saddler for introducing the bill.

8:30:21 AM

MARY VALLIERES stated her son is Craig Lowe. She offered her support for all parents of home schooled students who want their children to be able to participate in sports. She explained that her son was excluded from high school football since he was home schooled by a different school district and was later found ineligible. She recalled Mr. Mathew's earlier testimony that the effective date of the bill would be next year. She pointed out that her son is a senior and he will never have an opportunity to play high school football. This was his first sport, she said. She reiterated that the home schooled children who are seniors will never have a chance again to play high school sports. She did not understand the reason her son, who was enrolled [in the IDEA program, which is a statewide home school program,] was ineligible since he resides in Chugiak, but could not play football at Chugiak High School.

CHAIR DICK appreciated her testimony and encouraged her to speak to her position on the bill. He related his understanding that

the bill, if passed, may have an effective date beyond the timeframe that would help her son's eligibility issue.

MS. VALLIERES responded that parents want their children to be able to have childhood opportunities and it is difficult to have their student excluded from programs. She emphasized the importance of music education.

CHAIR DICK understood music education is an option for home schooled students, but noted these homeschooled students are not eligible to play football.

REPRESENTATIVE SADDLER asked whether she had any thoughts on how home school parents might verify a student's progress in a program like IDEA.

MS. VALLIERES responded that she must provide samples of her son's progress quarterly. She related she typically has communicated by phone and e-mail with her son's teacher and she submits his grades.

[8:36:36 AM](#)

PETE HOEPFNER, President, Cordova School Board, stated his opposition to HB 369. He related that this bill covers two diverse and divergent topics. The first topic relates to the medical diagnosis and treatment of concussions, which needs to be addressed. A requirement for certification needs to be deleted since a regulatory body to do so does not exist in Alaska. He related his understanding that physicians currently have expressed strong concern with signing any version of the medical release form. Thus this change is necessary. He pointed out that the second section of the bill relates to home schooled student participation in public school activities. He offered his belief that this section of HB 369 has multiple problems. He offered his belief that implementing these provisions would become a paper nightmare due to the need to continually monitor eligibility of home schooled students in order for them to participate in the public schools. He said that if parents want their children to participate in student activities they must enroll them in school. He pointed out that Cordova students can enroll in the Cordova School District's home school program and become eligible for any activity. Additionally, he cautioned that a home schooled student could displace a public school student. Further, he recalled that student activity fees were previously mentioned. In Cordova,

student activity fees are a little lower, but none of the fees add up to the costs involved for a coach's salary, equipment, and travel. The costs for the home schooled student would not be funded, he said. Further, budget constraints currently exist. Last year Cordova funded \$100,000 towards student travel, but this year only \$75,000 is budgeted for travel. He reiterated that funding for home schooled students is not taken under consideration. He surmised that parents sometimes choose to home school their children when they think public schools are insufficient; however, the parents then want their homeschooled children to participate in sports programs. He stated support for HB 15, which passed last session, and needs to be amended to eliminate the certification provision of those treating concussions; however, he expressed his opposition to the home school provision in HB 369 since students can participate by enrolling in the local school's home school system and due to lack of funding.

[8:40:39 AM](#)

REPRESENTATIVE SEATON referred to section 1 of HB 369 to the addition of the four words, "and is currently certified" and asked about the effective date for that portion. He asked whether it would affect ASAA's ability to implement the change.

MR. HOEPFNER answered that he is a board member of ASAA, but did not want to speak for the ASAA; however, the sooner the four words could be deleted from the existing language, the better, since a certification process does not exist.

[8:41:57 AM](#)

REPRESENTATIVE CISSNA reviewed the fiscal note, which indicates no cost involvement to EED. She asked whether any costs arise for the department or if the costs would be carried by the parents themselves.

CHAIR DICK stated his understanding that the fiscal note is to the EED.

MR. HOEPFNER said that Cordova's travel budget for the team travel is \$100,000. He indicated the money is derived from student allocations. He pointed out that numerous costs are associated with student activities. Students travel to rural districts and the funding within the budget would not allow for student activities such as coaches, buildings, energy for lights

and heat. He stressed that student activities keep students engaged, which is why school boards fund them. Some costs are offset by fundraising; however, home schooled students do not contribute money to the effort so it becomes an unfunded mandate. He indicated that the student allocation for the student in Chugiak previously mentioned went to the Galena School District since Mr. Lowe was enrolled in the Galena program and not the ASD. He stated that the student could have enrolled in the ASD and his eligibility would not have been an issue.

REPRESENTATIVE CISSNA referred to the comment that this represents an unfunded mandate. She asked whether the travel funding is state funding or if travel costs are raised in the community.

MR. HOEPFNER said that the school provides a portion of the travel funding, but the teams raise the balance of the travel funding. He recalled that the high school volleyball team needed to raise approximately \$21,000 for travel costs. He further recalled the school district funded \$10,000 through the general fund monies, but the remainder was raised by the community.

CHAIR DICK acknowledged that Cordova has been very effective and they have earned awards for superintendent of the year and teacher of the year. He said it would be difficult to imagine that home schooled students and their parents would not be involved in any of the community fund raising efforts.

[8:47:00 AM](#)

REPRESENTATIVE SADDLER clarified the aspect of the bill that Mr. Hoepfner supports.

MR. HOEPFNER related his understanding the language "and is currently certified" needs to be deleted since there is not any state certification process available. He suggested that Mr. Mathews could speak to the specific language since he was not certain.

REPRESENTATIVE SADDLER referred to Mr. Hoepfner's opposition to section 2. He said it seemed that some of his concerns would also apply to the local school students and not just the home schooled students. He pointed out that home schooled students would be involved in fundraising and secondly, the burden of the

eligibility proof exists for students enrolled in public schools. He did not think it would be much different for home schooled students.

[HB 369 was set aside.]

Confirmation Hearing: University Board of Regents

[8:49:01 AM](#)

CHAIR DICK announced that the next order of business would be a confirmation hearing for the University Board of Regents

The committee took an at-ease from 8:49 a.m. to 8:50 a.m.

[8:50:24 AM](#)

DALE ANDERSON, Appointee to the University Board of Regents, University of Alaska (UA), provided a brief biography. He stated that he is a lifelong Juneau resident. He said he has been involved in a number of enterprises and has served on the assembly for the City and Borough of Juneau (CBJ). He served as a legislative aide for the House Finance Committee and as a commissioner for the Limited Entry Commission. He offered his belief that his eclectic resume gives him the ability to understand the private and non-private sectors, which is an advantage. He pointed out that serving on the University Board of Regents has been a dream of his and asked for committee members' support.

[8:52:14 AM](#)

REPRESENTATIVE CISSNA appreciated his broad experience. She said it is important to understand the Arctic and the economic changes that are currently evolving. She asked him to address how the university is approaching those changes.

MR. ANDERSON said that he supports the Arctic research that is being conducted by the university. He pointed out a group of scientists from around the world have researched the Arctic, but he has not yet had an opportunity to discuss the Arctic with the university research scientists.

REPRESENTATIVE CISSNA said that the research arm is extraordinarily important. The First Alaskans have been in Alaska for thousands of years. She hoped that aspect would be

brought into the university system in a way which she does not think has been happening yet. She suggested that he may know more about this.

MR. ANDERSON answered he did not know more about this topic at this time.

[8:55:14 AM](#)

REPRESENTATIVE PRUITT asked whether he viewed the university system as one university or three universities in one system.

MR. ANDERSON responded he does not have any preconceived agenda. He observes that currently there are distinct campuses for the University of Alaska (UA) Fairbanks, Anchorage, and Southeast campuses. He has sensed a competition that may not be healthy for creating a unified system. He would like to see a large umbrella and a unified system.

REPRESENTATIVE PRUITT agreed. He recognized that although a campus may be cited for an area of expertise any credits earned in the UA should be entirely transferrable within the system and they are not currently transferrable. He emphasized the need to have these credits recognized by every campus. He said he finds this issue frustrating since some students begin at the University of Alaska Anchorage (UAA), but then may decide to finish at the University of Alaska Fairbanks (UAF); however, the credits don't always transfer. Further, he asked how the university could move forward to become a world-class facility while balancing the financial aspects of the university.

MR. ANDERSON responded that he is still in the orientation stage. He has observed growth of the system during the last ten years. He has held some discussions with President Gamble and the focus has been on strengthening the system. He thinks the base is great, but the university may be spread too thin. He suggested the next two years may allow for bolstering of the system. The university has been conscious of growing budgets. He described himself as a fiscal conservative. He would like to look at the budget and create a deep knowledge of what is available at this point. He pointed out he has recently observed an enthusiastic staff who are interested in creating quality and not quantity.

REPRESENTATIVE PRUITT stated he thinks Mr. Anderson will be a welcome addition to the Board of Regents.

[9:01:11 AM](#)

REPRESENTATIVE CISSNA commented on her own experience with her studies. She said she started at the UAA campus with an interest in public administration. She then wanted to take classes at UAS during the legislative session. However, the course numbers are not listed identically. She commented that UAS has resolved some of the transfer issues, but students should be able to work on their degree no matter where they are located in the state.

[9:02:07 AM](#)

REPRESENTATIVE KAWASAKI inquired generally about the candidate's decision-making process.

MR. ANDERSON described his approach as open-minded and respectful of the opinions of others. He said he is also vocal about his opinions. He summarized his public service work as a collaborative effort.

[9:04:25 AM](#)

REPRESENTATIVE SEATON stated the legislature has been frustrated that the university does not consider teaching a top priority but focuses on research. The legislature wants the next generation of Alaskans well-educated and to go through the system. He noted that program completion rates are low, in part, since individual professors are not engaged directly with students. He related that he previously served on the higher education task force. The task force determined that the biggest impact would be for individual professors to have and maintain individual contact with students. He asked whether the university should put more emphasis on professors when they are hired so they understand that besides conducting research they also need to be engaged with their students.

MR. ANDERSON suggested that private sector perspective his businesses have focused on client service, which might be applicable to the situation. He suggested that students are the university's clients and should be satisfied to reach an end result. He fully agreed with the professors' involvement with students.

[9:07:51 AM](#)

REPRESENTATIVE KAWASAKI said that he and his parents have graduated from the University of Alaska system. He has observed that the mission may be undergoing a devaluation of a college education. He noted the vocational technical aspects at the university are broad. He asked his perspective of the university as a four-year research institution and the direction he would like to see the university take during the next eight years.

MR. ANDERSON answered that his interest is in the quality of the education. He acknowledged that the end product is hurt when funding is not available to fund positions, but the goal must be to provide a top-quality education.

[9:10:24 AM](#)

CHAIR DICK noted that only seven percent of high school students are destined for the university system and this percentage needs to quadruple. He noted the cost per student from K-12 is about \$20,000, but the cost per student at the university may be staggering. He offered his belief that the cost of education may need to be considered to make it more attainable by today's college students. He pointed out the cost of living is rising. He asked if the candidate expects to be able to address this type of concern and whether he could align the university system with the reality of making a four-year degree far more possible for students.

MR. ANDERSON reported that someone famous once said, "Speak softly, but carry a big stick." He suggested that he speaks softly, but carries a deep sense of values and will work to get to the bottom line for what is best for Alaskans.

[9:13:48 AM](#)

REPRESENTATIVE P. WILSON emphasized that teacher preparation is important at the university level, particularly for those who will teach in the Bush and remain in remote areas. She said the professors may not understand what is required of Bush teachers and stressed the need to have this area scrutinized.

MR. ANDERSON noted the variety of comments from the committee and said he will be considering the input from members. He provided a card that the university has circulated with a number

to call when students experience difficulty transferring credits.

[9:16:23 AM](#)

CHAIR DICK recalled his college experience and related he graduated with a degree in education. He noted his teaching of reading focused on Learning to Read: The Great Debate by Jeanette Chall; however, it took him nearly five years to teach a child to figure out the difference between a "b" and a "d," which is really where the focus needs to be. He agreed with Representative P. Wilson on the importance of having real time in the Bush and those who are familiar with the issues. He hoped Mr. Anderson would pass on that issue to the Board of Regents.

[9:17:22 AM](#)

REPRESENTATIVE PRUITT moved to advance the confirmation of the appointee, Mr. Dale Anderson to the joint session of the House and Senate for consideration. He noted that each member's signature on the committee's report in no way reflects the member's vote during the joint floor session. There being no objection, the confirmation was advanced.

Presentation: Lower Kuskokwim School District

[9:17:50 AM](#)

CHAIR DICK announced that the final order of business would be a presentation from the Lower Kuskokwim School District.

[9:18:43 AM](#)

DAN WALKER, Assistant Superintendent, Instructional Programs, Lower Kuskokwim School District (LKSD), stated that he is joined today by the other Assistant Superintendent; Carlton Kuhns [slide 1]. He provided demographics of the Lower Kuskokwim School District (LKSD), including that it is the largest rural school district, with 3,970 students in 27 schools located in 23 communities. He related the student population is 95 percent Native Alaska, 82 percent economically disadvantaged, and 67 percent limited-English proficient [slide 2]. He reviewed the six-year performance summary from 2006-2011 [slide 3]. He pointed out that the graduation rate has gone down, but the number of graduates has risen each year and the overall

enrollment has been steady. He suggested the anomaly of the graduation reduction on the graph reflects a change in the way that graduation rates are calculated. He acknowledged that the scores are low, but the calculation also does not reflect students who take five, six, or seven years to complete high school. He stated the LKSD's goal has been to meet the needs of all of the kids. He suggested that the LKSD has seen promise with some of its new programs and some of the changes incorporated.

[9:21:48 AM](#)

MR. WALKER said the two major challenges are student motivation and significant facility needs [slide 4]. He also said that the school district and community are comprised of problem solvers and they do not view themselves as victims of circumstances beyond their control. He recalled he has often told people that the region must solve their own problems, including finding ways to engage the communities to solve their problems collectively. He stated that there is not one problem or a single solution, but the LKSD must find ways to engage people. He added that the LKSD had been working with the advisory school boards. The community has sensed a strong need for early childhood education and must work with parents on their parenting skills. He offered that the role of the federal "No Child Left Behind" legislation narrowed their focus, but the district has been working to broaden its focus to meet the needs of every student.

[9:23:32 AM](#)

MR. WALKER noted the assets in the school district [slide 5]. He emphasized the strongest asset the LKSD has is its stable and supportive regional school board. He highlighted that the school board understands the need for a collaborative process to help kids succeed. He emphasized that the district has great students and staff, with reduced teacher turnover - in the past few years at 12 percent - and last year dipping to just under ten percent; however this year teacher turnover will increase to about 15 percent. The school district has done a great job of hiring and retaining teachers. The school district has a robust and targeted professional development and does not believe in one shot or "drive by" professional development, but rather professional development that is sustained and ongoing. The LKSD has been grateful for the district's new construction. He remarked that it helps when the schools are considered inviting to students with up-to-date facilities and infrastructure. He

pointed out the LKSD probably is one of the only school districts with nine social workers on staff, who are based out of Bethel but work in the villages a large majority of their time. The itinerant social workers help kids so they can learn, he said.

[9:26:13 AM](#)

MR. WALKER elaborated on several initiatives. He highlighted that this is the first year in which the initiatives have moved forward district-wide to all schools. He described this effort as part of the comprehensive school reform framework. He explained that the Sheltered Instruction Observation Protocol (SIOP) is a best practice instruction. The LKSD has a large population of students who are limited English proficient (LEP) and the SIOP helps the district meet these students' needs. The school district has been working on the continuous progress model (CPM) coupled with a response to intervention (RTI) model. Many kids are Yup'ik speakers, but often come to the schools without a strong language base in Yup'ik or English. Since they are not proficient in either Yup'ik or English the schools must find a way to boost and accelerate their learning. The LKSD has had a Yup'ik first language program - one of the few programs in which classes are taught in the students' native language. The LKSD has been moving towards a dual-language program and has been excited about the prospects. He listed the third initiative, which is to improve the school climate and positive behavior in schools. He elaborated that this has been a huge effort for the LKSD. He offered his belief that this process has identified the core foundation for student academic success. He identified that when students don't feel that the school is a positive, fun, and engaging place to be then the chances of them checking out or dropping out rises substantially. He indicated that teacher retention may be attributed to the professional development provided by the district.

[9:29:19 AM](#)

MR. WALKER named the innovative academic programs that have been implemented, which include two-way video courses, robotics courses and competitions, integrating arts into the curriculum, and the RANSEP [slides 7-8]. He highlighted that due to its geographic diversity the LKSD depends on two-way video courses, including mathematics, science, and art courses. This year they added an AutoCAD program, digital photography, and career exploration at the middle school level. Additionally, they have

a strong robotics program. He highlighted that the instructors are highly qualified instructors at teaching studios in Bethel with cooperating teachers in village schools. The robotics program has been ramped up thanks to additional funding. Some teams have successfully competed at the state level and have also participated at the national level at St. Louis. Additionally, the school district has focused on integrating art into the curriculum due to grant funding acquired in the past several years. While those grants are ending the district has been working to identify new funding. Further, LKSD has also been working "outside the box" to find ways to engage students in quality programs with high rigor and to find ways to control any conditions that can be controlled. He related the school district works to find ways to develop strategies and activities to help kids become highly successful through highly-engaging activities.

[9:33:07 AM](#)

REPRESENTATIVE CISSNA stressed the need for team building and said that competition is not necessarily the best means to attain their goal.

MR. WALKER said it is counter to the Yup'ik nature to cultivate competition, but rather there is an inherent foundation in the culture to collaborate and honor individual abilities as contributing factors to the whole. He said the students often leave school physically tired due to the efforts of the rigorous day at school.

[9:35:50 AM](#)

MR. WALKER reported that the RANSEP program is an Alaska Native Science & Engineering Program (ANSEP) funded by the Rasmuson Foundation. The LKSD received a grant from the Rasmuson Foundation with multiple partners targeted for village-based students. The goal of the program has been to meet the academic needs of students from surrounding villages yet still allow students and families to be closely connected to the rich cultural experience of the village. He characterized it as a culturally-grounded and academically-strong program that has been designed to lead to post-secondary success. He provided a brief history, noting that for many years the region had boarding schools and while the schools worked for some kids that approach did not meet the needs of a vast majority of students. He said when the Molly Hootch village schools came about it

provided an avenue for more kids to be engaged in education; however, over time the LKSD is still losing kids.

MR. WALKER indicated the LKSD has been attempting to create a model that encompasses a blended learning or hybrid of local and boarding school approaches. He explained that the semester prior to entering the program students travel to Bethel and work with the UA through their ANSEP program and build a computer, which is the initial activity. At that time they sign a contract that they will remain in the program and will take high-level academic classes. In exchange for this students are allowed to keep the computer. They also attend a six-week acceleration academy at UAA during the summer, as cohorts, to attain an experience that is rigorous and supportive to cultivate student success. When the students return to LKSD, they leave the villages, live in Bethel, and enroll in classes at Bethel Regional High School. He stated that these students enroll in a higher-level math class, a pre-engineering class, and a science class - either physics or chemistry. He reported that the district is currently in the second cohort of students. The first cohort began with 10 kids and ended with eight. He pointed out that these participants are ordinary village kids who did not stand-out. These students had met the basic requirements for math and science, such as taking Algebra I by the end of the ninth grade and they were ready to go into Algebra II or Geometry. That group of kids created a supportive cohort. The promise of the program is being realized through students who have participated and blossomed within the cohort. He noted that the district was surprised by the abilities and success of these students. These kids are ones who have had many obstacles and challenges in their lives and tend to not do that well. These kids led the way and obtained straight A's in their classes. When interviewed, the students indicated they found the challenge of the larger academic setting helpful. He related that kids in the villages have skills and academic ability so the LKSD needs to think a little differently about the structure of the school day and year. These kids demonstrated a strong desire to stay connected to their villages. He pointed out one of the downfalls of the boarding schools was that they removed kids completely out of their culture and the children were not able to retain their cultural identities. Small schools cannot offer these challenges; however, the importance of remaining connected to the village is also a factor.

[CHAIR DICK, during the presentation, passed the gavel to Representative P. Wilson].

REPRESENTATIVE P. WILSON remarked that it was exciting to hear about the program. She asked whether this makes the district take a different look at every student.

[9:44:11 AM](#)

MR. WALKER said the program would definitely do that; however, the program is currently in its infancy. He added that the LKSD had started with a pretty small cohort of kids. The district wanted to have 15-20 kids in the cohort and hoped to build from there. He reported the district as being half-way through the second round of recruiting. He stated that when the first students returned to their villages they generated interest in the program. He said he anticipates that the program will have a waiting list. One obstacle to expanding the program has been space to house students in Bethel when they arrive from the outlying areas. Currently, host families are utilized since a facility or dorm space is not available. He characterized this as a huge obstacle. Further, the program needs additional funding for staff. He noted one of their partners as the Yuut Elitnaurviat - People's Learning Center. He reported their facility provides training and apprenticeships and they have been working to obtain dorm space for students. He reported the funding for dorm space was vetoed last year, but he offered his belief that the funding is once again included in the [capital] budget. He emphasized housing as the boost needed to make this program go forward. Additionally, the LKSD would need some level of support to sustain the boarding school home and some support in Bethel, such as funding for an extra teacher. He related that the LKSD has been applying for grants; however, the dorm space is important since housing with host families limits the number of students who can participate.

[Representative P. Wilson returned the gavel to Chair Dick.]

[9:47:48 AM](#)

REPRESENTATIVE CISSNA clarified that there are not enough host families.

MR. WALKER answered that is correct.

REPRESENTATIVE CISSNA asked whether host families have been involved in the program directly. She related her understanding that culture has been brought into the school in a respectful way. She recalled that many of their grandparents or parents were not allowed to speak their own language so there are generational differences.

MR. WALKER agreed and said that during the semester, opportunities for host family activities are made available and the families will come to Bethel and participate as well. He said that the communities support expansion of the program.

[9:50:19 AM](#)

MR. WALKER referred to the flow chart of the RANSEP/ANSEP programs [slide 10]. He explained that Lego robotics has been used in the middle school to help prepare students. The RANSEP program begins in the sophomore or junior year with the acceleration academy and computer build. He clarified that an ANSEP program also exists for Bethel students, but the RANSEP program has been designed for village students. He reported that the partners include the Rasmuson Foundation, the University of Alaska Anchorage (UAA), the ANSEP program, Bethel Regional High School (BRHS), the Yuut Elitnaurviat, and the National Academy Foundation [slides 11-12].

[9:52:30 AM](#)

MR. WALKER continued to indicate the timeline path of a student who is in the program [slide 13]. He stated that students return to their village high school to graduate, which is important for the connectedness piece. Finally, he said that RANSEP is about inspiring goals and ensuring that students have the confidence, skills, and opportunities to meet those goals [slide 14]. He concluded his presentation by stating the RANSEP goal has been to inspire goals and ensure that students have the confidence, skills, and opportunities to meet those goals [slide 15]. He emphasized that the LKSC has been impressed with the success of the RANSEP program and has been working to develop additional programs modeled on the RANSEP program, including one approach to have a one to three-week residency in Bethel, versus a semester long stay.

[9:54:39 AM](#)

CHAIR DICK said he has lived in that part of Alaska for 45 years and has observed many of the things mentioned. He noted a substantial amount of a teacher's time is spent to motivate their students, which can be difficult. He offered his belief the core principle among the Yup'ik students has been the principle of survival. He recalled a hearing last year in which the presenter noted that the Yup'ik students will be participants and competitors on a world scale, rather than on a statewide basis of competing with Anchorage students. Further, Alaskan students living in isolated places often can't obtain that perspective. He characterized the issue as a survival issue, noting there are more honor students in India than in the U.S. He related that he visited the American Indian Charter School in Oakland, California recently and was able to visit nearly every classroom of the school whose students are comprised of only minority students. He reported that 100 percent of the school's graduates received letters of acceptance from highly-accredited four-year college programs. He wished he could have video-recorded their sessions to demonstrate to Bush students that these are the students they will compete against. Understanding these things may be a motivating factor for students, he said. Further, the pressure to perform academically is necessary, and he praised the RANSEP/ANSEP approach. Finally, he noted that each village is different and the approaches to teaching will vary. He concluded that the pathway to the educational system is the one the LKSD has provided to students. He characterized the RANSEP program concept as excellent and one that has tapped into an important element that exists with Native Alaskans. The program has provided practical applications with innovations. He concluded that he has high hope for the RANSEP program.

[9:58:16 AM](#)

REPRESENTATIVE CISSNA offered agreement that Alaska Rural students can work as a team. The Yup'ik people have worked as a team for generations and thousands of years to survive.

CHAIR DICK added that ANSEP students have lofty goals to assist their villages.

[9:59:18 AM](#)

REPRESENTATIVE P. WILSON asked about the suicide rate in the area.

MR. WALKER deferred to Mr. Kuhns.

CARLTON KUHNS, Assistant Superintendent, Personnel/Student Services, Lower Kuskokwim School District (LKSD), reported that energy and resources have allowed attention to be brought to an area which once had a high level of suicides; however, in three years the school population has had zero. He attributed this to all of the programs previously described and to educating teachers about suicide.

[10:02:17 AM](#)

CHAIR DICK recessed to a call of the chair.

[6:30:54 PM](#)

CHAIR DICK called the House Education Standing Committee meeting back to order at 6:30 p.m. Representatives Dick, Feige, Seaton, P. Wilson, Cissna, Kawasaki, and Pruitt were present at the call back to order.

HB 369-STUDENT PARTICIPATION IN SPORTS

[6:31:00 PM](#)

CHAIR DICK announced that the committee would return its attention to HOUSE BILL NO. 369, "An Act relating to student participation in sports." Discussion on the bill was begun during the 8:00 a.m. to 10:00 a.m. portion of the meeting.

[6:31:20 PM](#)

REPRESENTATIVE PRUITT moved to adopt the proposed committee substitute (CS) for HB 369, Version 27-LS1324\X, Mischel, 4/4/12.

REPRESENTATIVE SEATON objected for the purpose of discussion.

[6:31:39 PM](#)

REPRESENTATIVE SADDLER reviewed the changes in the proposed CS Version X, beginning with a new title ["An Act relating to student participation in interscholastic activities; and providing for an effective date."], which reflects that the bill now covers all interscholastic activities, as opposed to simply

sports. In section 1, as discussed earlier in committee, the language deleted from page 1, line 8 read:

[AND IS CURRENTLY CERTIFIED,

REPRESENTATIVE SADDLER directed attention to section 2 of Version X, explaining that this section now refers to interscholastic activities, not just sports, and he noted that the student is still the party responsible to provide all of the required eligibility documentation to the school. Additional requirements remain the same, with the exception of medical documents, which are only necessary for those activities that require them, such as sports. On page 2, line 23 of Version X, the word "external" was deleted from the previous version and replaced with the word "recognized" which is a term more commonly used in statute.

[6:33:35 PM](#)

LYNN SMITH, Staff to Representative Dan Saddler, Alaska State Legislature, proceeded with the changes in the proposed CS identified as Version X. She explained the change from "external" to "recognized" was recommended by Legislative Legal and Research Services, Legislative Affairs Agency. On page 2, line 30 of Version X, the word "classes" replaced the word "credits" on page 2, line 28 of the previous version, in response to the concern that not all classes are considered a credit. Ms. Smith then directed attention to page 3, subparagraph (C) of the original bill that read:

if a student in grade 12, has passed all parts of the secondary school competency examination required under AS 14.03.075

MS. SMITH said this subparagraph has been removed in Version X because the high school competency exam does not have to be completed until April, so there is the potential that a high school senior may not have passed all of the tests. Removal of this provision will allow a student to participate in activities as long as they are "on track to graduate." Another change under definitions is found on page 3, line 3 of Version X, which read:

(4) "interscholastic activities" means preparation for and participation in events or competitions

involving another school when the preparation or participation

(A) is sanctioned or supported by the statewide interscholastic activities governing body;

(B) is conducted outside of the regular school curriculum; and

(C) does not involve participation in student government at a school.

MS. SMITH explained this change excludes participation in student government and for activities for which a student is required to take a class, such as a choir class that is scheduled during the regular school day. In addition, Version X makes section 1 effective immediately and changes the effective date for section [2] to 7/1/13.

[6:36:18 PM](#)

REPRESENTATIVE SADDLER referred to a concern raised by Representative Pruitt that he called "school eligibility shopping." Version X retains language from the original bill that prohibits this practice beginning on page 2, line 7 that read:

that the student would be eligible, based on the residence of the parent or legal guardian of the student, to attend were the student not enrolled in an alternative education program ...

REPRESENTATIVE SADDLER advised this language ensures that a student cannot "jump out of his own home zone" school in order to participate. In addition, he addressed the financial implications on schools, and paraphrased from the following written statement [original punctuation provided]:

There is no significant disparity in the financial support between the students covered by this bill, and regular public high school students:

1) Students from home schools or alternative schools would have to pay the same activity fees as students in local high schools.

2) Schools and athletic facilities are often funded by bonds, paid for by the state on a 90-10 match. The

state has already paid most of the cost; the remainder is paid by local property taxes, which are also paid by parents of HS students.

3) Parents of HS kids must pay property taxes that go toward the 4 mil local contribution under state education foundation formula. In areas where there is no local required - like in [the] Bush - then no local parents pay property taxes.

4) Again, many of the costs of athletic programs are sunk costs - gyms, stadiums, uniforms, balls, equipment. It is not necessary to reequip an entire athletic department each year, based solely on contributions' of this year's team members.

[6:38:37 PM](#)

REPRESENTATIVE CISSNA pointed out that many communities do not have property taxes, and it is unfair if schools have fewer resources because home school students are not included in the student count.

REPRESENTATIVE SADDLER pointed out the issue addressed by this bill is not fairness in the funding of schools. The issue is if the area does not have property taxes, there would not be disparity as neither the home school parent, nor the public school parent, pay local property taxes.

REPRESENTATIVE CISSA stressed that a school is given funds based on its number of students on the day of the school count. Thus the cost of bringing in students who are not part of the count will not be made up through property taxes.

REPRESENTATIVE SADDLER said students are required to pay student participation activity fees. Also, local schools have fund-raising activities, and home school students would participate as other team members would.

[6:42:37 PM](#)

REPRESENTATIVE SEATON surmised the legislation applies to "home school students that are in a district-provided school, or a statewide accredited school, or that are all in public schools - that are public vocational schools, the military youth academy, and a public ... statewide correspondence school ... that

provides less than three hours per week of face-to-face interaction with students." The legislation does not include "typical" home school students across the state.

REPRESENTATIVE SADDLER said correct, and added that the definition in the bill does not include independent home schools.

REPRESENTATIVE SEATON asked whether vaccinations would be required.

REPRESENTATIVE SADDLER expressed his belief vaccinations are required, and medical fitness standards for sports are the same for all students. In further response to Representative Seaton, he clarified that medical records would be provided "when required."

REPRESENTATIVE SEATON indicated he was referring to a student going to a school for any activity.

[6:44:44 PM](#)

REPRESENTATIVE FEIGE opined shot records are required for certain things.

REPRESENTATIVE SEATON asked, "In this case students can go to school without those, unless there's a particular vaccination or physical exam or something that's required by that specific activity?"

REPRESENTATIVE SADDLER said correct.

[6:45:21 PM](#)

MR. MATHEWS asked whether every reference to "interscholastic sports" in the original bill is now "interscholastic activities" in Version X.

REPRESENTATIVE SADDLER said that is correct.

MR. MATHEWS asked for clarification on whether a private home school that does have accreditation to a recognized body, such as the American Home School Association, would come under this legislation.

REPRESENTATIVE SADDLER said yes, the legislation applies when a home school is accredited by a recognized accrediting body.

[6:49:13 PM](#)

CHAIR DICK, after determining no one else wished to testify, closed public testimony.

[6:49:36 PM](#)

REPRESENTATIVE SEATON removed his objection to the adoption of the proposed CS for HB 369, Version X, as the working document. There being no further objection, Version X was before the committee.

[6:49:51 PM](#)

REPRESENTATIVE SEATON moved Conceptual Amendment 1, labeled 27-LS1324\D.2, Mischel, 4/4/12, and announced his intention to add another conceptual change to it.

[6:50:54 PM](#)

REPRESENTATIVE P. WILSON objected for the purpose of discussion.

REPRESENTATIVE SEATON said the conceptual amendment as written removed section 2 of the bill, and he added another conceptual change that deleted section 4, which is the effective date for section 2. Representative Seaton observed that the bill has just been introduced and already has been drastically changed after hearing testimony from three people, but without testimony from school districts, or from home schools. Furthermore, the students affected have changed from those in all grades to those in grades nine through twelve, and from those in sports to those in all interscholastic activities, although there has been no testimony from participants in any activity; in fact, the public has not been heard. He opined section 2 is not ready to advance, and encouraged the committee to hear further testimony and discussion on liability and insurance issues, and on state funding. Representative Seaton said he was unsure of his opinion on the idea, but has a problem not knowing the bill's effect on his constituents and on school districts that are presently in a funding crisis which could be exacerbated by expanding enrollment in interscholastic activities.

[6:54:39 PM](#)

REPRESENTATIVE KAWASAKI stated his support for the amendment and for section 1 of the bill, which is a "technical tweak" to a bill adopted last year. However, section 2 is a policy call before the committee that was just introduced today. Interscholastic activities need to be expanded beyond sports, but there are questions that are unanswered by the bill, such as the inclusion of show choirs and Model United Nations. Representative Kawasaki spoke of the need to talk with his constituents and school district regarding the possibility that home school students may displace public school students on a team, without meeting the same academic requirements. He acknowledged that home school students presently participate in his district, but wanted to finish researching the issues.

[6:57:25 PM](#)

REPRESENTATIVE CISSNA stated her support for Amendment 1, and noted that many families in her district in Anchorage are home schooling their children. She recounted a personal experience to emphasize the importance of social activities for home school students, and said Amendment 1 will allow the bill to truly address the issue properly.

[7:00:50 PM](#)

REPRESENTATIVE FEIGE said he would not support the amendment and stated his belief that all students should have the opportunity to participate in sports and other enriching activities at school. He said the financial burden is the same for everyone in a community, as property taxes and state funding for education are the same. Representative Feige said he was satisfied with the CS as written because alternative education programs as defined must be accredited programs with structure, curriculum, and a grading scheme. The bill also requires that the student provide whatever documentation that the school demands. He pointed out that most of the schools in his district already allow home school students to participate in a variety of activities and "... they don't seem to be complaining about the cost or the fairness, or anything like that now."

[7:02:54 PM](#)

CHAIR DICK spoke of his experience as a home school teacher, and said most home school students are ready for college because they are disciplined about their schoolwork. Nationally, home

school students are getting a better education than those in public school. In Alaska, the cost to the state for home school programs is less than one-half of that of public schools, and he stated his support of both sections of the bill.

[7:03:55 PM](#)

REPRESENTATIVE P. WILSON maintained her objection.

[7:04:01 PM](#)

A roll call vote was taken. Representatives Cissna, Kawasaki, and Seaton voted in favor of Conceptual Amendment 1. Representatives P. Wilson, Feige, Pruitt, and Dick voted against it. Therefore, Conceptual Amendment 1 failed by a vote of 3-4.

[7:05:07 PM](#)

REPRESENTATIVE PRUITT moved to report CSHB 369, Version 27-LS1324\X, out of committee with individual recommendations and the accompanying fiscal notes.

[7:05:16 PM](#)

REPRESENTATIVE CISSNA objected.

[7:05:19 PM](#)

A roll call vote was taken. Representatives Pruitt, P. Wilson, Seaton, Feige, and Dick voted in favor of the proposed CS for HB 369, Version X. Representatives Cissna and Kawasaki voted against it. Therefore, CSHB 369(EDC) was reported out of the House Special Committee on Education by a vote of 5-2.

[7:05:59 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 7:05 p.m.