

HOUSE FINANCE COMMITTEE  
April 3, 2012  
9:05 a.m.

[9:05:08 AM](#)

CALL TO ORDER

Co-Chair Stoltze called the House Finance Committee meeting to order at 9:05 a.m.

MEMBERS PRESENT

Representative Bill Stoltze, Co-Chair  
Representative Bill Thomas Jr., Co-Chair  
Representative Anna Fairclough, Vice-Chair  
Representative Mia Costello  
Representative Mike Doogan  
Representative Bryce Edgmon  
Representative Les Gara  
Representative David Guttenberg  
Representative Reggie Joule  
Representative Mark Neuman  
Representative Tammie Wilson

MEMBERS ABSENT

None

ALSO PRESENT

Representative Alan Dick; Annette Kreitzer, Staff,  
Representative Dick; Mike Hanley, Commissioner, Department  
of Education and Early Development; Les Morse, Deputy  
Director, Department of Education and Early Development.

SUMMARY

HB 256 REPEAL STATE INTERVENTION IN SCHOOLS

HB 256 was HEARD and HELD in committee for further consideration.

HB 330 STATE EDUCATION STANDARDS

HB 330 was SCHEDULED but not HEARD.

9:05:19 AM

#hb256

HOUSE BILL NO. 256

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

9:06:01 AM

REPRESENTATIVE ALAN DICK pointed out that he represents remote and primarily native school districts. He indicated that the difficult part in forming the bill was there were only two representatives, besides himself, who had the same concern. The representatives were Representative Neal Foster and Representative Bob Herron. He noted that the bill was born out of frustration, conflict and a desire to see low performing schools improve. He believed HB 256 brought resolution to any conflict. He expressed that the key word would be "collaboration," the part missing between the intervention districts and the Department of Education. He listed the six key parts of the bill:

1) The word "intervention" is changed to "restoration." Representative Dick indicated the word "collaboration" changed the entire mentality of going in, intervening and forcing people to do anything. He illustrated a story of a caribou he shot being aided by two cows trying to lift him up to run again. The incident left an impression in his mind of intervention and restoration of school districts. People coming together to help a wounded superintendent or school district be lifted up and helped to move forward.

Co-Chair Stoltze asked Representative Dick to describe the rural intervention districts.

Representative Dick responded that originally there were five school districts. The Yukon-Koyokuk School District, north of Fairbanks; Yukon Flats School District, north of Fairbanks; Lower Yukon School District, near Mountain Village; Yupiik School District, upriver from Bethel; and Northwest Arctic School District, near Kotzebue. Northwest

Arctic and Yukon-Koyukuk are no longer in intervention. Yukon Flats, Lower Yukon and Yupiik School Districts are still in intervention. The districts have many great concerns. He stressed that he has tried for a long time to work with the Department of Education. He tried diplomacy, wrote letters, spent 150-200 hours trying to work out the issues and asked pointed questions. He realized diplomacy was not an option so he brought forth the bill. He referenced the Alaska State Systems of Support Operations manual. He saw a few ideas that might help, but the major issues were not addressed for rural schools. Part of problem in the Alaska State Board of Education is that the members are primarily from more urban areas; not one board member lives in a Regional Educational Attendance Area (REAA) area or in an intervention district.

Representative Dick continued to list key parts of the bill:

2) Superintendents evaluate the Department of Education and Early Development (DEED) annually through a Survey Monkey. Positive and negative aspects could be addressed.

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Representative Gara asked for an explanation on how under *Moore vs. the State of Alaska* some districts got off the intervention list and others remained on.

Representative Doogan asked for the definition of a Survey Monkey. Representative Dick responded that it was an online survey. The intent of the survey would be that every superintendent at the end of the year could give an evaluation of the Department of Education on how well they had been served. The survey would be broken down into departments such as maintenance, instructional support, data reporting and other issues. He listed additional key components of the legislation:

3) Superintendents have a voice in Board of Education (BOE) meetings. The problem with the Board of Education is that there are no representatives from the intervention districts sitting in on the discussions.

4) Restoration districts must incorporate Cultural Standards. The restoration districts must incorporate the book, Alaska Standards for Culturally Responsive Schools. The book was written fourteen years ago, but has not been adopted or used. He commented that HB 256 makes the book the foundation of the plan to move forward. The state support manual is used, but has not demonstrated any improvement. Representative Dick indicated that he sat down with former commissioner Jerry Coven and tried to figure out how to make it work. He relied heavily on Commissioner Coven's input.

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Representative Dick read the sequence of events from No Child Left Behind:

- (a) Year One, the district is notified.
- (b) Year Two, students have the right to transfer to a different school.
- (c) Year Three, the students have a right to free tutoring.
- (d) Year Four, corrective action of the staff or curriculum.
- (e) Year Five, restructuring to convert to charter school, replace the principal and staff, turn over to private management, turn over to the state, or other restructuring.

Representative Dick stated that would take five years to solve the problem. He communicated that under HB 256 the strategy was simple. He highlighted the fifth key piece included in the bill:

5) Strategy for improving schools. Alaska Standards for Culturally Responsive Schools is foundational.

Year 1. Independent expert evaluates critical components of district. (7x \$1,600=\$11,200)

Year 1(a) One coach chosen for each superintendent and board. (20x \$1,600= \$32K) Schools struggle from many variables one of which is that the students are not coming to school prepared to learn. In the same year, after the evaluation, there would be a collaborative agreement for a professional person chosen by the school district and the Department of Education. The coaches would give their evaluation at

the end of the year to all concerned and all factors that influence school districts would be addressed.

Year 2. One additional coach chosen for each superintendent and board. (20x\$1,600= \$32K) There are different problems in each district. All components would be identified and coached.

Year 3. Team formed. One each from the Department of Education, Board of Education, Superintendent, the local school board, and four coaches all brought together to develop a three-year plan that the Superintendent carries out. (Team- 8 people x 20 days x \$1,600= \$256K) The plan would be a collaborative solution instead of someone from the Department of Education telling the district what to do. There was contention with the trustee in the Yupiik School District. The trustee made \$190,000 a year and was only out in the district 10-15 days a month. There has been no positive outcome from the trustee although he was seen as an icon of the Department of Education's ability to tell districts how to do their job. The district indicated if they had to have a trustee then they wanted someone they could work with.

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Co-Chair Stoltze asked for the definition of a trustee.

Representative Dick reported that a Department of Education trustee was someone who would oversee and have authority over the superintendent in a district. The trustee could tell the school how long each subject would be taught. He relayed that students in the Yupiik School District wanted cultural activities in the school, but were told by the trustee that cultural activities could only occur after school.

Representative Edgmon asked if the trustee was the conduit between the Board of Education and the Department of Education, which sounded like a top down approach. Representative Dick agreed it would be a top down approach. He indicated that he showed the Department of Education they were not even following their own support manual. Collaboration was the part that was missing. He referred to the disturbing \$5 million in the fiscal note. He believed the amount needed was closer to \$299,264 for three years. The trustee alone is costing that amount in just two years.

He believed his plan to be a healthier approach with more collaboration.

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Co-Chair Thomas expressed that all the blame was being put on the Department of Education and not the parents. He questioned on what Representative Dick planned to do about having parents participate in getting their children to school. He believed that something needed to go into the bill to require parents to participate in their children's education. He also expressed concern that the intervention districts had sued the state and won an \$18 million settlement and questioned why the districts should be given \$5 million more on top of the \$18 million. He added there was also no sunset in the bill and argued that the look-back should be at the end of each year. He recognized that would be a question for the Department of Education. Co-Chair Thomas asked who the trustee was and how to obtain their reports.

Representative Dick recounted that his plan would not cost \$5 million. In the bill, the Alaska Standards for Culturally Responsive Schools would be the foundational document. The program explains the standards for students, educators, curriculum, and cultural standards for schools, communities, and parent participation. He warned that one school has a problem with students sniffing gas. The bill, in the first year, would evaluate all areas that could affect student learning in a public report. The team would be made up of professionals from around the state to help understand the problem. The districts are looking for mentorship and coaching from others who know the issues. He stressed that an urban advisor might not even know or be aware of where to look for the problem.

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Co-Chair Thomas revealed that the committee packet did not contain the referenced book. Representative Dick indicated that he would get copies of the book for the committee. He also suggested that the committee read the Alaska Standards Support Manual. The manual states twenty five times to align the curriculum to the standards when he believed that the standards need to be aligned to the reality of where the students live. He indicated that he has asked all these

questions of the Department of Education, but has not received many answers.

Co-Chair Thomas repeated that the school boards and districts sued the state and received \$18 million. He believed that the \$18 million should be used first before more intervention money is allocated. He felt a lot of the problem fell on the school districts who have already been receiving money from the state to provide a good education.

Representative Dick indicated he was asked about the *Moore vs. the State of Alaska* case, but he could not provide the answers. He opined that the Moore case itself does not address the problem. He agreed that the districts could wait and spend the \$18 million, but he contended that it would not help because the core issues were not being addressed. He clarified that he had no say in how the money from the case was being allocated.

Co-Chair Thomas expressed that the committee knows nothing about how the money is spent because they have not received any progressive reports on the Moore standards. He declared that the \$5 million fiscal note was scary when there was already \$18 million available.

Representative Dick agreed that the \$5 million in the fiscal note was high. He explained that the cost of his program would total \$267,264 for the three years per school district. HB 256 would bring results using much less money. He believed nothing would make a difference until students realized and understood in their own lives the usefulness of an education.

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Representative Gara shared that he was concerned about many of the same things that concerned Co-Chair Thomas. He questioned if the \$5 million in the fiscal note could be used in a better way or a program requiring less money could be developed. Representative Dick agreed that he would not allocate \$5 million either. Representative Gara asked if the fiscal note was wrong. Representative Dick announced that the fiscal note was wrong. Representative Gara remarked that the fiscal note needed clarification. He commented on the lack of commitment between the school districts and the Department of Education and noted a few things that could be accomplished for free. He believed the

cost of the trustee was outrageous and commented that for less money better leadership could be hired. He questioned if some of the money could be used for outreach coordinators to get parents more involved. He commented that he preferred something more cost effective.

Representative Dick responded that he felt sad that the process has to be legislated in order for everyone to play nice with each other. He indicated having four meetings with the Department of Education commissioner and although he was at first optimistic about results, he soon became disillusioned. The problem of the department not collaborating with schools districts has pre-dated Commissioner Hanley. He wanted to create a process to form a consistent program that is separate from the personality of any commissioner. He trusted that the school districts have hired the best staff available, but the schools are frustrated dealing with the department. He believed the skilled workers are not getting the support they need. He emphasized that all plans have been from the top down. He contended that he made several inquiries of the department and the trustee about how to get more parental involvement, and although there were some community events, no effort or plan was actually put into place to initiate home involvement.

Representative Gara asked why money was needed for coaches if the superintendents are of such high quality. He thought the money could be better spent coaching parents to become more involved. He thought it outrageous that the department had not worked with the local districts to formulate a plan.

Representative Dick voiced that he personally liked the trustee, Darrell Sanborn, but Mr. Sanborn was put into the role of an enforcer and that was why nothing worked. He felt everyone needed to come to the table feeling as though they were actual participants in the decisions. He believed the only thing that would get parents involved would be to follow the Alaska Standards book activities. The activities reflected their culture and would teach students from that perspective.

Representative Gara asked again why coaches were needed if the superintendents are of such high quality. Representative Dick responded that \$400,000 had been spent sending coaches to the Yupiik School District only to see

the tests scores decrease over the past three years. He pointed out that there has been no evaluation of the coaching project. He hoped that after three years of the coaching program a plan would have emerged. The only coaching evaluation came from Education Northwest in Seattle. He could not understand how someone from Seattle could evaluate or understand the problems of the Yupiik School District. He stressed that millions of dollars had been poured into programs that have not worked. He reiterated that a trustee coming from the outside to make suggestions was not effective. He contended that HB 256 was the answer. He declared that the Yukon-Koyokuk District was able to get off intervention by using the Partners Empowering All Kids (PEAK) program with federal funds.

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Representative Dick stated that it was never clear how districts moved on and off intervention. In the Moore case, the lowest forty performing schools districts in the state of Alaska were supposed to receive help. In the lowest forty, ten came from the Lower Kuskokwim School Districts. He did not know why Lower Kuskokwim did not become an intervention district. He declared that the Moore case became a rat's nest causing all of the contentious problems.

Representative Doogan asked where he could find a copy of Alaska Standards for Culturally Responsive Schools book. Representative Dick responded he would make sure that copies were provided to the committee.

Representative Doogan pointed out that in year one of Representative's Dick program, an independent expert would evaluate critical components of the district. He questioned how the expert would be selected. Representative Dick responded the expert would be chosen in collaboration between the Department of Education and the superintendent of the school district.

Representative Doogan asked if he meant the superintendents from the three failing districts. Representative Dick replied that the superintendent from an intervention school and the Department of Education and Early Development would choose an expert to evaluate the school district on a list of specific criteria.

Representative Doogan asked if that was one expert going through three schools to evaluate the school district. Representative Dick indicated that was correct and the experts would evaluate the school district in seven days.

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Representative Wilson clarified that there are three intervention districts, but there was only one trustee in only one of the districts. She asked the names and qualifications in the Yupiik School District. Representative Dick responded Howard Diamond, Kim Langton, Diane George who had over 70 years' experience in the bush. Howard Diamond is the superintendent, Diane George is the Assistant Superintendent and Kim Langton supervises instruction in the Yupiik School District.

Representative Dick had hoped the committee just wanted to talk numbers. Co-Chair Thomas interjected that the numbers were scary. Representative Dick signified that the committee needed to ask the commissioner why \$5 million was needed. Co-Chair Thomas commented that was the goal.

ANNETTE KREITZER, STAFF, REPRESENTATIVE DICK interjected that the parental involvement issue is located in the bill.

Representative Dick summarized that what has happened up until now has cost millions of dollars, but produced no improvement or results.

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RECONVENED

MIKE HANLEY, COMMISSIONER, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT commented that there had been a mischaracterization about the efforts of the department. He noted that there have been five intervention districts. Statistically across the nation once a district is in intervention they never come out of intervention. Alaska is different as there have been two districts moved out of intervention because they showed improvement and no longer needed support. The Yupiik School District is the only one with a trustee. When the department first intervened in that district the scores were at 9 percent proficiency and

now the scores are 19 percent. It is not where the department wants to see the school, but there has been a 10 percent gain. The primary tool in intervention is with the coaches, not the trustee. Coaches are sent to the schools to work directly with the teachers to build capacity, align curriculum, help with best practices, and scheduling. The goal is not to tell the school how to do it, but help strengthen the system that is already there. He opined not seeing the contentiousness in any other district except the Yupiik District with the one trustee. The trustee has specific authority and the mid-year and end-year reports can clarify what he does. The trustee only has authority over the curricular activities in the district, but does not oversee the superintendent. The trustee is in the district for about 15 days a month working directly with coaches, teachers, and students. He agreed that having a trustee oversee a district is not always a pleasant experience. The trustee, Darrell Sanborn, has worked all over Alaska and is a respected retired superintendent.

Co-Chair Thomas asked if the trustee makes \$192,000.

Commissioner Hanley stated that last year's contract was for \$174,000. The contract included no retirement or other benefits. He added that all expenses come out of the contract money including transportation. He continued that using the trustee has been the primary tool used and the school has seen improvement, but he acknowledged the system is not perfect. He recognized in meetings with Representative Dick and the three school districts that they all want the trustee removed. As a compromise, the department agreed to put some measurable student achievement goals in place to move forward, and after that happens, he would begin to back the trustee out. Commissioner Hanley believed it would be a good collaborative approach. The plan started in the spring with the trustee beginning to travel less to the districts.

[10:10:19 AM](#)

Representative Neuman wondered with all money being put into education would it be possible to implement the new ideas and concept proposals of Representative Dick.

Commissioner Hanley responded that SB 285 put forth specifics on how the state would intervene in failing districts. There were concepts on coaches and trustees and,

when a district showed a two percent growth in three years, the department would step back. At the time, all the failing districts testified they would like to have the coaches in the districts more. HB 256 limits how long a coach could be placed in the districts. The bill also removes the two percent per year growth and softens the goals of the districts.

Representative Neuman asked Commissioner Hanley if he could support any part of the bill.

Commissioner Hanley commented that he had no problem with holding himself or the department accountable. He agreed it was valuable to put together a survey to understand why teachers were leaving the districts. He remarked having no problem with coaching as that was something the department already did, but he did not like the restrictions on the coaches in the bill. He struggled with the concept of the Yupiik School District choosing two more coaches in addition to the two already there. He failed understand how that would work.

[10:15:02 AM](#)

Representative Wilson wondered why the Yukon-Koyokuk School District was not one of the intervention districts. Commissioner Hanley replied that the district built capacity and improved scores to over 50 percent. There was an exit interview where he asked the district what would happen if the department stepped back and the superintendent replied that the school would continue to follow growth plans.

Representative Wilson asked commented that the superintendent was new and was one of the main reasons for the teacher turnover. She noted that the new superintendent was very hands-on and had not been in the area long.

Commissioner Hanley responded he did not know how long the superintendent had been in the area.

Representative Wilson remarked on her surprise that the department did not put down all the costs going into the districts in the fiscal note. She mentioned the coaches only going into the intervention districts and teachers not being reflected. The fiscal note looks like a lot of funding was being added when the true situation might just

be the shifting of funds. She asked how much money was going into the intervention districts. Commissioner Hanley understood the intent of the sponsor of HB 256 was to replace the current model; therefore certain costs would no longer be there. Representative Wilson pointed out that by replacing the coaches then there would be cost savings on one side. She asked again how much money was going into the intervention districts. Commissioner Hanley responded he did not have numbers, but Deputy Commissioner Morse may have them.

LES MORSE, DEPUTY COMMISSIONER, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT responded he could shed some light on the costs. He noted that the bill did not just affect the current three intervention districts, but would look at all the schools through an auditing process. Some of the costs in the fiscal note reflected the additional schools that may be affected under the bill. Representative Wilson stressed she was just trying to get a dollar amount about what currently is being spent in the intervention districts and what costs would change with the new bill. Mr. Morse responded that he would obtain the cost number for the committee. He reiterated that the HBB 256 would change part of the statute and he needed to analyze exactly how much would be changed. Representative Wilson emphasized that when the committee received fiscal notes, they should be reflect where there might be savings.

[10:20:14 AM](#)

Representative Gara added that the committee would like to know the additional costs of HB 256 compared to the amount presently being spent. He noted that the Department of Education could coordinate with the local school districts for no extra cost. He questioned if that might be something the department would be willing to do. Commissioner Hanley answered that the department had already committed to do that. Representative Gara mentioned an example from Representative Dick where a trustee only showed up a few weeks and cost the state \$180,000 a year. He asked the commissioner to shed some light on that. Commissioner Hanley responded that the trustee was in the district about 10 to 15 days a month working directly with the school and staff.

Representative Gara questioned what the commissioner on what could the department do about increasing parental

involvement and would the department be willing to use the Alaska Standards for Culturally Responsive Schools program. Commissioner Hanley signified that the cultural standards are already being used, but the program could be more assertive. He warned that parents do not always find it popular when someone from outside the community comes in to tell them what they should do. He was not sure that the state can tell a small district the best way to involve families.

[10:23:31 AM](#)

Representative Doogan referred to the book Alaska Standards for Culturally Responsive Schools and wondered what the department thinks of the book. He indicated that from statements heard, the three districts are not using cultural standards. Commissioner Hanley responded that the book has already been adopted by the State Board of Education to be utilized, but the use is not monitored. He believed that to be the responsibility of the local districts. He professed that cultural standards were more a way of teaching, but hard to measure. He concluded the book was a very valuable document, but there is no mandate that the districts use it. He added again that it would be hard to measure the effects. Representative Doogan disagreed. He thought it would be easy to measure the effects of using the cultural standards approach and wondered why it was not being used. Commissioner Hanley responded that cultural standards do need to be used, especially for teachers who were not from those communities.

Co-Chair Thomas asked if the districts have the option of adopting the cultural standards now. Commissioner reiterated that they had been adopted by the State Board of Education.

[10:27:08 AM](#)

Representative Edgmon stated he was intrigued by Representative Dick's theme based educational approach. He would like more discussion on the theme based approach and the cultural response in the schools.

Co-Chair Thomas questioned when the legislature cuts money from the budget, there was a threat of being sued due to breaking the *Moore vs. the State of Alaska* decision. He felt the districts could not have it both ways by giving

them more money. He felt the attorney involved in the case should be brought before the committee to see if going forward with a new plan would align with the Moore Act. Commissioner Hanley agreed and believed the Moore settlement would operate side by side. The grant funding in the Moore settlement would not be able to be used for changes presented in HB 256. Co-Chair Thomas questioned if the attorneys for the Moore Settlement would be happy with the new bill. Commissioner Hanley agreed that was a good question. The Moore settlement allows the districts to address their needs to build up capacity, but the bill is very specific. Co-Chair Thomas elaborated that intervention districts were being addressed.

Representative Wilson furthered that there needs to be an understanding on how the committee would be put together because the settlement works separately with the intervention districts outside of the Department of Education program. The committee needs to understand how all the parts will fit together in order to ask the right questions.

HB 256 was HEARD and HELD in committee for further consideration.

#hb330

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."

HB 330 was SCHEDULED but not HEARD.

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ADJOURNMENT

[10:31:34 AM](#)

The meeting was adjourned at 10:31 AM.