

ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE

January 31, 2011
8:02 a.m.

MEMBERS PRESENT

Senator Kevin Meyer, Co-Chair
Senator Joe Thomas, Co-Chair
Senator Bettye Davis, Vice Chair
Senator Gary Stevens

MEMBERS ABSENT

Senator Hollis French

OTHER LEGISLATORS PRESENT

Senator Cathy Giessel

COMMITTEE CALENDAR

SENATE BILL NO. 3

"An Act providing for funding for school lunch and breakfast."

- MOVED CSSB 3(EDC) OUT OF COMMITTEE

SENATE BILL NO. 1

"An Act requiring the state Board of Education and Early Development to provide an annual report to the legislature."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 3

SHORT TITLE: FUNDING FOR SCHOOL MEALS

SPONSOR(S): SENATOR(S) WIELECHOWSKI, ELLIS, DAVIS, EGAN, FRENCH, KOOKESH, MCGUIRE, MENARD, PASKVAN, THOMAS

01/19/11	(S)	PREFILE RELEASED 1/7/11
01/19/11	(S)	READ THE FIRST TIME - REFERRALS
01/19/11	(S)	EDC, FIN
01/28/11	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
01/28/11	(S)	Heard & Held
01/28/11	(S)	MINUTE(EDC)
01/31/11	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)

BILL: SB 1

SHORT TITLE: BD OF ED./EARLY DEVELOPMENT ANNUAL REPORT

SPONSOR(S): SENATOR(S) DAVIS

01/19/11	(S)	PREFILE RELEASED 1/7/11
01/19/11	(S)	READ THE FIRST TIME - REFERRALS
01/19/11	(S)	EDC, FIN
01/31/11	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)

WITNESS REGISTER

CHRISTY HARVEY, Staff
Senator Bill Wielechowski
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions on SB 3 on behalf of the sponsor.

ELIZABETH NUDELMAN, Director
Division of School Finance
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Answered questions related to the fiscal note for SB 3.

LES MORSE, Acting Commissioner
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Answered questions related to DEED's neutral position on SB 3. Commented on SB 1 and offered an alternative solution.

TOM OBERMEYER, Staff
Senator Bettye Davis
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Read the sponsor statement for SB 1 on behalf of the sponsor.

JOHN ALCANTRA, Lobbyist
National Education Association of Alaska (NEA-Alaska)
Anchorage, AK

POSITION STATEMENT: Testified in supported of SB 1.

ACTION NARRATIVE

[8:02:39 AM](#)

CO-CHAIR KEVIN MEYER called the Senate Education Standing Committee meeting to order at 8:02 a.m. Present at the call to order were Senators Stevens, Davis, Co-Chair Thomas, and Co-Chair Meyer.

SB 3-FUNDING FOR SCHOOL MEALS

[8:03:24 AM](#)

CO-CHAIR MEYER announced the consideration of SB 3. He reminded committee members that [CSSB 3(), version B was before the committee.]

[8:04:59 AM](#)

CHRISTY HARVEY, Staff to Senator Bill Wielechowski, sponsor of SB 3, said this is an important bill and a great investment both for the short and long term effects for Alaska and Alaska students.

CO-CHAIR MEYER asked what the federal match currently is.

MS. HARVEY answered that currently there is a federal match of about \$32 million and the school outlay is about \$58 million. The remainder of that is partially made up by students who pay for their meals. There is only about a \$2.1 million shortfall that the schools take out of their operating budgets, she explained.

CO-CHAIR MEYER asked if there are any concerns about the federal match going away.

MS. HARVEY answered no; not in the recent past. She explained that this program usually seems to always have a fairly solid federal base.

At ease from 8:07 a.m. to 8:09 a.m.

[8:09:35 AM](#)

CO-CHAIR MEYER asked Ms. Harvey if she could explain the difference between the original bill and version B.

MS. HARVEY answered that the original bill states that the department would provide a base amount of 15 cents for lunch or 35 cents for breakfast. This language, she explained, implied that a school did not have to do both. However, there was concerned that this could be challenged or confused by some of the different school departments. For this reason the language

was changed from "or" to "and" in the CS [page 1, line 8]. This makes it clearer that schools can apply for both a lunch and breakfast program.

CO-CHAIR THOMAS asked for confirmation that this is version B.

MS. HARVEY replied yes.

At ease from 8:11 a.m. to 8:14 a.m.

[8:14:22 AM](#)

CO-CHAIR MEYER clarified with Ms. Harvey that the committee is working with CSSB 3(), version B.

MS. HARVEY replied yes. She reiterated that it was important for schools to know that both funds could be received. For this reason the current committee substitute reads: "15 cents for lunch and 35 cents for breakfast" [page 1, line 8]. Whereas version M reads: "15 cents for lunch or 35 cents for breakfast".

CO-CHAIR THOMAS asked if that was the way the fiscal note was prepared.

MS. HARVEY answered yes.

[8:15:46 AM](#)

SENATOR STEVENS said that he understands some parents may not have the financial stability to feed their children before school and that the state must step in to take on that responsibility. The problem, however, with regard to the success of K-12 education in Alaska, is that many students arrive at college unready to compete. He asked when breakfast is being served and if it is affecting the educational day.

MS. HARVEY answered that it is her understanding that breakfast is served before the school day begins. She added that she believes this program is an enhancement to the education process and not a distraction.

SENATOR STEVENS asked who supports this bill.

MS. HARVEY answered that all of the school boards, nurses, and teachers that she has spoken to are in support of SB 3.

SENATOR STEVENS asked what Department of Education and Early Development's (DEED) stance is.

MS. HARVEY replied that the department has taken a neutral stance on the bill.

SENATOR STEVENS said he thinks DEED needs to comment. He said he wants to know why the department is not taking a position on this bill.

CO-CHAIR THOMAS agreed. He said that if this is such an important issue, as people have been indicating, it seems the department would take that position. DEED should at least give an explanation as to why it has taken a neutral stance.

CO-CHAIR MEYER said that the state currently has a good federal match if the state contributes the amount laid out in SB 3. His explained that his concern is if that federal match is taken away then the duty falls on the state.

8:20:25 AM

SENATOR STEVENS asked why DEED is unwilling to take a stance on the bill.

ELIZABETH NUDELMAN, Director, Division of School Finance, Department of Education and Early Development (DEED), answered that DEED does not have a position on the bill and are here for technical assistance.

SENATOR STEVENS said this causes him concern and seems to imply that if DEED is not supporting the bill then it is opposed to it.

MS. NUDELMAN replied that she does not want the committee to pick between the two stances for the department's position. She reiterated that DEED can provide technical assistance and answer any questions but the department does not have a position on the bill.

SENATOR STEVENS said that he understands that DEED currently does not have a commissioner; however, in order to deal with many of these issues one is needed. He continued that it seems unacceptable that DEED is unwilling to testify for or against a bill that affects education so much.

MS. NUDELMAN replied that the department's commissioner will be on staff this week and she hopes he will be able to speak with the committee soon. She repeated that she can only give technical assistance on the bill.

SENATOR STEVENS suggested that, if this is the case, the committee should hold any issues on education until there is a commissioner who is ready to speak on the issues that need to be addressed.

SENATOR DAVIS asked what kind of technical assistance Ms. Nudelman could provide to the committee.

MS. NUDELMAN answered that DEED prepared the fiscal note for SB 3 and she would be happy to go through it if the committee is interested.

SENATOR DAVIS replied that this was not necessary. She suggested that the acting commissioner testify before the committee.

CO-CHAIR MEYER agreed. He suggested that the acting commissioner speak to the policy side of the bill.

[8:25:48 AM](#)

LES MORSE, Acting Commissioner, Department of Education and Early Development (DEED), said he can only add that this bill is not in the governor's budget and is a policy decision left in the hands of the legislature. He stressed that the argument is not about whether food and nutrition is important or not, the department is only staying neutral to how the means of that food is provided.

[8:27:39 AM](#)

CO-CHAIR THOMAS moved to report CSSB 3(), version B from the committee with individual recommendations and attached fiscal note(s). There being no objection, CSSB 3(EDC) moved from the Senate Education Standing Committee.

At ease from 8:28 a.m. to 8:29 a.m.

SB 1-BD OF ED./EARLY DEVELOPMENT ANNUAL REPORT

[8:29:03 AM](#)

CO-CHAIR MEYER announced the consideration of SB 1.

[8:29:26 AM](#)

SENATOR DAVIS, sponsor of SB 1, said this piece of legislation is important because it gives the legislature an opportunity to meet with the Board of Education at the beginning of every session.

[8:30:11 AM](#)

TOM OBERMEYER, staff to Senator Davis, sponsor of SB 1, read the following sponsor statement:

This bill requires that the Alaska State Board of Education shall prepare and present to the State Legislature not later than the 30th day of each regular session an annual report that describes the efforts of the board to develop, maintain, and continuously improve a comprehensive quality public education system as provided for under the bylaws of the Board.

The report to the Legislature must include:

1. a summary of resolves and rationales provided in support of policy decisions;
2. program and curriculum changes made, discussed, or recommended in meetings; and
3. additional information relevant to efforts made to improve and maintain the public education system.

This bill is intended to create a greater dialogue among Alaska legislators, the Department of Education and Early Development (DEED), and the Board of Education which meets at least quarterly. Since Alaska legislators appropriate over \$1 billion per year for state public education which is a significant portion of the state budget, they must be at the center of the state's efforts to identify strengths and weaknesses of the current system, help determine a public agenda, set clear goals for K-12 and higher education, and hold institutions accountable for performance. The only way to achieve this is through cooperation and communication with the Board and the Department.

Legislators take great pride and tremendous amounts of time and effort every session in trying to provide the best possible education, scholarships, and funding for Alaska students. The annual report required by this bill will assist both DEED and legislators early in each session in assessing new programs, curriculum changes, goals and priorities which may require more information or administrative and legislative action during session.

8:32:19 AM

CO-CHAIR MEYER asked whether the Board of Education already presents to the legislature.

SENATOR DAVIS answered no. The University of Alaska (UA) Board of Regents has annual reports, but the Board of Education does not.

CO-CHAIR MEYER asked for confirmation that SB 1 asks for both an annual report and a presentation.

SENATOR DAVIS replied yes.

SENATOR STEVENS said he thinks this is a good idea and would be much better than what currently occurs.

CO-CHAIR MEYER agreed. He said that Esther Cox, the president of the board, has been very cooperative in the past. However, this bill would formalize the process.

8:34:01 AM

JOHN ALCANTRA, Lobbyist, National Education Association of Alaska (NEA-Alaska), testified in support SB 1. He said that in the nine years he has worked with NEA-Alaska, the board has always been very forthcoming in answering questions and getting the organization information. However, SB 1 will assist in making sure that there is more knowledge of what is happening on the state board level.

8:36:11 AM

LES MORSE, Acting Commissioner, Department of Education and Early Development (DEED), said the board has a strong interest in connecting and communicating with the legislature. He mentioned that the current board chair has requested a joint meeting with the House and Senate Education Committees in March. He said that he is always concerned about adding reports and would like to offer an alternative for the committee's consideration.

He explained that the board's actions and its rationales are always laid out in their minutes. Communication could immediately be improved by including either the co-chairs or the entire committee on the board's electronic distribution list of its minutes. The information needed for an annual report would be lifted directly from these minutes.

He continued that the board meets four times annually, including a March meeting held intentionally in Juneau so that it has an opportunity to interact with the legislature. DEED will also do everything it can to support the board in interacting with the legislature in that way. He reiterated that the board would also include the committee on their distribution list for their four live meetings and two audio meetings.

[8:39:12 AM](#)

SENATOR DAVIS said that what the department is offering already occurs and March is too late to expect to have a meeting with the committee, especially with a 90-day session. She said that she wants something that is concrete and will be laid out at the beginning of the legislative session rather than at the end. She explained that she has seen the board's minutes and attended their meetings; however, not all of the committee members necessarily receive them. The guidelines and regulations for the report, it seems, would be determined by DEED, as long as it is completed by the deadline. She explained that the committee does not need to know everything that takes place, but important changes and recommendations should be included in a report.

ACTING COMMISSIONER MORSE replied that all of the actions that she is asking for are contained in those minutes. If the board had a report it would simply be a restatement of these minutes. The alternative, he explained, would allow the committee to receive the board's minutes immediately, rather than waiting until the session begins.

SENATOR DAVIS said she is interested in more than just a written report, but also in an oral dialogue. That way, she explained, the board can share concerns that it might have and would ensure that oral dialogue would continue in the future.

[8:43:42 AM](#)

CO-CHAIR THOMAS said he wants a general consensus from the board on issues that the legislature should be looking at in order to improve education, not minutes from meetings.

He explained that the committee receives a lot of comments about education in Alaska not improving at a very rapid rate or at all. The report could be used almost like a consultant report, which suggests areas that need to be improved or changed. He explained that he is not an expert in education and does not want to guess at what needs to be done. Rather, he would like the experts in education to bring things for the committee's consideration.

SENATOR STEVENS commended Senator Davis on her bill and that it compares to the bill the committee passed with the University of Alaska (UA) Board of Regents. He explained that at the time the committee was only hearing from the president of the university and it was felt that the committee should hear from the Board of Regents as well. For this reason the legislature established a requirement that the Board of Regents submit an annual report on teacher preparation. He added that this report and face-to-face time has been extremely valuable.

He asked if the committee could include something in the bill that would also allow the legislature to meet with the Board of Education. He continued that SB 1 will establish better communication, which is lacking right now.

CO-CHAIR MEYER agreed. He pointed out that the current board president, Esther Cox, has been very accessible and has communicated well. But, he said, that is not to say that the next president will be as accessible and as free with communication. He suggested that the committee draft an amendment that would deal with Senator Steven's comments.

SENATOR DAVIS said that would be fine. She continued that she appreciates the work of Esther Cox but gave an example as to why more face to face time could be helpful. She explained that a few years ago a letter was sent by the Board of Education to the commissioner of DEED which stated that it needed to look at changing or removing the High School Graduation Qualifying Exam. This letter, she explained, sat for two or three years. When, later, she drafted a bill that would eliminate the exam she asked the board if it was aware of this letter. Ms. Cox, who was president of the board at the time, was not aware of it. She emphasized that these are the types of things that can get lost.

[8:49:49 AM](#)

CO-CHAIR MEYER closed public testimony.

[8:50:25 AM](#)

SENATOR STEVENS asked if Senator Davis could review the piece of legislation that was created for the UA Board of Regents. He said that this might help in drafting the amendment.

SENATOR DAVIS replied yes.

CO-CHAIR MEYER said that if the change to SB 1 is going to be small, only an amendment is needed.

SENATOR DAVIS concurred.

8:50:48 AM

CO-CHAIR MEYER held SB 1 in committee.

CO-CHAIR MEYER reminded the committee that the School Board Fly-In would be held that afternoon and encouraged the committee to attend.

8:52:26 AM

There being no further business to come before the committee, Co-Chair Meyer adjourned the meeting at 8:52 a.m.