

**ALASKA STATE LEGISLATURE  
JOINT MEETING  
SENATE EDUCATION STANDING COMMITTEE  
HOUSE EDUCATION STANDING COMMITTEE**

March 28, 2011

8:04 a.m.

**MEMBERS PRESENT**

SENATE EDUCATION STANDING COMMITTEE

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

HOUSE EDUCATION STANDING COMMITTEE

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

**MEMBERS ABSENT**

SENATE EDUCATION STANDING COMMITTEE

All members present

HOUSE EDUCATION STANDING COMMITTEE

Representative Scott Kawasaki

**COMMITTEE CALENDAR**

CONFIRMATION HEARINGS:

Board Of Education And Early Development  
Pat Shier - Juneau, Alaska

- CONFIRMATION ADVANCED

Professional Teaching Practices Commission  
Steven Atwater - Soldotna, Alaska

Richard Lum - Anchorage, Alaska

- CONFIRMATIONS ADVANCED

Board Of Regents

Jyotsna Heckman - Fairbanks, Alaska

Michael Powers - Fairbanks, Alaska

- CONFIRMATIONS ADVANCED

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

PAT SHIER, Appointee

First Judicial District

State Board of Education and Early Development

Department of Education and Early Development (DEED)

Juneau, Alaska

**POSITION STATEMENT:** Testified as appointee to the State Board of Education and Early Development.

STEVEN ATWATER, Appointee

Professional Teaching Practices Commission (PTPC)

Soldotna, Alaska

**POSITION STATEMENT:** Testified as appointee to the Professional Teaching Practices Commission.

RICHARD LUM, Appointee

Professional Teaching Practices Commission

Anchorage, Alaska

**POSITION STATEMENT:** Testified as appointee to the Professional Teaching Practices Commission.

JYOTSNA HECKMAN, Appointee

Board of Regents

University of Alaska

Fairbanks, Alaska

**POSITION STATEMENT:** Testified as appointee to the Board of Regents.

MICHAEL POWERS, Appointee

Board of Regents

University of Alaska

Fairbanks, Alaska

**POSITION STATEMENT:** Testified as appointee to the Board of Regents.

**ACTION NARRATIVE**

[8:04:56 AM](#)

**CO-CHAIR KEVIN MEYER** called the joint meeting of the Senate and House Education Standing Committees to order at 8:04 a.m. Present at the call to order were Senators Davis, Stevens, French, Co-Chair Thomas, and Co-Chair Meyer and Representatives Pruitt, Seaton, Wilson, and Chair Dick.

**CONFIRMATION HEARINGS**

[8:05:53 AM](#)

**CO-CHAIR MEYER** announced that the order of the business would be to hear confirmations for appointees of the State Board of Education and Early Development, Professional Teaching Practices Commission, and the University of Alaska's Board of Regents.

**Confirmation Hearing: Board Of Education And Early Development**

[8:06:17 AM](#)

**CO-CHAIR MEYER** said the State Board of Education and Early Development is composed of seven members, appointed by the governor. The board regulates public elementary and secondary education in Alaska, the state library, museums, and archives. The board also appoints the commissioner of the Department of Education and Early Development (DEED), subject to the approval of the governor. Additionally the board approves DEED's budget, establishes statewide goals of education, and adopts by-laws for the management of the department. The board also serves as the governing board for Mount Edgecombe high school.

**CO-CHAIR MEYER** asked Mr. Shier to tell the joint committee about his interest in being reappointed to the State Board of Education and Early Development.

[8:07:43 AM](#)

**PAT SHIER**, Appointee, First Judicial District, State Board of Education and Early Development, Department of Education and Early Development (DEED), said that he has found, as a public servant at the Department of Labor and Workforce Development (DOLWD), as a parent, and as an individual serving youth groups, that politics are down-streamed from culture. The work that legislators do at the capital is a reaction to culture, which is greatly affected by education intuitions. He noted that he has

also had the personal experience educating his children through both home school and public school.

He said that as a public administrator, he understands the weight that school administrators bear as DEED promulgates and pushes out regulations. He noted that he has not met any teachers that want more regulations and this is a concern that he has brought to the board and has asked DEED to examine.

He said that "No Child Left Behind has used up all of oxygen in the room of education" and there has recently been more focus on what is right for Alaska's students.

8:11:21 AM

SENATOR STEVENS thanked Mr. Shier for his contributions to education. He said that he is concerned with the process of appointing the commissioner for DEED, which is heavily dependent on the Board of Education being proactive and involved. He asked what his approach would be if a new commissioner needed to be appointed: would it be a matter of who the governor chooses or would he take a more proactive approach.

MR. SHIER replied that he has gone through this process twice. In the first case, as a new member, there was very little interaction between the board and the governor. In the most recent case, the board had the opportunity to have conversations with the governor's office in advance of the appointment. He stressed that there was no time during this process that the board did not understand that it had the ability to search for a different candidate. He noted that both methods can be powerfully effective and he is not uncomfortable with either process. He added that in the most recent case this process was much more straight-forward because the board was dealing with, in his opinion, a fabulous candidate.

SENATOR STEVENS asked for confirmation that his approach would be to let the governor take the lead.

MR. SHIER replied that would be more than he intended to say. He said he is convinced that the process of having the board interview and come to a conclusion on a candidate is the proper method: whether the candidate came to the board because of a conversation with the governor or from scratch, both can produce suitable results.

8:14:44 AM

REPRESENTATIVE SEATON said there is no legislative confirmation for the commissioner of DEED in order to keep the position out of the political process. He explained that he is concerned that the legislator's confirmation power is being substituted by the Board of Education in holding hearings of the governor's choice. He reminded Mr. Shier that it is in statute that the board will select candidates and propose them to the governor. He asked Mr. Shier to respond to this concern.

MR. SHIER answered that he is not concerned that this most recent confirmation set a precedent for the board for any following confirmations.

CHAIR DICK said that it recently came to his attention that there is no member of the board that actually resides within an REAA [Regional Education Attendance Areas]. He requested that the board members be attentive to the REAA's needs, which have a lot of unique concerns.

MR. SHIER responded that he grew up in Fairbanks where his parents owned a small grocery shop near a housing development that received a number of people from the villages in the winter. As a child he would play with many of the young children from the villages when they were in town attending school. He noted that at a certain age, these young individuals did not return to town because their help was needed at home.

As an adult working for DOLWD he had the opportunity to travel to rural areas and stay in villages where he was able to witness the village dynamics with regard to politics and how this affects the schools. He noted that these issues are "very much in my mind and will take that to heart."

8:20:50 AM

CHAIR DICK said he has spoken with a lot of intervention districts where there is frustration when focusing on the villages and trying to come up with creative solutions. He asked Mr. Shier to share his thoughts on intervention and how it might improve.

MR. SHIER replied that intervention is always a last result. He explained that as a state there is a lot of dependence on the local districts and individuals and it is important for DEED to act as a facilitator or coach rather than an enforcer. He noted that this can be very difficult. He said that when he first joined the Board of Education he learned that 85 to 90 percent of DEED's payroll is paid by federal funds. He acknowledged that

money is tight and there are many needs in the state but he questioned how well and how deeply an individual can serve the state of Alaska and a federal program at the same time. However, the individuals involved in the intervention projects do an admirable job and bring a lot of value, he opined. He stressed the need for accountability and to encourage district leadership to see its role in a more holistic light as a part of a community. He added that he believes that DEED is heading in the right direction.

[8:24:46 AM](#)

REPRESENTATIVE P. WILSON asked for confirmation that the Board of Education did not look further for a commissioner of DEED because the board was happy with the recommendation made by the governor. She continued that she was under the impression that if, next time, the board did not like the recommendation that it would look for a different candidate.

MR. SHIER replied yes.

REPRESENTATIVE P. WILSON said that she is very concerned about children graduating from high school who need to take remedial courses in college. She asked how the board helps bring out some of the issues that need to come to light and whether his voice adds to that discussion.

MR. SHIER gave the example of the creation of IDEA [Interior Distance Education of Alaska], which began with one district who saw a need for distance learning and stepped in to fill that need. Soon after this a number of homeschooling programs began to emerge. These statewide programs allowed districts to self-evaluate in order to figure out how the needs of children in the district could be met. This research and development was very effective and produced great results.

He brought the committee's attention to a report titled Homeschooling on the Threshold. He explained that the research shows that for some students homeschooling is a good way to go. Further, the report states that one of the single best indicators in the effectiveness of a classroom is the teacher. However, outside of the classroom there are a number of options that have shown great success. He said that he is always thinking innovatively on ways that the board can do things differently.

[8:32:27 AM](#)

CO-CHAIR THOMAS said he too was a little unsettled with the process of selecting the current commissioner. He addressed Mr. Shier's concern about the number of regulations within DEED. He said that he hopes the board would bring recommendations to the department on regulations that the board wants reviewed, rather than simply asking the department to take a look at the various regulations.

REPRESENTATIVE SEATON said the House Education Standing Committee has been very impressed with some of the theme based education models and results. He asked what his view is on the board's ability to impact the education models being used or whether this should be a local decision.

MR. SHIER replied that it is a local decision. However, RISC (Re-Inventing Schools Coalition) schools have come before the board on several occasions. He explained that the board encouraged these schools to fit into the current structure of rules and regulations by approving waivers. He said that the board is very interested and committed to creating opportunities for schools to innovate.

SENATOR DAVIS asked how long he has served on the Board of Education.

MR. SHIER replied he began in 2007.

[8:35:34 AM](#)

CO-CHAIR MEYER moved to forward the name Pat Shier to the full legislature sitting in joint session for a vote. He reminded members that signing the report regarding the appointment to the board in no way reflects individual members' approval or disapproval of the appointee, and that the nomination is merely forwarded to the full legislature for confirmation or rejection. There being no objection, it was so ordered.

**Confirmation Hearings: Professional Teaching Practices  
Commission**

[8:36:17 AM](#)

CO-CHAIR MEYER said that the Professional Teaching Practices Commission is comprised of nine members appointed by the governor and include five classroom teachers, one principal, one superintendent, one department representative, and one higher-education representative.

He asked Mr. Atwater to tell the committee why he is interested in serving on the Professional Teaching Practices Commission.

[8:37:15 AM](#)

STEVEN ATWATER, Appointee, Professional Teaching Practices Commission (PTPC), said his interest in serving on the commission stems from more than 20 years experience within education in Alaska. He explained that he wants to help the commission educate educators across the state with some of the issues that PTPC deals with.

REPRESENTATIVE P. WILSON asked why he is interested in this position.

MR. ATWATER reiterated that he has been in education for over 20 years and feels that he is at a point where he can give back to the state. He added that he has a good grasp of education in Alaska and believes that he will do a good job representing the superintendents in that way.

[8:39:19 AM](#)

CO-CHAIR MEYER moved to forward the name Steven Atwater to the full legislature sitting in joint session for a vote. He reminded members that signing the report regarding the appointment to the commission in no way reflects individual members' approval or disapproval of the appointee, and that the nomination is merely forwarded to the full legislature for confirmation or rejection. There being no objection, it was so ordered.

[8:39:45 AM](#)

CO-CHAIR MEYER asked Mr. Lum why he is interested in serving on the Professional Teaching Practices Commission. He noted that this would be Mr. Lum's second appointment to the commission.

[8:40:10 AM](#)

RICHARD LUM, Appointee, Professional Teaching Practices Commission, said he is an elementary music teacher in Anchorage and has served on the PTPC for the past three years. He explained that he views the commission's work as a way of ensuring the welfare of Alaska's students and giving educators another agency for scrutiny when cases arise. He noted that he has almost 30 years experience in the military with an expertise in ethics and would like to continue using those skills in the community and the state.

CO-CHAIR THOMAS asked if there was one thing in education that he could change what it would be.

MR. LUM replied "that all educators do the right thing."

CHAIR DICK asked, within his experience, what was one of the more challenging decisions he has had to make with regard to weighing out some of the issues that have come before him on the commission.

MR. LUM replied that the commission often reviews cases where members know the individuals. He said that as commissioners the members have the opportunity to recuse themselves when this circumstance arises. He explained that there have been times when he has been aware of a case and could like to give input, but he recognized that he needed to recuse himself for the sake of possible conflict.

[8:43:15 AM](#)

REPRESENTATIVE FEIGE joined the committee.

[8:43:28 AM](#)

CO-CHAIR MEYER moved to forward the name Richard Lum to the full legislature sitting in joint session for a vote. He reminded members that signing the report regarding the appointment to the commission in no way reflects individual members' approval or disapproval of the appointee, and that the nominations are merely forwarded to the full legislature for confirmation or rejection. There being no objection, it was so ordered.

### **Confirmation Hearings: Board Of Regents**

[8:44:05 AM](#)

CO-CHAIR MEYER reminded the committee that the Board of Regents is comprised of 11 members who serve an eight year term and are appointed by the governor. The board is responsible for the policy and management of the University of Alaska (UA).

He asked Ms. Heckman why she is interested in serving on the Board of Regents. He noted that this is her first appointment to the board.

[8:45:04 AM](#)

JYOTSNA HECKMAN, Appointee, Board of Regents, University of Alaska, thanked the committee for the opportunity. She said that she is currently the president and CEO of the Denali State Bank and has been attending training and Board of Regent meetings for

the past few months. She explained that she has been engaged in the community [of Fairbanks] since 1975 and has been asked to put her name in for the board in the past, however at the time she did not believe the timing was right. She explained that she will be retiring from her current position at the Denali State Bank this year, which will allow her time to take up this position responsibly.

SENATOR STEVENS asked how she would defend maintaining open-enrollment at UA.

MS. HECKMAN replied that she is not sure whether she can answer his question due to the newness of the position for her. She explained that her understanding of the university is primarily as a student who received her under graduate and master's degree from the university.

SENATOR STEVENS said he appreciates her honesty.

CHAIR DICK said when Commissioner Hanley sat in front of the joint committee at an earlier meeting he came up with a strategy for education in the state. He noted that one of the largest issues was that better teacher training is needed. He asked if she has any ideas on how this can be done.

MS. HECKMAN replied that she was recently told that the UA's graduation rate is between 6 and 8 years and she was very concerned with that statement.

She continued that she is also concerned that students are not prepared when they arrive at the university. She said that she believes the problem starts quite early. She added that she grew up in a different country and the structure that she was familiar with is vastly different than her children's experience. She noted that it took a lot of parental intervention to make sure that her children were successful in school. She stressed the importance of preparing students for college and this is done by teachers in partnership with parents.

[8:51:54 AM](#)

REPRESENTATIVE CISSNA joined the committee.

[8:51:58 AM](#)

CO-CHAIR THOMAS asked, as a successful business woman in Alaska, how well the university is doing and what could be done to produce a better product.

MS. HECKMAN replied that the university system has not arrived; it is an evolving and continuously improving process. She said that she believes there is a lot of work that needs to be done and student success should be the focus on all of the UA campuses. She added that because she is new to the board it is difficult for her to point out which aspects are working well and which are not. There are a lot of people that are very committed to student success and she is excited to be a partner in this success, she said.

REPRESENTATIVE P. WILSON addressed a number of concerns that she had. This included the yearly increase in tuition for the university, having course credits count between campuses, and better teacher education. She noted that theme teaching is very exciting and that it is time for some changes. She said she hopes that Ms. Heckman thinks that way as well.

MS. HECKMAN replied that she hopes to do her best.

REPRESENTATIVE SEATON said that two requirements for the university have been incorporated into two of the bills being heard this session: one is for a mandatory advising program and the other that the university identifies a clear path for on-time completion for each degree or certificate. He asked for confirmation that she would be supportive of these two initiatives.

MS. HECKMAN answered that she needs more information since this is the first time she has heard of these two initiatives. She said that from a practical point of view and as a parent she does not see why one would not support these initiatives. She stressed that the problem is not just at the university level and it is important to bring students into college who are ready.

9:00:10 AM

REPRESENTATIVE PRUITT asked whether she believes there is one university with three branches underneath it or three separate universities with similar administration.

MS. HECKMAN replied "I've always felt that we have one university."

REPRESENTATIVE CISSNA said she has been a student at the three major campuses and has visited many campuses across the state. She explained that her experience is that each institution has

its own unique capabilities. She said that the University of Alaska Anchorage (UAA) is the largest campus in the state, yet has minor representation on the Board of Regents. She said that there are so many campuses with different strengths and these strengths are not being maximized because some of the campuses lack representation on the Board of Regents. She asked where Ms. Heckman stands on this issue.

MS. HECKMAN replied that, to her understanding, there are opportunities for people in each region to submit their names and bring that representation to the Board of Regents. She said that as a regent she is not sure what influence she would have since the position is appointed by the governor.

CO-CHAIR MEYER said that he believes that there is some good diversity on the Board of Regents.

[9:06:41 AM](#)

CO-CHAIR MEYER moved to forward the name Jyotsna Heckman to the full legislature sitting in joint session for a vote. He reminded members that signing the report regarding the appointment to the board in no way reflects individual members' approval or disapproval of the appointee, and that the nominations are merely forwarded to the full legislature for confirmation or rejection. There being no objection, it was so ordered.

[9:07:06 AM](#)

CHAIR MEYER asked Mr. Powers why he would like to serve on the Board of Regents.

[9:07:26 AM](#)

MICHAEL POWERS, Appointee, Board of Regents, University of Alaska, said he is currently the CEO at Fairbanks Memorial Hospital. He explained he has a great deal of respect for the university and, as a Vista Volunteer, spent a lot of time at UAA. He said that his experience with UAA and, especially, with the University of Alaska Fairbanks (UAF) is that it is a vital part of the community and the economy of the place and he wants to be a part of that.

SENATOR STEVENS asked, with regard to his degrees, what HD stands for.

MR. POWERS replied it's a "higher diploma" in Irish literature.

REPRESENTATIVE CISSNA said that the student population numbers are not good at UA, nor are the graduation rates, in comparison

to the rest of the United States. She stated concern that the regents wind up representing the "main campus" in Fairbanks. She explained that this means other campuses do not get the kind of programs that allow it to grow. She said to have the regents feel a responsibility for the university system as a whole is very important to her. She asked Mr. Powers how he feels about this.

MR. POWERS replied that he has attended one meeting thus far. He explained that during that meeting the dynamic that he saw was truly state-wide. He noted that this is "how we are going to have to grow and improve as a state." He gave the example of the expansion of the nursing program, where the choice was made to concentrate the expansion in Anchorage. He noted that the Fisher Report speaks of this as well. He added that this is one of the key challenges for the board.

REPRESENTATIVE P. WILSON commented that one of the reasons it takes so many years to graduate from the university is because the courses are only offered at certain times. She said that she hopes he can take that into account and make some changes.

[9:16:03 AM](#)

CO-CHAIR MEYER moved to forward the name Michael Powers to the full legislature sitting in joint session for a vote. He reminded members that signing the report regarding the appointment to the board in no way reflects individual members' approval or disapproval of the appointee, and that the nominations are merely forwarded to the full legislature for confirmation or rejection. There being no objection, it was so ordered.

[9:16:46 AM](#)

REPRESENTATIVE SEATON said the committee has shown concern for the process the State Board of Education and Early Development took in the appointment of the commissioner of DEED. He said that members are left with a quandary on how to vote for the confirmation of the appointees for the Board of Education because the appointees are supporting a diversion to the process.

CO-CHAIR MEYER said that it is a concern for some of the members on the Senate side as well. He reminded the committee that just because the committees are forwarding the names on does not imply how a member is going to vote.

SENATOR STEVENS agreed with Representative Seaton's comments.

9:20:10 AM

There being no further business to come before the committee, Co-Chair Meyer adjourned the meeting at 9:20 a.m.