

ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE

February 13, 2012
8:05 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 194

"An Act providing for a school improvement and revitalization procedure in the Department of Education and Early Development; establishing advisory councils for school improvement; and requiring reports to the legislature."

- HEARD & HELD

SENATE BILL NO. 170

"AN ACT REQUIRING VOCATIONAL EDUCATION COUNSELING IN PUBLIC SCHOOLS."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: SB 194

SHORT TITLE: PROCEDURES FOR LOW-PERFORMING SCHOOLS

SPONSOR(S): EDUCATION

02/08/12	(S)	READ THE FIRST TIME - REFERRALS
02/08/12	(S)	EDC, FIN
02/13/12	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)

WITNESS REGISTER

MURRAY RICHMOND, Staff
Senator Joe Thomas

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SB 194 and answered questions.

LES MORSE, Deputy Commissioner
Department of Education and Early Development
Juneau, Alaska

POSITION STATEMENT: Neutral on SB 194. He answered questions regarding SB 194.

ACTION NARRATIVE

[8:05:21 AM](#)

CO-CHAIR JOE THOMAS called the Senate Education Standing Committee meeting to order at 8:05 a.m. Present at the call to order were Senators French, Stevens, Davis, Co-Chair Meyer and Co-Chair Thomas.

SB 194-PROCEDURES FOR LOW-PERFORMING SCHOOLS

[8:05:40 AM](#)

CO-CHAIR THOMAS announced the consideration of SB 194. He said the Moore Case had an impact on 2008 legislation, which established intervention guidelines for low-performing schools. He said the bill refined the intervention process by involving local communities, districts and the Department of Education and Early Development (DEED) by establishing governance councils to provide guidance prior to intervention. He noted that legislation from the Alaska House of Representatives to repeal the current intervention guidelines would be a mistake due to its necessity for the state to receive a waiver from the federal government for the No Child Left Behind Act.

[8:07:20 AM](#)

MURRAY RICHMOND, staff to Senator Joe Thomas, co-aide for the Senate Education Committee, Alaska State Legislature, said SB 194 was based on the Moore Case.

MR. RICHMOND said section (1), stated that schools or districts could be designated as low-performing by DEED. He said designation would be dependent on base student assessments and graduation rates.

He said section (2), addressed low-performing as the bottom 3 percent and would encompass 17 schools.

[8:09:44 AM](#)

SENATOR FRENCH asked to clarify the definition of a school when multiple schools share the same building.

SENATOR STEVENS commented that the Kodiak School District had their high school, middle school and the elementary school in an attached building with separate principals.

[8:11:47 AM](#)

LES MORSE, Deputy Commissioner, Department of Education and Early Development, Juneau, answered that school configuration was a function of how the district categorizes their schools and less about the building.

SENATOR STEVENS asked to clarify that schools were treated separately when a building was shared.

MR. MORSE answered correct. He noted that charter schools would be treated the same way and the legislation would apply to them as well.

CO-CHAIR THOMAS asked if all schools were given the same standardized tests to determine their performance level.

MR. MORSE answered correct.

SENATOR FRENCH inquired about page 1, line 6, regarding the sentence, "the public school or district that was designated low-performing." He asked how a district would be designated low-performing when some schools were performing well.

[8:15:02 AM](#)

MR. MORSE responded that DEED would look at both school and district performance. He said based on the lowest 3 percent designation, there would be one or two districts and 17 schools categorized as low-performing.

SENATOR FRENCH commented that DEED had come up with some odd designations.

CO-CHAIR THOMAS asked if DEED would separate schools within a district to classify which were low-performing.

[8:17:25 AM](#)

MR. MORSE answered correct.

SENATOR DAVIS asked what the definition was for low-performing schools.

MR. MORSE answered that a low-performance designation was based upon annual trends from the Adequate Yearly Progress report.

MR. RICHMOND responded that a low-performing school was defined by statute AS 14.03.123.

[8:19:38 AM](#)

MR. RICHMOND said AS 14.03.123, section (3), subsection (h), would be amended to allow DEED to invoke 12 improvement actions for a low-performing school or district to undertake.

He said action (1), provided an "education coach." He said action (2), provided an in-depth audit to review where financial resources were being directed. He noted that Judge Gleason stated from the Moore Case that there was no financial oversight of what was going on in the districts and this would provide some financial oversight. He said action (3), directed school boards to use state and federal funds for critical needs. He said action (4), provided incentives to attract highly qualified teachers or principals.

[8:21:23 AM](#)

MR. RICHMOND said the action (5), provided additional training and technical assistance for guardians and parents of children, teachers and schools. He said action (6), was based on the Moore Case to target resources to assist students who do not pass the High School Qualifying Exam. He said action (7), directed school boards to identify model curriculum, textbooks, material and supplies. He said districts would not be told which curriculum to use, but they would be directed to identify the most appropriate curriculum. He noted that Judge Gleason stated a need for rural school districts to receive greater technical support for selecting its own curriculum.

He said action (8), empowered DEED to interpret performance data to assist school boards to develop and implement a plan. He said action (9), assigned a technical assistance team to work with a district.

[8:25:04 AM](#)

He said the action (10), established instructional and learning environment benchmarks for schools or districts to meet. He said action (11), directed the establishment of learning-cohorts in school that required continuous monitoring of student

performance by teacher groups. He said teachers working in isolation would receive additional peer support. He said the action (12), provided better training to school boards through the Alaska Association of School Boards.

SENATOR STEVENS asked if school board responsibilities were being changed. He commented that he did not recall text book approval being part of the responsibilities for a school board.

MR. MORSE answered yes in some districts. He said curriculum was statutorily a local function and the bill would cause school boards to be more involved.

CO-CHAIR MEYER asked how the 12 improvement actions were developed and were they modeled after programs in other states.

MR. RICHMOND answered that the actions were gleaned from legislation in the states of Michigan, Connecticut, Texas and North Carolina.

CO-CHAIR MEYER asked to confirm that adjustment to the 12 improvement actions was possible.

MR. RICHMOND answered yes.

[8:29:13 AM](#)

MR. RICHMOND said subsection (i), stated that an academic performance audit would be administered for the two years following a low-performance designation. He said subsection (j), identified the audit criteria in the areas of curriculum, assessment, instruction, learning environment, professional development and leadership. He said an examination must include the following: student demographics; mobility patterns; school feeder patterns; strategic allocation of resources; high standards and expectations for all students; high level of collaboration and communication; frequency of monitoring of learning and teaching; high level of family and community involvement; alternative secondary schools best practices; and any unique circumstances or characteristics of the school or district, including substance abuse and other social factors.

[8:33:35 AM](#)

SENATOR FRENCH asked that the term "degree of" be used in the wording for audit performance criteria to clarify measurable criteria.

MR. RICHMOND responded that revisions would be made.

CO-CHAIR THOMAS noted that some of the audit performance criteria were based on the Moore Case and the bill was a starting point.

[8:35:31 AM](#)

SENATOR FRENCH responded that the audit performance criteria were great factors that just required language clarification.

MR. RICHMOND said AS 14.03.123, section (4), was amended with a new section that established a process by which a local community could have a say in the revitalization of their school district. He said DEED would initiate the revitalization designation if a school or district had gone three consecutive years as low-performing without improvement. He said revitalization would continue until a school or district earned its way off. He said the school board would receive assistance to develop and implement a revitalization plan. He said support would be provided to maintain federal and state aid eligibility. He said superintendents involved in revitalization would receive support from a cohort comprised of two additional superintendents from similar districts. He said the superintendent cohort would meet regularly with a report submitted nine months after revitalization designation.

[8:37:36 AM](#)

SENATOR FRENCH commented that he liked the idea, but was concerned with rural travel time and cost factors. He asked how often superintendents would meet.

MR. RICHMOND answered that input from superintendents would be helpful.

SENATOR FRENCH commented that he understood the benefit from peer group support. He said he was worried how the superintendent cohort would be implemented.

[8:39:04 AM](#)

MR. RICHMOND said a school or district that has not been designated as a revitalization school or district may request the establishment of a governance council. He said a request may be submitted prior to the revitalization designation.

SENATOR STEVENS said he was concerned that the governance council would take responsibility and power away from the elected officials on the school board.

MR. RICHMOND answered that the school board would appoint the governance council.

SENATOR STEVENS asked to clarify that the school board would not ask for the governance council.

MR. RICHMOND answered correct.

SENATOR STEVENS asked to confirm that a school district would request the governance council and not the school board.

MR. RICHMOND answered correct.

[8:41:45 AM](#)

SENATOR STEVENS commented that he believed that action would go against our history of public education.

MR. RICHMOND responded that the intent was not to demolish our standards of election. He said the objective was to provide new ways for low-performing school districts to change.

SENATOR STEVENS replied that the public elects the school board to make decisions. He said what was proposed in the bill was a revolutionary thought.

MR. RICHMOND responded that people who work in rural districts were asking for additional support.

SENATOR STEVENS replied that electing new school board members was the current system to bring about change.

MR. RICHMOND answered correct.

CO-CHAIR THOMAS commented that some school boards were lacking in the ability to understand and implement some of the changes. He said the intent was to work with school boards and allow them to appoint some of the governance council members.

[8:44:17 AM](#)

MR. RICHMOND asked Senator Stevens to clarify his comment on the governance council concept.

SENATOR STEVENS responded that he had concerns with allowing nonelected individuals to make education decisions.

CO-CHAIR THOMAS said Senator Stevens' concerns would be noted.

SENATOR FRENCH commented that there could be a potential management clash between a governance council and a school board.

MR. RICHMOND said AS 14.03.123, section (4), subsection (c), addressed a school board's guidelines to establish a governance council. He said the council would be composed of one school board member, four parents or guardians, four community leaders, two teachers, one DEED member, one to four principals or designees of schools in the district and the superintendent or designee from the superintendent cohort.

[8:47:04 AM](#)

MR. RICHMOND said subsection (d), allowed smaller districts to have less council members. He said subsection (e), specified that terms would be two years and no member would serve more than two terms.

He said subsection (f), specified that a governance council would work in conjunction with DEED and the superintendent cohort. He noted that "school board" would be added to the prior statement.

SENATOR STEVENS commented that adding "school board" to the language was advisable.

MR. RICHMOND said the governance council shall: analyze school achievement data and needs; review the superintendent cohort report; participate in principal and school administrative interviews; assist the principal in making programmatic and operational changes; develop a compact to partner with parents and legal guardians; work with DEED if intervention was required; prepare a revitalization model from recommendations made for review and vote. He noted the importance of involving family and community in the governance council process per Judge Gleason's summation from the Moore Case.

[8:51:11 AM](#)

MR. RICHMOND said subsection (g), specified that a governance council may assist the principal with reports pertaining to the education plan goals and major policy matters affecting the school. He said matters relating to collective bargaining agreements with teachers were excluded.

He said subsection (h), specified that the school board and DEED would provide appropriate training to aid the governance council members with the execution of their duties.

He said subsection (i), specified that a local school board had 30 days to conduct a public hearing and acceptance vote after the governance council announced the completion of a revitalization model. He said the school board may elect to maintain the current status or select an alternative revitalization model. He noted that DEED could ultimately decide whether to implement the revitalization model recommended by the governance council or the school board.

[8:54:35 AM](#)

He said subsection (j), specified that DEED would monitor schools and districts within two years of the school board's revitalization model approval. He said demonstrable progress would be monitored via the following indicators: the revitalization model adopted, the number and type of disciplinary incidents, the number of truants, the dropout rate, the student attendance rate, the average HSQE scores, the number of high school students completing advanced coursework, the teacher retention rate and the existence and size of the parent-teacher organization.

He said subsection (k), specified that DEED would make audit finding available to the audited school district and staff, the local community, and the State Board of Education and Early Development.

MR. RICHMOND said section (5), required DEED to present a revitalization report to the legislature's standing education committees. He said subsection (b), established a sunset clause on or before January 1, 2018.

CO-CHAIR THOMAS commented that it became apparent that change was needed after discussions with the low-performing districts. He said the Moore Case came up with a variety of suggestions that need to take place. He admitted that some of the suggestions sounded a bit dictatorial. He said SB 194 was a starting point and additional information and advice was important.

[8:57:31 AM](#)

CO-CHAIR THOMAS said he would hold SB 194 in committee.

[8:57:44 AM](#)

There being no further business to come before the committee, Co-Chair Thomas adjourned the Senate Education Standing Committee meeting at 8:57 a.m.