

**ALASKA STATE LEGISLATURE
ADMINISTRATIVE REGULATION REVIEW COMMITTEE**

August 14, 2014

9:02 a.m.

MEMBERS PRESENT

Representative Lora Reinbold, Chair
Representative Mike Hawker
Representative Geran Tarr

MEMBERS ABSENT

Senator Cathy Giessel, Vice Chair
Senator Gary Stevens
Senator Hollis French

OTHER LEGISLATORS PRESENT

Representative Carl Johnson, via teleconference
Representative Lynn Gattis, via teleconference

COMMITTEE CALENDAR

DEPARTMENT OF EDUCATION: PROPOSED 4 AAC 06.790: REPEALING THE HIGH SCHOOL GRADUATION QUALIFYING EXAM AND REQUIRING STUDENTS TO TAKE SAT~ ACT~ OR WORKKEYS ASSESSMENTS~ IN ACCORDANCE WITH HOUSE BILL 278.

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

MIKE HANLEY, Commissioner
Department of Education and Early Development
Juneau, Alaska

POSITION STATEMENT: Answered questions related to the proposed 4 AAC 06.790.

REPRESENTATIVE RON HIGHLAND
Kansas State Legislature
Topeka, Kansas

POSITION STATEMENT: Testified during the hearing on the proposed 4 AAC 06.790.

BARBARA HEENY (ph)
(No address provided)

POSITION STATEMENT: Testified during the hearing on the proposed 4 AAC 06.790.

SASHA PETIT (ph)
(No address provided)

POSITION STATEMENT: Testified during the hearing on the proposed 4 AAC 06.790.

LORI COPPENBERG (ph)
(No address provided)

POSITION STATEMENT: Testified during the hearing on the proposed 4 AAC 06.790.

ACTION NARRATIVE

[9:02:35 AM](#)

CHAIR LORA REINBOLD called the Administrative Regulation Review Committee meeting to order at 9:02 a.m. Representatives Hawker, Tarr, and Reinbold were present at the call to order.

Department of Education: Proposed 4 AAC 06.790: Repealing the High School Graduation Qualifying Exam and requiring students to take SAT, ACT, or WorkKeys assessments, in accordance with House Bill 278.

[9:02:41 AM](#)

CHAIR REINBOLD announced the only order of business would be regarding the Department of Education: Proposed 4 AAC 06.790: Repealing the High School Graduation Qualifying Exam and requiring students to take SAT, ACT, or WorkKeys assessments, in accordance with House Bill 278.

CHAIR REINBOLD, referencing the timeframe of the proposed regulations, reviewed that HB 278 was passed on April 25, 2014, and signed into law on May 14, 2014; on April 2, 2014, the Department of Education and Early Development (EED) signed a contract with the Achieve Assessment Institute of the University of Kansas (KU), for \$100,308, to begin "the scope of work for student testing on Alaska Standards"; on July 10, 2014, EED signed another contract with KU, for \$3.8 million, to develop the test for the Alaska Standards; and on July 15, 2014, EED signed a contract with KU for \$705,000, "because of an incorrect dollar amount." She questioned why state money has been

"committed in effort before the regulations have even been adopted."

[9:03:53 AM](#)

MIKE HANLEY, Commissioner, Department of Education and Early Development, responded that the contract for an assessment does not require regulation, because the responsibilities of the department, in regard to assessing its students, are already listed in existing statute and regulation. He cited AS 14.07.020(b)(2), which requires the department to develop a comprehensive system of student assessments. He said the corresponding regulation is that the commissioner shall select a standardization test that estimates the degree students have mastered academic performance standards. He indicated that securing a vendor contract is a procurement process like that for any other vendor; it is designed to ensure fairness, integrity, and the best value for the state's dollar. He reiterated that the department underwent a procurement process to find its vendor, but did not require regulation to do so.

[9:05:26 AM](#)

CHAIR REINBOLD offered her understanding that the Alaska State Board of Education is not scheduled to discuss the regulations until September 18, 2014. She noted there had been a public hearing process, which ended on August 15. She indicated the regulations had been reviewed by the Department of Law (DOL), finalized, and sent to the lieutenant governor to be signed. She offered her understanding that the earliest the regulations would take effect would be in November or December, and she asked if that is correct.

[9:05:53 AM](#)

COMMISSIONER HANLEY confirmed that 30 days after the lieutenant governor signs the regulations, they become effective.

CHAIR REINBOLD said the regulations being discussed, 4 AAC 06.790, are associated with the high school qualifying exam, and they would require students seeking diplomas to take the Scholastic Achievement Test (SAT), ACT, [or] ACT WorkKeys assessments in 11th or 12th grade, "and adopt by reference the Alaska supplemental WorkKeys assessment, dated June of 2014."

CHAIR REINBOLD asked Commissioner Hanley to explain the aforementioned \$705,000 error on the contract with KU.

9:06:48 AM

COMMISSIONER HANLEY responded that it was a clerical error on the contract. In response to a follow-up question, he said the amount to fix the error is a one-time expenditure.

9:07:26 AM

CHAIR REINBOLD directed attention to 4 AAC 06.717, the regulation regarding college and career readiness assessments, and said it seems to match HB 278. She directed attention to subsection (b), which read as follows:

- (b) The requirements under (a) of this section are met if a student takes
 - (1) the SAT;
 - (2) the ACT; or
 - (3) the following sections of the WorkKeys assessment:
 - (A) applied mathematics;
 - (B) reading for information; and
 - (C) locating information.

CHAIR REINBOLD asked what "takes" means.

COMMISSIONER HANLEY answered that it means the student participated and received a valid score.

CHAIR REINBOLD asked what a valid score would be.

COMMISSIONER HANLEY answered that it is one that reflects the input of the student accurately.

CHAIR REINBOLD asked if there are any test scores.

COMMISSIONER HANLEY said no, the legislature did not include them.

CHAIR REINBOLD asked, "Would you consider these high-stakes assessments or not?"

COMMISSIONER HANLEY answered no. He said the legislature removed the high stakes exam - the high school graduates "HSG 3" qualifying exam - and moved from passing that assessment to participating in the SAT, ACT, or WorkKeys.

CHAIR REINBOLD asked if a student would be considered to have taken the SAT, ACT, or WorkKeys assessments if he/she wrote his/her name on one of them.

COMMISSIONER HANLEY answered no, because the student would not have generated a score. In response to a follow-up question, he said an incomplete test would be counted, because the student may not have known the answers to all the questions; however, the student would need to generate a score.

CHAIR REINBOLD asked what the purpose is in having students take these tests.

COMMISSIONER HANLEY answered that [the testing] is not driven by regulation, but is driven by HB 278 - by the legislature.

CHAIR REINBOLD indicated that the [House] Education Committee had "stripped out" language pertaining to college and career readiness, because it believed that parents - not the state - should pay for SAT, ACT, and WorkKeys. She asked again about the purpose of the tests.

COMMISSIONER HANLEY said the HSGQE costs approximately \$2.7 million, and the removal of that allowed for [a lower cost means by which] to inform parents and students of the readiness of students for success in work and education. He said previously WorkKeys was required of all students in 11th grade. By changing that requirement, the legislature provided an option for students to take the SAT, ACT, or WorkKeys.

CHAIR REINBOLD asked if the SAT, ACT, and WorkKeys assessments were requirements of the No Child Left Behind (NCLB) waiver.

COMMISSIONER HANLEY answered no. He said the state needed to have a set of standards in place to prepare students for success after high school.

CHAIR REINBOLD asked Commissioner Hanley if he is stating that the assessments are not required for the NCLB waiver.

COMMISSIONER HANLEY answered that is correct. He said he thinks that was clear in the legislature when it removed the assessments, because the legislature would not have been allowed to remove them if they were required.

CHAIR REINBOLD noted that it was the department - not the legislature - that signed the NCLB waiver. She asked again, "to

be clear," whether Commissioner Hanley was saying that his position is that "the assessments are not required as part of the No Child Left Behind waiver."

COMMISSIONER HANLEY answered, "They're not."

[9:13:05 AM](#)

CHAIR REINBOLD asked if the department would be collecting and storing the scores from the assessments, since the state would be paying for them.

COMMISSIONER HANLEY answered yes. He said the assessments would be protected in the same manner in which other student data is. He relayed that the data is not state data, but really is "data at the local level to inform students and educators on student readiness." He stated, "Currently our WorkKeys is already a part of our data system, so it simply allows these other ones to be a part it, as well." In response to a follow-up question, he said the Online Alaska School Information System (Oasis) is the name of the data system the school districts have used for years.

[9:14:54 AM](#)

CHAIR REINBOLD asked Commissioner Hanley if he foresees a situation in which a student refusing to take one of the assessments could hurt his/her future.

COMMISSIONER HANLEY reiterated that if a student took even part of the assessment, he/she would qualify for a diploma.

CHAIR REINBOLD asked Commissioner Hanley if he thinks it could be beneficial to expressly write in statute that a child would not be forced to complete the assessment.

COMMISSIONER HANLEY said it seems clear already. He directed attention to Section 3 of HB 278, which read as follows:

* **Sec. 3.** AS 14.03.075 is repealed and reenacted to read:

Sec. 14.03.075. College and career readiness assessment. (a) A school may not issue a secondary school diploma to a student unless the student takes a college and career readiness assessment or receives a waiver from the governing body.

(b) A school shall award a certificate of achievement to a student who fails to qualify for a diploma under (a) of this section by the end of the student's final semester of attendance but who has met all other graduation requirements of the governing body and the state.

(c) The department shall provide funding for the fee for a single administration of a college and career readiness assessment for each secondary student within two years of the student's expected graduation.

(d) In this section, "college and career readiness assessment" means the SAT, ACT, or WorkKeys assessment.

COMMISSIONER HANLEY opined that the language is clear, but said he could not speak to the legislature as to its interpretation of "unless the student takes a college and career readiness assessment".

CHAIR REINBOLD asked who the "governing body" is.

COMMISSIONER HANLEY answered it is the local school board.

CHAIR REINBOLD asked Commissioner Hanley to confirm that under the law, a student who wants to graduate but does not wish to take one of the assessment tests would have to go to the local school board.

COMMISSIONER HANLEY replied, "That's the way the legislature wrote this, yes."

[9:17:31 AM](#)

CHAIR REINBOLD moved on to the issue of an accelerated time frame of the standards based test. She asked Commissioner Hanley to confirm whether he had a hand in formulating the language of HB 278.

COMMISSIONER HANLEY answered that he was part of the governor's conversations on the issue.

CHAIR REINBOLD indicated there had been some discrepancy between the House and Senate in terms of [HB 278]. She indicated that the HSGQE was replaced by the yearly standards based test. She cited 4 AAC 06.737, the requirement to start the standards based test, and noted that it had been accelerated by one year. She asked Commissioner Hanley to explain.

COMMISSIONER HANLEY responded that the department has had standards-based assessments (SBA) in place for several years, and that is not changing. The shift is simply from one standards based test to another, and the department had considered 2016 as the date for that. He said the department looked at the advantages of "getting out of some of the more ominous and restrictive parts of No Child Left Behind and pursuing a waiver from that and giving Alaska a little bit more freedom." He relayed that "one of the components was to make that adjustment to 2015," instead of 2016. He clarified that that means the 2014-2015 school year. He said all superintendents and school districts have known for about a year and a half that the department is moving to the new assessment in 2015. He concluded, "This is a cleanup of the regulations that ... recognizes that date of 2015."

CHAIR REINBOLD offered her understanding that Commissioner Hanley was saying that "this change does have to do with the No Child Left Behind waiver." She asked, "So, essentially you are catching up with your promise to the U.S. Department of Education, in May of 2013, to make sure you started the student testing this year, correct?"

CHAIR REINBOLD responded that the department is not "catching up." He clarified that when the department applied for the waiver from the U.S. Department of Education, it did what it could, made some compromises, and agreed to implement certain things, one of which was to establish an assessment on the new standards in 2015. He reiterated that the regulation was cleaned up to reflect the understanding and expectation of stakeholders.

CHAIR REINBOLD, regarding the use of the terms "catching up" and "cleaned up," said the bottom line is that the department made a commitment to the federal department to have the assessments in place by "this year." She offered her understanding that the clean-up of the regulation makes the change from "2015 to this year."

[9:21:33 AM](#)

CHAIR REINBOLD asked Commissioner Hanley if he foresees any problems with the acceleration.

COMMISSIONER HANLEY answered no. In response to a follow-up question, he said the tests are in the process of being completed, but are not done.

CHAIR REINBOLD asked Commissioner Hanley if he thinks it is a good idea to be teaching a curriculum that may or may not be on target with the yet unfinished assessment tests.

COMMISSIONER HANLEY responded, "We test what we teach, as opposed to teaching what we test." He said he considers it a backwards mentality to think that schools "teach for the test." He said since 2012, the schools have been teaching to the standards that the department deemed appropriate, so that students will be prepared to be successful in work and careers. He said it would be nice to have the tests completed sooner, but it is not the driver of what is being taught right now.

CHAIR REINBOLD stated, "So you think it's fine that we're going into these tests right now when we're not even certain that the curriculum is aligned to these tests, is what I'm hearing from you?"

COMMISSIONER HANLEY reiterated that the school districts have known for over a year that there will be a new assessment. In response to her previous statement, he clarified that he had not said that the curriculum should be aligned to the test. He stated, "The curriculum is aligned to our expectations for students to learn at each grade level - those are the standards. The test simply reflects what we teach. So, districts aren't driven by what's on the test; they should be driven by what we need our students to know, and that's based on the expectations represented in this change."

CHAIR REINBOLD said obviously the curriculum needs to be aligned to the standards.

COMMISSIONER HANLEY responded that is correct.

CHAIR REINBOLD reiterated her question as follows:

Do you think it's a good idea to start a school year with unknown tests required at the end of the year and to be teaching curriculum that may or [may] not be aligned to these tests?

COMMISSIONER HANLEY said he did not know how to answer that again. He reiterated that the curriculum is not supposed to be

aligned to the test; it is supposed to be aligned to the standard. He said the department is always changing its assessments to keep them current.

CHAIR REINBOLD asked Commissioner Hanley to confirm that what he is saying is that the curriculum is not aligned to the test, but to the standard.

COMMISSIONER HANLEY answered yes.

[9:25:29 AM](#)

CHAIR REINBOLD asked what would happen if the current time schedule was kept so that the change could be more easily adopted.

COMMISSIONER HANLEY asked Chair Reinbold what her expectation would be if the change happened this year.

CHAIR REINBOLD reiterated her question.

COMMISSIONER HANLEY said the department has shifted vendors from the previous one that provided the SBA to the new one that will provide the state's new assessment. He asked Chair Reinbold if she is suggesting the department keep the same assessment from the past and test by its old standards once more.

CHAIR REINBOLD said she is concerned with the accelerated plan because she is not sure that teachers and curriculum are ready. She offered her understanding that teachers are not developing the assessment or administering the test, but are being evaluated on the test. She asked Commissioner Hanley to confirm if that is correct.

COMMISSIONER HANLEY said the tie of teacher evaluations to student learning does not take place for another two years. He continued as follows:

It has to use multiple measures, so the statewide assessment can only be one of those multiple measures; we actually got it two to four measures. So, for the portion that is tied to student learning, two to four measures need to be used. We still have -- of the eight teacher standards, only one changed, the other seven are still in place ... - have always been in place. The only one that's changed is the adjustment

to recognizing student learning in there, but that's still two years down the road.

CHAIR REINBOLD opined that the two years is irrelevant. She asked if the teachers are designing and administrating the tests.

COMMISSIONER HANLEY answered that KU is working directly with Alaska stakeholders to customize a test for Alaska. He said there have been "item writing workshops" for reading and writing passages, so Alaska educators are writing the passages with the oversight of professionals who ensure the right standard is measured. He said the department is currently in the process of receiving applications from Alaska educators who will review the items that will be on the assessment. He further said over 500 educators have applied, and the department anticipates there will be over 1,000. He said the Alaska educators will be looking to make sure the tests are free of bias, accurate in content, and have "sensitivity for the Alaska context." He said the department is excited about the company it is working with and the work being done, and it is involving a lot of stakeholders to ensure a balanced test. He stated, "And that's really the biggest difference between ours and a lot of other tests. Well, obviously they're the ones that are being developed by two consortia." In response to the chair's restated question, he said teachers can use a lot of different tools to measure a student's growth, but the state standards test will not be written or given by individual teachers.

[9:30:24 AM](#)

CHAIR REINBOLD offered her understanding that Commissioner Hanley was saying that teachers "do not even administer these tests."

COMMISSIONER HANLEY responded, "It kind of goes back to the previous question that if teachers are teaching students towards ... our standards, they'll be prepared for the assessments. They shouldn't be teaching them towards the test; they should be teaching them towards the standard." He added, "Teachers and other support staff ... provide the ... area and the space and the time to give these tests." He said as part of its new contract, the department has interim assessments that are aligned to the summative assessment. He said the summative assessments are optional, but do give teachers an understanding and idea of where students are as they moved toward the end of

the year. In response to Chair Reinbold, he said these assessments would be given statewide.

CHAIR REINBOLD asked if they are being designed for both Alaska Standard students and students under the [Common Core State Standards (CCSS) Initiative].

COMMISSIONER HANLEY answered no. He clarified that only Alaska Standards are being assessed. He said the department has the expectation that all students will be taught and moved toward proficiency in the Alaska Standards. He indicated that a district could establish different standards that are equal or higher than the Alaska Standards, but the assessments would still be made upon the Alaska Standards.

CHAIR REINBOLD asked Commissioner Hanley to confirm that the assessments are not being aligned to the CCSS.

COMMISSIONER HANLEY said KU is customizing an assessment to be the Alaska Standard.

CHAIR REINBOLD asked, "So, these tests are not being aligned to the Common Core; they're to Alaska Standards. Is that [a] correct statement?"

COMMISSIONER HANLEY answered that is correct.

[9:33:01 AM](#)

CHAIR REINBOLD recollected that in a previous Administrative Regulation Review Committee meeting, Commissioner Hanley had said that roughly 50 percent of Alaska Standards are aligned with the CCSS. She indicated that Senator Gary Stevens had remarked that the state did not need to worry about its alignment with the CCSS. She asked Commissioner Hanley to comment.

COMMISSIONER HANLEY said he does not have those numbers available and does not want to offer an estimate. He indicated that there would be significant changes to the language arts and math standards.

CHAIR REINBOLD said three legislators she spoke with in the past few days said Commissioner Hanley had stated that the Alaska is not a CCSS state and does not have to worry about "that." She said Marcy Herman, [Special Assistant, Office of the Commissioner, EED], sent her an e-mail stating that does not

follow the CCSS. She asked Commissioner Hanley if that is his official position.

COMMISSIONER HANLEY answered that is correct. He said a look at "the consortia that put these together" and CCSS web sites would show that originally 46 states adopted the CCSS, but Alaska was never one of them. He added his understanding that the number of states using the CCSS has dropped to 43.

CHAIR REINBOLD asked Commissioner Hanley if he was saying the Alaska Standard is different.

COMMISSIONER HANLEY answered yes, but said there are some similarities.

[9:35:01 AM](#)

CHAIR REINBOLD announced that she would take "a ten second break."

[9:35:12 AM](#)

CHAIR REINBOLD mentioned a letter sent by Commissioner Hanley to Patrick Rooney of the U.S. Department of Education. She read as follows:

Dear Mr. Rooney,

Enclosed is a letter from the Council of State School Officers confirming that it has been analyzed in Alaska's new English Language Arts and Mathematics Standards in 2012 and found them to be nearly identical to the Common Core State Standards. We are submitting this information in support of our application to going the Smarter Balanced Assessment Consortium.

CHAIR REINBOLD asked Commissioner Hanley to explain the letter.

COMMISSIONER HANLEY responded that "this isn't part of the regulatory package." He indicated that the regulatory package is related to the High School Graduation Qualifying Exam (HSGQE), SAT, ACT, and WorkKeys, but "is not before the State Board of Education or standards that were adopted in 2012." He offered to provide further information if the chair so desired it.

CHAIR REINBOLD stated that she would like Commissioner Hanley to continue along this vein, because "it has everything to do with the new assessment."

9:36:29 AM

COMMISSIONER HANLEY said when the department originally spoke to the issue of joining the Smarter Balanced Assessment Consortium (SBAC), it had the expectation of students similar to that expected of them under the CCSS. He said he thinks it is appropriate to recognize that the Alaska's students will be competing for jobs with other students around the country. When Alaska joined the consortium as an advisory state, the department remarked on the similarity as it pertains to the outcomes of students. Since then, as the conversation has continued, he said he has not changed from that, but the department wants to recognize great changes and where changes have not been made. He said under the CCSS there are rules about what can and cannot be changed, which is why Alaska did not join the CCSS, and why the department clarified the number of standards that it has changed and those that it has added and moved "to places that we thought were important without lessening the rigor." He said he thinks it is a continual conversation. Currently, he said, the department has standards in place that will allow students to compete with other students nationwide, and it has made significant changes based on stakeholder input.

CHAIR REINBOLD recalled that Commissioner Hanley had found Alaska's standards to be nearly identical to the CCSS, but had minutes ago said he thinks the curriculum needs to align to the standards so that Alaska can be on par with national standards and curriculum. She posited that that raises concern with many people in Alaska.

9:38:51 AM

CHAIR REINBOLD moved on to the subject of testing materials. She stated that [Legislative Legal and Research Services] sent a memorandum ("memo") expressing concern over the statutory authority of the department, which she said has added a new definition of "testing materials" in the last section of the regulations. She stated that neither she nor [Legislative Legal and Research Services] could find "any use of that term anywhere in the ... section of regulations." She asked Commissioner Hanley why the department is adding the new definition to the Alaska Administrative Code.

COMMISSIONER HANLEY answered that there are a couple reasons why the department is adding the definition. He prefaced further comment by stating the following:

I'm willing to have this conversation, but as a basic protocol, memos from the Department of Law regarding regulations to agencies - it goes to agencies and to legislators - are confidential in nature. You have the right to waive that confidentiality; I don't. But if you want to go down this path and, with your permission, since you have ... opened this up and waived that confidentiality with the Department of Law, I'd be willing to discuss it with you, if that's your desire.

CHAIR REINBOLD indicated she had not been told by [Legislative Legal and Research Services] that she must go into executive session, but rather that going into executive session was an option. She said she has not gone into the particular details of the multiple-page memo she received, but indicated that she and Legislative Legal and Research Services share concerns about the new definition.

COMMISSIONER HANLEY stated for the record that he would assume Chair Reinbold wished to discuss the materials from the Department of Law.

CHAIR REINBOLD indicated that the discussion does not have to be in regard to the memo. She said, "This was in my script before I even saw ... that memo, which ... I read in detail last night." She reiterated that she wants to know why the new definition is being added to the administrative code.

COMMISSIONER HANLEY responded, "I'll answer that, recognizing that the Department of Law, as you stated, brought that up in their memo; it wasn't mentioned in other places." He said testing materials must be valid, reliable, and confidential. He further said previously "testing materials" meant only paper materials, but now they include the electronic documents and software. The addition of "testing materials" adds the electronic component to the definition.

CHAIR REINBOLD stated that electronic documents are raising concern, and she announced that the committee would be addressing the issue in an upcoming hearing. She asked, "Do you plan on ... using this term in future?"

COMMISSIONER HANLEY said the department is reviewing the memo, but it will use the term within the school district as it always has. He reiterated the importance of securing testing materials, both paper and electronic.

CHAIR REINBOLD asked if the term is meant to oblige the state to some fiscal responsibility in the future.

COMMISSIONER HANLEY answered no; it is simply to recognize within the school districts the importance of confidentiality in testing materials.

[9:44:24 AM](#)

CHAIR REINBOLD said HB 278 prohibits the use of money to develop the CCSS, and "we are developing yearly testing that tests both the Common Core and the Alaska Standards." She ventured that the CCSS and the Alaska Standards must be similar, "since you're developing a single test for both set of standards." She asked if that is correct.

COMMISSIONER HANLEY answered that is not correct. He clarified that only one assessment for the Alaska Standards is being built. He indicated that there is erroneous information being posted on social media that the legislature said money cannot be spent on "implementing standards that are based on the Common Core State Standards Initiative." He said that is not correct; that is not what is written in HB 278. He said the language in HB 278 states that the department may not spend money to implement the set of educational curriculum standards for kindergarten through 12th grade established by the CCSS. He recalled discussion during the hearings on HB 278 repeatedly made clear that "this was to put a hedge between our standards and our work and the Common Core, and that we would not move towards the Common Core, that we would continue to work with our Alaska Standards."

CHAIR REINBOLD said that is debatable. She drew attention to the language in Section 17 of HB 278, [on page 13, beginning on line 3], which read as follows:

(b) In implementing its duties under (a)(2) of this section, the department may not expend any money to implement the set of educational curriculum standards for grades kindergarten through 12 established by the Common Core Standards Initiative

CHAIR REINBOLD said she thinks that "it is the same test." She clarified, "The same standards based test is going to be for Anchorage that is in full implementation of the Common Core is the same testing that is going to be throughout the state based on Alaska Standards."

COMMISSIONER HANLEY explained that the difference is that all of Alaska's school districts must ensure they are preparing students on the state's standards, because the state does not modify and compromise to meet the needs of the districts. In response to Chair Reinbold, he confirmed that there is one unified test given to all district schools irrespective of the standards that any particular school may be using; therefore, he reiterated the importance of each school preparing its students to be ready for the Alaska Standards assessment.

CHAIR REINBOLD said, "If I base this on the January 23, 2013, letter that you sent to the U.S. Department of Education, they really have no concern, because it states that ... Alaska's new standards were nearly identical to Common Core Standards." She asked about recommendations in advancing the Alaska Standards when they are nearly identical to the CCSS, while "the funding seems to prohibit this."

COMMISSIONER HANLEY reiterated that [HB 278] was not designed to stop the Alaska Standards. He continued as follows:

Any funds that need be spent on the implementation of the Alaska Standards are simply around professional development and [the] work we do in districts to help them understand and begin the implementation process. The implementation of the standards is not ... the assessment; that's the measurement of the standards, not the implementation of the standards. [They're] very clearly different.

[9:50:21 AM](#)

The committee took an at-ease from 9:50 a.m. to 9:51 a.m.

[9:51:06 AM](#)

CHAIR REINBOLD directed attention to [4 AAC 06.710, statewide student assessment system], and 4 AAC 06.790, definitions, and a possible change that would require students seeking a diploma to take the SAT, ACT, or WorkKeys tests once in 11th or 12th grade.

She indicated that her research regarding the SAT and ACT brought her to the College Board Research Report, which said these tests are now aligned to the CCSS. She asked Commissioner Hanley if he knows anything about that.

[9:51:26 AM](#)

COMMISSIONER HANLEY said he understands that the SAT and ACT have undergone changes to "match up with expectations around the country," but said he has not followed that. He stated that both the SAT and ACT have been around for a long time and they are "the language" commonly used by colleges in terms of admittance. He said both the governor and legislature wanted them "in there."

CHAIR REINBOLD said ACT, in its web site, www.act.org, states that it is pleased to be an active partner with the Common Core State Initiative and is aligned to the CCSS. She indicated that the web site states that the CCSS and the College Board Assessment are also aligned. She opined that is information that needs to be brought to light, because the state is going to be paying for these assessments. She indicated that the House Special Committee on Education does not believe that the state should be paying for these tests.

[9:53:45 AM](#)

CHAIR REINBOLD asked if the Elementary and Secondary Education Act (ESEA) is the same thing as the NCLB waiver.

COMMISSIONER HANLEY answered that ESEA is the same as NCLB. In response to Chair Reinbold, he said the state did not have to get that waiver, but said the measurements for NCLB became more erroneous; districts were having to do things that seemed inappropriate, because even though their schools were successful, they were deemed as failing under NCLB. He said the department felt it needed flexibility and felt there was value in pursuing a waiver from NCLB. To follow-up questions, he said there were no penalties, but there were restrictions. [Under NCLB], the department was giving additional control to the U.S. Department of Education to say which schools were successful and which were not, which in turn restricted how funds were used in the districts.

CHAIR REINBOLD asked if the waiver is in place so that the state can get money; she offered her understanding that amount is approximately \$215 million from the federal government.

COMMISSIONER HANLEY asked if Chair Reinbold was talking about how much Alaska gets for supporting education.

CHAIR REINBOLD said she was talking about the NCLB waiver and the ASEA waiver, which she said are interchangeable. She asked Commissioner Hanley to explain the reason why the department applied for the waiver.

COMMISSIONER HANLEY said moving in to 2014, the requirement of NCLB was 100 efficiency of all students, and he reiterated that that the department found that measurement of success to be erroneous. The waiver allowed the department to design a new measurement system.

9:58:08 AM

CHAIR REINBOLD referred to a letter from EED, dated July 11, 2014, with the following subject line: "Notification of intent to amend Alaska's ESEA Flexibility Waiver Principle 1." She asked what Principle 1 means.

COMMISSIONER HANLEY indicated that it had to do with ensuring regular standards and a means by which to measure them.

CHAIR REINBOLD paraphrased the first three sentences of the letter, which announced EED's plans to request amendments to its approved ESEA Flexibility Waiver of certain requirements of the ESEA Act, noted that the amendments apply to Principle 1, College & Career Ready Standards and Assessments, and stated that the amendments will reflect the department's decision to develop new assessments following the withdrawal from the SBAC. She noted that the department was requesting comments about the proposed changes by July 17, and that the comments should be submitted to Margaret McKinnon. She asked if Ms. McKinnon works for EED.

COMMISSIONER HANLEY answered yes.

CHAIR REINBOLD noted that the letter includes the department's web site. She then paraphrased the first two sentences of the final paragraph of page 1 of the letter, which read as follows [original punctuation provided]:

To meet the requirements of ESEA flexibility, a State education agency (SEA) must develop annual, statewide, high-quality assessments, and corresponding academic

achievement standards, reading/language arts and mathematics in grades 3 through 8 and once in high school. These assessments must be fully implemented no later than the 2014-2015 school year.

CHAIR REINBOLD said the implementation deadline "is where our concern is," because the date has been changed from 2015 to 2014, based on a promise that [the department] made to the federal government. She asked Commissioner Hanley to confirm if that is correct.

COMMISSIONER HANLEY reiterated that it was an agreement made in order to increase flexibility in how schools are assessed and how the department is able to spend the funding.

CHAIR REINBOLD asked if "content" and "curriculum" could be used interchangeably.

COMMISSIONER HANLEY answered no. He explained that content is subject matter, while curriculum is the material and technology used to teach the content.

CHAIR REINBOLD paraphrased the ensuing sentence in the same paragraph of the letter, which read as follows [original punctuation provided]:

Among other characteristics, a high-quality assessment must be valid, reliable and fair for its intended purposes, be aligned with a State's college-and career-ready content standards, as well as providing an accurate measure of student growth over a full academic year.

CHAIR REINBOLD said people are concerned that aligning the curriculum to the standard will result in the loss of significant local control.

COMMISSIONER HANLEY responded that the curriculum should always be aligned with standards; that is not a new concept. He said, "We had our previous set of standards that curriculum should have been aligned to, because ... we were assessing students on their movement toward proficiency on those things."

CHAIR REINBOLD offered her understanding that Commissioner Hanley had told some legislators that the department could change the curriculum at any time, and she asked him if that is correct.

COMMISSIONER HANLEY answered no. He clarified that he did not say the department could change curriculum, but did say that districts can change curriculum. He stated, "If we chose, because we have no ties to anybody outside of Alaska, we could make alterations to our standards. At the same level, local school districts have no ties to their curriculum; they can make those changes at the local level."

CHAIR REINBOLD said, "But you've signed a waiver that say our standards are almost identical with the [U.S.] Department of Education, so it sounds like ... it would be [a] pretty incredible task to get ... the standards changed." She offered her understanding that school districts have curriculum for six years once they purchase books. She further offered her understanding that the contract with the Achievement & Assessment Institute (AAI) of Kansas was for \$25 million.

COMMISSIONER HANLEY confirmed it was a five-year contract for \$25 million.

CHAIR REINBOLD listed the investment of money, the education of teachers, the alignment of SAT and ACT to the CCSS, and the alignment of curriculum to standards, and said it seems like a tall order to change the curriculum or standard.

COMMISSIONER HANLEY replied that the department does not choose lightly to change the standards. He said the department took two years to develop its new set of standards, during which it invited a longer, five-month public comment period, held webinars, met with districts, traveled to five communities, and met with business leaders, community leaders, and parents. He said the change impacts many, which is why careful consideration is given. Commissioner Hanley noted that Chair Reinbold had said the department aligns its standards with that of the U.S. Department of Education, and he said that is incorrect. He stated that the department simply has its own standards that it believes will get students to be ready to be successful in work and education. He added that the department even checked with the University of Alaska to find out if the standards were sufficient to prepare students for post-secondary education. He said it was an extensive vetting process.

CHAIR REINBOLD said she understood, but stated that "a lot of people believe that the menu was set" and the standards were simply put forth for a stamp of approval. She said she had been referring to Commissioner Hanley's aforementioned letter to

Patrick Rooney of the U.S. Department of Education, in which she said Commissioner Hanley wrote that the Alaska Standards are "nearly identical" to the CCSS.

10:06:29 AM

CHAIR REINBOLD asked why the department chose AAI as its new vendor.

COMMISSIONER HANLEY reviewed the state's official procurement process, which he said the department followed in searching for a new vendor, and he said AAI scored the highest.

CHAIR REINBOLD asked if it is correct that the University of California was going to administer the Smarter Balanced Assessment Consortium (SBAC), but now AAI will be administering the Alaska Measures of Progress (AMP).

COMMISSIONER HANLEY said he does not know about the University of California administering the SBAC.

CHAIR REINBOLD indicated she had learned of this during a meeting of a national committee. She directed attention to Appendix D of the contract with the University of Kansas [dated 7/14/14 and included in the committee packet], and she paraphrased the first sentence, which read as follows [original punctuation provided]:

During Year 2 of the Contract between Alaska Department of Education and Early Development and the Achievement and Assessment Institute at the University of Kansas, the Scope of Work will comprise developing, administering, and scoring summative assessments in English language arts and mathematics in grades 3-10.

CHAIR REINBOLD asked, "Is that correct?"

COMMISSIONER HANLEY answered yes.

CHAIR REINBOLD noted that later in the paragraph it states that that will begin in July 2014 and continue through July 2015.

COMMISSIONER HANLEY confirmed that information.

CHAIR REINBOLD noted [under "Tasks and Deliverables by Month" for July 2014, listed toward the bottom of the same page] that there would be a [practice test] bias/sensitivity review. She

asked, "Who is doing the bias/sensitivity, and what are you looking for there?"

COMMISSIONER HANLEY answered that is largely where Alaska stakeholders are coming into play by doing item reviews to ensure there are no items that "don't make sense in particular cultural context." He reiterated that there are over 500 Alaska educators doing reviews.

[10:10:31 AM](#)

CHAIR REINBOLD noted that also in Appendix D is the term "KITE," and she asked what it means.

COMMISSIONER HANLEY said Kansas Interactive Testing Engine (KITE) is the on line tool that the department will use to do the assessment. In response to further questions, he explained that Questar is the subcontractor that works with the University of Kansas to help EED with the technology component of the assessment, and he confirmed that KITE is the delivery system and Questar is the scoring company.

[10:12:47 AM](#)

CHAIR REINBOLD indicated that she looked up information related to Applied Measurement Professionals, Inc. (AMP). She noted that AAI has a large number of staff. She asked Commissioner Hanley to explain who the people listed on akassessments.org are and what role those people fill.

COMMISSIONER HANLEY said he could not do that off the top of his head, but said all the people listed are involved in the large task of developing the assessments, including practice tests. In response to follow-up questions, he said a small percent of the people are based in Alaska, but others travel to Alaska to work with the department and stakeholders on practice items and item reviews. He indicated that the cost of flying people up to Alaska from Kansas is included in the contract. He reiterated the procurement process found the best candidate.

CHAIR REINBOLD asked if there is any reason that the department could not have contracted to work with an Alaskan entity.

COMMISSIONER HANLEY gave two reasons: no local entities applied, and he said he does not believe any local entities exist that have the necessary background in assessment development.

CHAIR REINBOLD mentioned emphasis on local control, a performance scholarship "encouraging people to go up here," and [Alaska's] independent streak. She expressed concern over employing the University of Kansas to make such a broad change in Alaska's education system, but said she would hold off for the time being on asking further questions about the issue. Regarding KITE, she said she had read that "it's put on ... any computer ... and it basically shuts down all the other applications." She said this is in regard to AMP. She mentioned a local caching system (LCS), which she said "allows them to administer the tests when the broadband is not available. She asked if that is correct.

COMMISSIONER HANLEY indicated that LCS could be used directly on line or downloaded to a local cache or server. He said, "That was one of the requirements we had to make sure that we could get it out to as many students and districts as possible."

[10:17:57 AM](#)

CHAIR REINBOLD announced her intent to hold a future meeting to discuss the Family Educational Rights and Privacy Act (FERPA) laws and the issue of securing data from on line testing.

[10:18:25 AM](#)

COMMISSIONER HANLEY remarked that he did not think the department currently had any regulations related to FERPA laws.

CHAIR REINBOLD stated the following:

But it's all intertwined with assessments. Assessments come through regulation, as you well know. And ... as an oversight to education, we need to ensure that our students' data is protected and that it's not invasive as HB 257, which, as you know, is going to be coming up again this year before the legislature. And we stated in that committee that when you did do these assessments that you were cognizant [of] the fact that that was going to be facing the legislature again.

[10:19:25 AM](#)

CHAIR REINBOLD opened public testimony.

[10:19:29 AM](#)

REPRESENTATIVE RON HIGHLAND, Kansas State Legislature, related that a person named Paul Schwartz (ph) testified before the House Standing Committee on Education. He continued as follows:

What he said was very disturbing to us: the fact that student data, and he's talking about kindergarten up to age 18, which is the most valuable data sought by outsiders because they can use that information and create accounts and parents won't know this until their child applies for a student loan or a loan of any type and they find out that they're in debt way beyond their means. So, with that information we became concerned about data privacy, and we passed out a data privacy bill. I was not real happy about it, but what we did get done was to disallow any personal information from being transferred from the school district to KU or any outside vendor. And that's called aggregate data. But what this security analyst told us [was] that with about 80-90 percent accuracy, an intelligent hacker can backfill that information and identify the individual. So, my other concern is now how to protect that data security at the district level, and we're going to have to deal with that during the next session, because if you have disgruntled teachers or employees or whoever can get into that system at the district level and saw that, that ... concerns me a great deal.

Now, on the other side, at KU, they were hacked, and to the extent they're still not completely sure. So, that data is out there. We don't know how much and how much of it is identifiable, but because of that they suspended all testing or receiving of information from the school districts. So, we are in a situation where no testing or scoring is going to be done this year and possibly next year because of that. So, the data security is something that we are looking at very closely, and I would recommend Paul Schwartz to you for information on data security and how important it is in our futures.

[10:22:42 AM](#)

And then beyond that, we have a system in Kansas called [Kansas Individual Data on Students] (KIDS); it's the information that they are collecting on each

of the children, and it goes way beyond what we feel is necessary for identifying and using for their futures. So, that is something that we're going to be looking at and assessing obviously; and ... all of that is of great concern Those are things we're going to be looking at, but the data concern is number one for us.

10:23:24 AM

CHAIR REINBOLD mentioned a news article about the aforementioned hacked data system in Kansas. She read that the hacker bombarded the system with "intense volumes of data" that the server could not handle. She noted the article stated that the Center for Educational Testing and Evaluation, which administers the case assessment, had "identified it" and were working to eradicate the attack. She explained the reason she thought it was important to mention is that "this is exactly the same delivery system that Alaska's planning ... to use."

REPRESENTATIVE HIGHLAND opined that Chair Reinbold should be concerned. He reiterated that the State Board of Education has determined it will not be issuing any test results for this year and possibly the next year, and he indicated that it would have to be determined next legislative session whether the reason for that is "the security issue" or "the scores they received."

CHAIR REINBOLD reemphasized her concern regarding security and the aforementioned plan to accelerate the change to the new assessment.

10:25:34 AM

BARBARA HEENY (ph) indicated that she had run a web site containing the words "stop Alaska Common Core." Prior to that, she relayed, she worked as a summer faculty member at the University of Alaska Fairbanks (UAF), was a home-school teacher, and did extensive work on test questions and item preparations on college-level tests. She said she did not submit a bid in response to the aforementioned procurement process, because she was engaged in something else at the time that would have made it inappropriate for her to do so. Nevertheless, she said she has deep concerns.

MS. HEENY stated her understanding that the state was not implementing the CCSS, yet [the department] is still implementing the Alaska Standards. She said Patrick Rooney, in

his letter to Arnie Duncan, June 2012, calls the Alaska Standards the CCSS. She indicated that the letter states that "Alaska also utilized two national experts involved in developing the Common Core [State] Standards," and that group of experts was called "the Common Core team." Ms. Heeny stated, "There has never been any ... effort until I spoke up to hide the (indisc.) to Common Core."

MS. HEENY referred to a letter associated with the ESEA "flexibility document" that "talks about the Alaska Standards being nearly identical." She said last year, in response to the House Special Committee on Education, Commissioner Hanley wrote that there were only a couple of differences [between] the Alaska Standards and the CCSS, and they are measurement standards. She said, "Those are detailed in a memo ... that should be attached to the one that you read earlier to Mike Hanley."

MS. HEENY said she is also concerned about the new assessments because of the involvement of Questar. She said it seems that Questar is "on board" with the CCSS. She indicated that Questar hosted and funded [The Council of Chief State School Officers (CCSSO)], and it has strong ties with those people [on the council]. She mentioned Diane Ravitch, the former U.S. Secretary of Education under two Presidents, whom she said has made strong comments about Questar, which she offered to provide for the committee to read.

MS. HEENY stated that Questar hires "heavily" people who are involved in psychometric research and follow the ideas of Karl Kautsky, who she said was the man who implemented the education system for Karl Marx. She said she never imagined, when voting for Governor Sean Parnell, that she would ever be fighting "the implementation of the ideas of Kautsky in Alaska." She said she does not understand why psychometric evaluations and measurements are being used, and that is what Questar specializes in. She encouraged those involved individuals in Kansas to consider doing due diligence in looking into the philosophy behind the assessments, because she opined that psychometric measurements are not the way to go in "preparing children for a free society." Ms. Heeny reemphasized her concern that the standards being implemented are the CCSS.

10:32:00 AM

CHAIR REINBOLD said one of the first pages on Questar's web site read that public school districts are changing their curriculum

to the CCSS. She told Ms. Heeny that the committee would be discussing the issues of data, assessments, and privacy protection at a future date.

10:32:48 AM

SASHA PETIT (ph) prefaced her remarks by expressing disappointment that the hearing was scheduled on the first day teachers had to be in school in the Matanuska-Susitna (Mat-Su) area, because they were missing the discussion. She stated a concern about data security when tracking students' information. She questioned if a student could obtain a general educational development (GED) and take an SAT and not have those scores reported back into the system. She said she knows parents who are concerned about the tracking of scores.

MS. PETIT questioned if EED has a course of action in mind should there be a statewide drop in scores as a result of accelerating the assessment plan before teachers have the time to "align to the standards." She said she is thinking about the news of the testing in Kansas and questioning the role of the security breach. She continued as follows:

I know that ... Commissioner Hanley was saying that we ... don't teach the test, but if we are teaching every child in the district to swim and the test is about climbing trees then every single child will look like a failure. So, in a sense, we do sometimes teach the test or what the standards are, and I don't feel that we have an accurate representation of what the new standards are so that we can prepare our children for these tests.

MS. PETIT questioned what the difference is between aligning with the standards and being on par with them. She said curriculum changes can be made at the local level, but if the curriculum is aligned to the standards or on par or nearly identical with the CCSS, then it seems money is being used contrary to what is stated in HB 278. She said it sounded like EED was going to ask the districts to use their funds for the implementation of that which the department would not be allowed to use its own funds.

MS. PETIT said another question she has as a veteran teacher is regarding a two-year time-frame for teacher evaluation to be tied in with student learning. She continued as follows:

Right now ... an average junior high classroom is getting 48 minutes with one student a day - they counted up 130 students. And I want to know how they can tie an evaluation of a teacher to a tiny, little, miniscule block that they have with that student, especially when learning is built ... in spirals and in blocks, and if a student has not learned in third grade or fourth grade, and I get them in seventh grade, I don't understand how they can accurately assess that I am a poor teacher, based on a 48 minute block with a student.

MS. PETIT expressed her hope that these concerns would be addressed or changes would be made to stop the implementation, especially coming in alignment with the CCSS, because she said she knows that when it is stated that teachers are teaching to a standard that is in alignment, then the curriculum always follows. She said as a teacher, she looks through the standards on the EED web site and asks herself if she is addressing them effectively. She continued as follows:

And having been a teacher on a curriculum picking committee, I know that whether we say we're aligned with the Common Core or we're using the Common Core, if our standards are Common Core [State] Standards, then we as teachers are going to be forced into taking a curriculum that follows the Common Core, because our ... assessments and our evaluations are going to be tied into it.

10:38:40 AM

CHAIR REINBOLD apologized that the meeting was not held previously, but explained there had been a scheduling conflict. She deferred Ms. Petit's questions to Commissioner Hanley.

10:39:53 AM

COMMISSIONER HANLEY said he anticipates somewhat of a drop in test scores, not necessarily because of the assessment itself, but because the bar is being raised; students are going to be asked for much more than what has been asked of them. He said the goal is to move students to proficiency so that not so many will need remediation when they go to a university or into career training. He said teachers will see where the deficits are and can move forward and address them.

MS. PETIT remarked that by the time the teacher sees where the deficits are for the student, that student will have already moved on to a new classroom and teacher.

COMMISSIONER HANLEY concurred, but said the information about how the student has been doing will also move forward.

MS. PETIT, in response to Chair Reinbold, said she is a former school teacher and has just become a home school teacher to her daughter.

10:41:56 AM

CHAIR REINBOLD asked if the home school students need to take the ACT, SAT, and WorkKeys assessments aligned to the CCSS in order to earn a diploma.

COMMISSIONER HANLEY answered no, if the student is homeschooled and completely untied to the public school system. However, he mentioned Interior Distance Education of Alaska (IDEA) and Raven Correspondence School and said those are affiliated with public schools and would fall under the same requirements as a traditional neighborhood school. In response to a follow-up question, he stated that correspondence schools are publicly funded and, thus, are considered public schools.

10:44:00 AM

REPRESENTATIVE TARR asked Ms. Petit for her ideas on how the legislature can address the issue of accountability in terms of how much funding should go to public schools, better performance for students, and how teachers are assessed in terms of student performance.

MS. PETIT explained the Mat-Su School District has moved from the middle school model to the junior high school model because of funding. Teachers in the middle school model were working as teams, and she said she feels there were "more" results in test scores. She recollected Commissioner Hanley had said that because of test scores, teachers would be able to evaluate the students better, but she said the test scores were not made available to the teachers in a timely manner [to provide teachers information in terms of a student's specific deficiencies]. In fact, by the time the scores were received, it was time for the next test. She posited that in order to evaluate a teacher, the teacher should be given the tools "up front," and assessments done at the beginning and end of the

year to measure the personal growth of each student with his/her teacher.

REPRESENTATIVE TARR asked Ms. Petit if she is familiar with the response to instruction (RTI) model, which she said she thinks is like what Ms. Petit is suggesting.

MS. PETIT responded no. She said she has used Measures of Academic Progress® (MAP®) testing, which gives the teacher immediate feedback. She said if the RTI model is similar to that she thinks it would be helpful. She said a friend of hers teaches 130 students, about 30 students per class, at 48 minutes a day. She indicated that the ability to differentiate instruction and assess each student is stifled, but the teacher can assess the percentage of growth of each classroom as an entity.

10:48:31 AM

LORI COPPENBERG (ph) related that she is a concerned parents of two boys. She said her boys were in public school, but she switched them to a parochial school run by the Seventh Day Adventists. She indicated that the school was overseen by the State of California and was based on the CCSS. She said she began questioning the local school board. She said there are many grants coming for stem education through the National Math and Science Institute, and she said the institute's web site shows that it is based upon the CCSS.

MS. COPPENBERG stated her further investigation showed that in order for Alaska Standards to be SBAC complaint, they had to be CCSS compliant. She said it is important to remember that even though Alaska pulled out of the SBAC, the Alaska Standards are still over 90 percent [aligned with] the CCSS. She said Florida, Kansas, and many other states are "stepping away from it," and it is time for Alaska to either admit that it is using the CCSS or it is not. She offered her understanding that Patrick Gamble, Commissioner Hanley, and Achieve, Inc., had all indicated that "we are" the CCSS because "that was the requirement in order for us to get into the SBAC." She said she watched the free conference committee hearing on HB 278 and heard Commissioner Hanley speak on the intent of the Alaska Standards and the language regarding not paying for the CCSS. She stated, "Either we did or we didn't. And I think ... it's just double speak: no we're not going to, but we are." She called on legislators to "step up and be honest with your

constituents" who are paying attention. She recommended that the legislature create statute that would not allow the CCSS.

MS. COPPENBERG stated that the reason that parents are not coming forward to their legislators is because they are being told a lie, and she urged the truth be told.

[10:52:32 AM](#)

CHAIR REINBOLD agreed that "it appears that all signs point to the fact that, yes, we are Common Core in Alaska." She said she thinks that is the primary reason she worked so hard on the House Special Committee on Education to bring the issue to light. She talked about a bi-partisan effort to strip language from the legislation to address problems that would impact all students. She said she is considering holding "a very large public meeting to expose the truth." She concurred with Ms. Coppenberg that "we need to either say yes we are or no we're not." She said the curriculum is going to be "aligned to the standard," and there is no freedom, because "the menu's been set." She said it is part of the U.S. Department of Education's plan. She emphasized that it was the State Board of Education - not the legislature - that passed the standards, and it was EED - not the legislature - that signed the NCLB waiver.

[10:54:16 AM](#)

MS. COPPENBERG said she lives "out in the valley" where the local school board adopted a new curriculum that is the CCSS. She said in order for students to meet the demands of the tests, "it has to be Common Core aligned." She indicated that as a parent who home schools her children, she has found that there are so many curriculums in existence that used to be "pretty independent" that are now "explicitly aligned with Common Core," because that is what the major publishers are doing. She said it is all about money and millions of dollars generated for a few specific companies. She opined that the state's school board members should be elected rather than appointed so that the public can replace those who do not give the constituents what they want. She indicated that Texas disposed of a system, but is still stuck with the CCSS because it costs too much to change the text books. She talked about the cost of teaching teachers the new way to teach math or English, and she said, "You're not going to see a change just because we decide that we don't like it." She reiterated that the constituents are watching to see what the legislature will do about this issue. She concluded, "So, stop and pay attention and do something."

CHAIR REINBOLD responded that attention is being given to the issue and the committee would be having future hearings, not only on Questar and securing data, but also on a testing concern related to children with disabilities.

CHAIR REINBOLD thanked everyone.

10:58:00 AM

ADJOURNMENT

There being no further business before the committee, the Administrative Regulation Review Committee meeting was adjourned at 10:58 a.m.