

**ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE**

March 20, 2013

8:03 a.m.

MEMBERS PRESENT

Senator Gary Stevens, Chair
Senator Mike Dunleavy, Vice Chair
Senator Bert Stedman
Senator Charlie Huggins
Senator Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 57

"An Act relating to parental involvement in education; adjusting pupil transportation funding; amending the time required for employers to give tenured teachers notification of their nonretention; and providing for an effective date."

- MOVED CSSB 57(EDC) OUT OF COMMITTEE

CONFIRMATION HEARINGS

Professional Teaching Practices Commission

David DeVaughn
Eric Fry
Martin Laster
Melody Mann
Frances Roberts

- CONFIRMATIONS ADVANCED

PREVIOUS COMMITTEE ACTION

BILL: SB 57

SHORT TITLE: LITERACY, PUPIL TRANSP, TEACHER NOTICES

SPONSOR(s): SENATOR(s) STEVENS

02/15/13	(S)	READ THE FIRST TIME - REFERRALS
02/15/13	(S)	EDC, FIN
03/13/13	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)

03/13/13 (S) Heard & Held
03/13/13 (S) MINUTE(EDC)
03/20/13 (S) EDC AT 8:00 AM BELTZ 105 (TSBldg)

WITNESS REGISTER

TIM LAMKIN, staff
Senator Gary Stevens
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Described the changes in the proposed CS for SB 57, on behalf of the sponsor.

SUSAN MCCAULEY, Director
Teaching and Learning Support
Department of Education and Early Development
Juneau, Alaska

POSITION STATEMENT: Answered questions related to SB 57.

DAVID JONES, Assistant Superintendent
Kenai Peninsula Borough School District
Kenai, Alaska

POSITION STATEMENT: Urged the committee to pass the bill.

LUKE FULP, Chief Business Official
Mat-Su Borough School District
Palmer, Alaska

POSITION STATEMENT: Expressed support of all components in the bill.

PEGGY COWAN, Superintendent
North Slope Borough School District
Barrow, Alaska

POSITION STATEMENT: Testified in support of SB 57.

JOHN ALCANTRA, Government Relations
NEA Alaska
Juneau, Alaska

POSITION STATEMENT: Testified in favor of SB 57.

BRUCE JOHNSON, Executive Director
Alaska Council of School Administrators
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 57.

ERIC FRY, Public Information
Office of the Commissioner

Department of Education and Early Development
Juneau, Alaska

POSITION STATEMENT: Provided information about his background as part of the confirmation process.

MARTIN LASTER, Director
Education Leadership Program
University of Alaska - Southeast
Juneau, Alaska

POSITION STATEMENT: Shared information about himself as part of the confirmation process.

DAVID DEVAUGHN, Teacher
North Pole, Alaska

POSITION STATEMENT: Provided information about his background as part of the confirmation process.

MELODY MANN, Teacher
Colony High School
Wasilla, Alaska

POSITION STATEMENT: Provided information about her background as part of the confirmation process.

FRANCES ROBERTS, Teacher
Homer, Alaska

POSITION STATEMENT: Provided information about her background as part of the confirmation process.

ACTION NARRATIVE

[8:03:26 AM](#)

CHAIR GARY STEVENS called the Senate Education Standing Committee meeting to order at 8:03 a.m. Present at the call to order were Senators Stedman, Huggins, Gardner, Dunleavy, and Chair Stevens.

SB 57-LITERACY, PUPIL TRANSP, TEACHER NOTICES

[8:03:52 AM](#)

CHAIR STEVENS announced that the first order of business would be SB 57. He noted it is the second hearing of the bill.

SENATOR DUNLEAVY moved to adopt CSSB 57, labeled 28-LS0474\N, as the working document.

CHAIR STEVENS objected for discussion purposes.

TIM LAMKIN, staff, Senator Gary Stevens, sponsor of SB 57, described the changes in the new CS. He explained that the first change is found on page 1, line 7. At the request of the Department of Education, and in reflection of the fiscal note, to avoid hiring additional staff at the state level to coordinate data with local districts in gathering information about parents statewide or at a local level, a change was made that places that responsibility on the school districts since they already have that data and parents are more accustomed to receiving information directly from the districts, as opposed to the state. The change only refers to publishing and distributing pamphlets to parents at the local level.

MR. LAMKIN explained that subsection (b) on page 2, maintains that the state would continue to have a publicity campaign using local media outlets to promote parental involvement in early literacy by third grade. He related that Section 2, page 2, reflects the Consumer Price Index (CPI) annual adjustment, based on Anchorage's inflationary CPI index, regarding pupil transportation. That is consistent with language that was passed unanimously by the Senate last year.

He said that Section 3 is the "pink slip section" of the bill. In instances when school districts are not aware of their budgetary levels or expectations, they are obliged, by March 16, to issue pink slips to allow non-tenured faculty to be notified of a potential lay off or non-retention the following school year. This is an effort to synchronize the budget process of the legislature with that date, rather than creating unnecessary angst at the district level. He noted that Section 3 has been on the books for some time - since 1949. The March 16 date has been maintained for decades.

He related that Section 4 repeals a law that was passed last year with regard to pupil transportation at a fixed rate of 1.5 percent. The average approximate CPI inflation rate is about 3 percent annually. Section 5 is applicability language necessary for existing contracts as it relates to the pink slip provision, allowing those contracts to expire before the changes are made. Section 6 applies an effective date of July 2013.

[8:08:15 AM](#)

SENATOR GARDNER referred to Section 1 and asked if school districts could make that information available to parents by sending it home with their children; it does not require postal distribution.

MR. LAMKIN answered that is correct. A number of districts are already in compliance; the bill would ensure that all districts comply.

SENATOR GARDNER asked if there was a fiscal note for Section 2.

MR. LAMKIN reported that the original fiscal note reflects personal services of \$97,500, which would be removed in version N of SB 57.

CHAIR STEVENS asked the Department of Education & Early Development (DEED) to address the change of removing the department from the obligation to distribute information to parents, which would require less staffing.

[8:09:53 AM](#)

SUSAN MCCAULEY, Director, Teaching and Learning Support, Department of Education and Early Development, answered questions related to SB 57. She said the previous fiscal note reflected the need for the department to contact the parents of 45,000 students regarding the distribution of material related to early literacy. The change in version N will result in a change to the fiscal note. The bill does maintain the department's responsibility for an annual media campaign.

CHAIR STEVENS commented it makes sense for school districts to make contact with parents.

MS. MCCAULEY agreed. She added that schools often have electronic newsletters and other in-place communication methods with parents.

[8:11:50 AM](#)

CHAIR STEVENS noted the department is still providing handouts to school districts.

MS. MCCAULEY said the department's intent is to provide consistent, accurate information that reflects current research regarding early literacy.

SENATOR STEDMAN voiced concern about Section 2. He said indexing into the CPI creates formula-driven issues. He opined that, in light of decreasing revenue, it is important to consider challenges to the operating budget that are driven by formula issues.

CHAIR STEVENS inquired if Senator Stedman was comfortable moving the bill on to the Senate Finance Committee to deal with those issues.

SENATOR STEDMAN replied yes.

CHAIR STEVENS opened public testimony.

DAVID JONES, Assistant Superintendent, Kenai Peninsula Borough School District, urged the committee to pass the bill.

LUKE FULP, Chief Business Official, Mat-Su Borough School District, expressed support of all components in the bill.

PEGGY COWAN, Superintendent, North Slope Borough School District, testified in support of SB 57. She pointed out that many of the issues are state wide, including providing for pupil transportation with state funds.

[8:16:00 AM](#)

JOHN ALCANTRA, Government Relations, NEA Alaska, testified in favor of SB 57. He referred to a letter of support from the president of NEA - Alaska, Ron Fuhrer. He voiced concerns on the dates contained in the bill regarding teacher tenure. He suggested May 20 as a compromise date.

BRUCE JOHNSON, Executive Director, Alaska Council of School Administrators, testified in support of SB 57. He commented on non-retention and lay-offs. He pointed out that districts are not going to wait until May 15 to determine whether they are going to keep tenured and non-tenured teachers. He maintained that Alaska's school districts will approach that issue in a highly professional manner and give themselves a cushion if funding is unknown. Districts in rural Alaska are currently issuing contracts in February in order to get their staffing plan in place.

[8:19:07 AM](#)

SENATOR GARDNER asked if the date of the job fairs would change due to the date of May 15.

MR. JOHNSON replied that he did not think so because the rest of the nation operates on similar timelines. He reiterated that districts would determine staffing retention earlier, allowing those non-retained teachers to attend job fairs.

SENATOR GARDNER asked for Mr. Johnson's opinion about amending the April 20 date.

MR. JOHNSON answered that the Alaska Council of School Administrators has not discussed it. He added it is good for management to have as much flexibility as possible.

[8:20:39 AM](#)

CHAIR STEVENS closed public testimony.

[8:20:50 AM](#)

SENATOR GARDNER moved an amendment to change the date to April 20, as a compromise, because it is after the legislative adjournment date and school districts should be aware of their funding by then. She said the change of date would also meet the needs of teachers and the districts.

CHAIR STEVENS saw no major problem with the conceptual amendment.

SENATOR DUNLEAVY said he would not favor the amendment.

CHAIR STEVENS asked if the department has an opinion on the proposed amendment.

SENATOR HUGGINS commented that Mr. Johnson just reported that district management could exercise a date change. It is to the advantage to have maximum flexibility for both the employee and management.

SENATOR DUNLEAVY understood that Mr. Alcantra stated that having the date as close as possible to the end of the legislative session gives school districts an advantage. He maintained that April 15 is too early. He recommended staying with the date contained in the bill.

[8:23:24 AM](#)

MS. MCCAULEY said Senator Dunleavy's comments are similar to Mr. Johnson's and Mr. Alcantra's comments, rather than to the department's.

CHAIR STEVENS declared that there is no rush on the bill and the committee could choose to take more time to consider it.

SENATOR STEDMAN said he was ok with moving the bill.

SENATOR GARDNER withdrew her amendment.

CHAIR STEVENS appreciated the testifier's comments.

CHAIR STEVENS removed his objection.

8:24:32 AM

SENATOR DUNLEAVY moved to report CS for SB 57, version N, from committee, with individual recommendations and attached fiscal note(s).

CHAIR STEVENS announced that without objection, CSSB 57(EDC) is reported from the Senate Education Standing Committee.

8:25:12 AM

At ease

CONFIRMATION HEARINGS
Professional Teaching Practices Commission

8:27:47 AM

CHAIR STEVENS announced that the next business before the committee would be the confirmation hearing on nominees for the Professional Teaching Practice Commission.

ERIC FRY, Public Information, Office of the Commissioner, Department of Education and Early Development (DEED), provided information about his background as part of the confirmation process.

CHAIR STEVENS asked Mr. Fry why he wanted to serve on the Commission.

MR. FRY replied that he is a parent with two children who attended public schools, and he was asked to serve on the Commission and wanted to do his bit for the department.

CHAIR STEVENS asked how long Mr. Fry has served on the Commission.

MR. FRY answered three years.

CHAIR STEVENS inquired why he would like to continue to serve on the Commission.

MR. FRY replied that he is impressed with the Commission and its members who are mostly teachers or administrators. He stated that he is also impressed with the Executive Director, Patricia

Truman, who does a lot of outreach, prevention, and problem resolution. Most of the complaints have to do with teachers that have left their contracts before they have ended. Districts have the option of requesting a consequence for that. There have been hardly any instances of when a teacher has harmed a child. He concluded that teachers are doing a very good job of following rules of ethics.

[8:31:45 AM](#)

CHAIR STEVENS asked if the time commitment is fairly minimal.

MR. FRY answered that it is. There are only three short meetings a year. He commented that the Commission runs very smoothly.

MARTIN LASTER, Director, Education Leadership Program, University of Alaska - Southeast, shared information about himself as part of the confirmation process.

CHAIR STEVENS asked if Mr. Laster has served on the Commission previously.

MR. LASTER answered that he was nominated recently.

CHAIR STEVENS inquired what Mr. Laster brings to the Commission.

MR. LASTER replied that he brings a couple of things to the Commission. One is by design; he qualifies as the Higher Education Representative to the Commission. Also, he said he was a superintendent in Alaska for about 20 years and also a principal and a teacher.

CHAIR STEVENS asked how much time Mr. Laster anticipates will be needed to serve on the committee.

MR. LASTER responded that it would not be a burdensome amount of time and considered it an honor to serve. He spoke well of the other Commissioners. He related that the job is a way to give back to the state due to the dual emphasis of protecting children and teaching professionals.

CHAIR STEVENS asked where Mr. Laster has worked.

MR. LASTER answered Mat-Su, North Slope, Craig, and Puget Sound.

CHAIR STEVENS appreciated his service.

[8:35:27 AM](#)

SENATOR GARDNER asked about two publications regarding extra-curricular activities as predictors of success and urban versus rural success.

MR. LASTER explained he was working in Denver in the Bureau of Education Research when the topic "there are better predictors than grades" was assigned to him. He said he now includes the whole range of activities as predictors of success. The second topic was his dissertation written for the Colorado School Boards, State Board of Education, and Department of Education regarding equity in gifted services between rural and urban schools. He found that the greater the economy, the greater of the ability of a district to provide opportunities for advanced students.

CHAIR STEVENS commented that standardized tests do not equal a good education.

MR. LASTER agreed. He thanked the committee.

[8:39:51 AM](#)

DAVID DEVAUGHN, Teacher, provided information about his background as part of the confirmation process.

CHAIR STEVENS asked Mr. DeVaughn if he has served on the Commission in the past.

MR. DEVAUGHN replied that he has not.

CHAIR STEVENS asked what Mr. DeVaughn brings to the Commission.

MR. DEVAUGHN spoke of his 13 years of teaching and coaching experience. He wished to continue with the good work the Commission does.

CHAIR STEVENS thanked him for his work.

MR. DEVAUGHN thanked the committee for allowing him to testify.

[8:41:23 AM](#)

MELODY MANN, Teacher, Colony High School, provided information about her background as part of the confirmation process.

CHAIR STEVENS asked if Ms. Mann has previously served on the Commission.

MS. MANN said no.

CHAIR STEVENS inquired what Ms. Mann brings to the Commission.

MS. MANN stated that she is a product of Alaska public schools and has taught for 20 years. She said she has also taught in rural Alaska.

CHAIR STEVENS thanked Ms. Mann for testifying.

[8:42:24 AM](#)

FRANCES ROBERTS, Teacher, provided information about her background as part of the confirmation process.

CHAIR STEVENS asked Ms. Roberts why she wants to serve on the Commission.

MS. ROBERTS listed her credentials which included 19 years of teaching, previous work for the National Weather Service, membership on the school site council, a union building representative, and a member of the Homer City Council for seven years. She said she has always been interested in being fair and equal-minded towards people. She opined that the Commission focuses on important issues.

CHAIR STEVENS thanked her for her service.

SENATOR GARDNER asked about Ms. Roberts' education listings. She requested information about the "MSMME" degree.

MS. ROBERTS replied that it means a "Master's of Science, Math, and Education, with an emphasis in Education."

CHAIR STEVENS thanked her for her comments.

MS. ROBERTS thanked the committee.

[8:44:39 AM](#)

SENATOR DUNLEAVY moved to forward the names of the nominees for the Alaska Professional Teaching Practices Commission to a joint session of the legislature for confirmation. There being no objection, it was so ordered.

[8:44:54 AM](#)

There being no further business to come before the committee, Chair Stevens adjourned the Senate Education Standing Committee at 8:44 a.m.