

**ALASKA STATE LEGISLATURE  
HOUSE EDUCATION STANDING COMMITTEE**

February 13, 2015

8:01 a.m.

**MEMBERS PRESENT**

Representative Wes Keller, Chair  
Representative Lora Reinbold, Vice Chair  
Representative Jim Colver  
Representative Paul Seaton  
Representative Harriet Drummond  
Representative Jonathan Kreiss-Tomkins

**MEMBERS ABSENT**

Representative Liz Vazquez

**COMMITTEE CALENDAR**

OVERVIEW: EED ON THE ELEMENTARY & SECONDARY EDUCATION ACT  
(ESEA) AND THE SCHOOL RATING SYSTEM ALASKA SCHOOL PERFORMANCE  
INDEX (ASPI)

- HEARD

HOUSE BILL NO. 30

"An Act requiring school districts to develop and require completion of a history of American constitutionalism curriculum segment; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

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

**POSITION STATEMENT:** Co-presented the overview on the Elementary and Secondary Education Act (ESEA) and the Alaska School Performance Index (ASPI).

SUSAN MCCAULEY PhD, Director  
Teaching and Learning Support  
Department of Education and Early Development (EED)  
Juneau, Alaska

**POSITION STATEMENT:** Co-presented the overview on the Elementary and Secondary Education Act (ESEA) and the Alaska School Performance Index (ASPI).

#### **ACTION NARRATIVE**

[8:01:03 AM](#)

**CHAIR WES KELLER** called the House Education Standing Committee meeting to order at 8:01 a.m. Representatives Keller, Seaton, Colver, Drummond, Kreiss-Tomkins, and Reinbold were present at the call to order.

#### **OVERVIEW: EED ON THE ELEMENTARY & SECONDARY EDUCATION ACT AND THE SCHOOL RATING SYSTEM ALASKA SCHOOL PERFORMANCE INDEX (ASPI)**

[8:01:16 AM](#)

CHAIR KELLER announced that the only order of business would be an overview from the Department of Education and Early Development (EED), on the Elementary and Secondary Education Act (ESEA) and the Alaska School Performance Index (ASPI).

[8:04:32 AM](#)

MIKE HANLEY, Commissioner, Department of Education and Early Development (EED), directed attention to the committee handout, titled "House Education Committee, Elementary and Secondary Education ACT (ESEA), School Rating System - Alaska School Performance Index (ASPI)," page 2, labeled "Drivers of Public Education in Alaska," to state that, under the Alaska Constitution, the directive is to establish and maintain a system of public schools, while Alaska Statute directs the agency actions for ensuring students are successful in their school and work. Thus, it is incumbent on the state that four key functions occur: fund; provide oversight and support; set standards; and assess students towards proficiency on those standards. To accomplish these tasks, \$1.5 in billion state funds are allocated to EED, and another \$232 million is received from the federal government. The federal funds specifically support children of populations that may be at risk, for reasons

such as poverty, transiency, homelessness, and language barriers. He emphasized that EED is not the beneficiary of these funds. The department receives and facilitates the distribution, to ensure that the most vulnerable students receive an equal opportunity for a quality education. The \$232 million in federal fund receipts require the state to provide 1.4 percent in matching funds, thus, for every \$100.00 from the federal government, Alaska matches it with \$1.40. In order to receive, distribute, and account for the federal funds, EED is allowed to retain 2-3 percent of the funding for staffing needs. The department is driven by the state constitution and legislative requirements, he underscored, and said:

With federal funding we expand our opportunities to meet the needs of [children] but it doesn't change how we do our work. It doesn't change the structure of our department it doesn't change our vision of what we do.

[8:09:10 AM](#)

SUSAN MCCAULEY PhD, Director, Teaching and Learning Support, Department of Education and Early Development (EED), continued with the presentation and described the ESEA as a measure passed in 1965 as part of President Lyndon B. Johnson's "War on Poverty." It was designed to provide supplementary funding for elementary and secondary education, providing each child a fair and equal opportunity for attaining academic achievement. Most recently the measure was reauthorized in 2001 as the No Child Left Behind Act (NCLB). As mentioned by the commissioner, she said these funds are directed to specific groups of students who otherwise would be at a disadvantage to receive the opportunity for an equal education, due to the variables in their lives. Directing attention to page 5, of the committee handout, she compared the nine major points of the NCLB requirements, with the NCLB Waiver allowances. The first requirement, for adequate yearly progress (AYP), was replaced by the more flexible Alaska school performance index (ASPI). The AYP metric was the NCLB driver for school accountability. Under the waiver, EED was able to design and implement ASPI, designed specifically to address Alaska's students. The second change was to adjust the annual measurable objective (AMO) targets from what was required under NCLB: a standardized trajectory for all schools to meet the goal of 100 percent proficiency by 2014. The national baseline for proficiency skills in reading, science and mathematics, were established in 2001-2002. Under the waiver, the department retained AMO objectives, but established goals

set on a school-by-school basis, utilizing baseline data from each school. The expectation is that under the state AMO objectives, schools will reduce by half the percent of non-performing students over a six year period. The trajectory for each school is based on unique data from that school. The NCLB mandate was questioned and found untenable, as the 2014 deadline approached. With no differentiation in school accountability systems, it became apparent that, at some point, no school would make AYP under the national blanket approach. The public was confused by this flawed requirement. The original intent of increasing school accountability and providing directions for improvement were lost. The waiver has allowed the state to adopt a meaningful, star rating system that does allow for differentiation of achievement levels by subject, student, and school. She reported that the past year's school rankings by achievement were: 75 five star, 190 four star, 149 three star, 52 two star, and 27 one star. The star ranking is very different from saying 98-99 percent of Alaska's schools have not met AYP, she stressed, and parents have found the star system understandable and meaningful.

[8:16:37 AM](#)

DR. MCCAULEY continued with the fourth NCLB requirement for comparison, and said that school performance was based solely on proficiency; a pass/fail model. She explained how a student would need to have earned a score of 300, on the state wide assessment to be scored proficient. Thus, a student who improved their assessment score from 298 to 301, would be scored as having met proficiency in the AYP system. However, a student improving from 167 to 299 would not receive proficiency credit; even though it represents a much larger gain in student achievement the 300 mark requirement remains unmet. The waiver allows consideration for both proficiency and growth. Proficiency is still necessary but 40 percent of the metric is based on a student's academic growth over seven levels. The fifth point for comparison, she said, is that there has been no means to recognize schools that show excellent growth; only achievement or non-achievement of AYP. The waiver provides two categories for "rewards schools": one based on the top ten percent of schools showing proficiency; and one based on the top ten percent of a school's student growth; a system that works better, provides motivation, and makes sense. The sixth NCLB requirement was for the department to identify schools for improvement, plan corrective action, and school restructuring, actions that do not exist under the waiver. The seventh measure required improvement plans for all schools, because under NCLB

no school could meet AYP in every category. The new system provides a differentiated improvement plan with the emphasis on one and two star schools. These low achieving schools must still submit a comprehensive plan to the department. Three, four, and five star schools who have not met and AMO are required to submit a streamlined, focused improvement plan for the target areas not being met. The improvement plans for these schools is submitted to the district and handled locally.

[8:21:17 AM](#)

DR. MCCAULEY moved to the eighth comparison point, and stated that under NCLB there was increased directing of Title 1 funds. When schools were seen as not meeting AYP, not only were increased requirements for school improvement plans required, but the federal government directed that additional Title funds be allotted to provide supplementary services in those districts. The waiver has alleviated this issue. The ninth and final comparison is the funding structure. Under NCLB the funding structure was not based on school performance. With the waiver a subset of Title 1 provides appropriate funding to be directed towards focus and priority schools, the one and two star schools, with students showing the most need; 1003A funds.

[8:23:12 AM](#)

DR. MCCAULEY directed attention to page 6, of the committee handout, to explain the ASPI elementary/middle school indicator weightings for students in grades K-8. The pie chart shows the three elements that contribute to the star rating with percentages attached to each element: 40 percent school progress; 35 percent academic achievement; and 25 percent attendance rate. The academic achievement represents the percentage of students who are proficient or above in reading, writing, and math. The school progress relates to the gain that a school has achieved from the previous year's standards-based assessments. The attendance rate is the average attendance of all students. She explained that the overall total from each of these elements is what determines the final ASPI points awarded and the number of stars that a school will receive.

[8:24:59 AM](#)

DR. MCCAULEY pointed out that the ASPI high school indicator weightings, for students in grades 9-12, has three differences: the inclusion of the graduation rate, 20 percent, and a college and career ready indicator, 10 percent, in addition to the

school progress, 40 percent, and adjustments to the emphasis given academic achievement, 20 percent, and attendance rates, 10 percent. These elements are calculated in the same way as for the lower grades and a correlating star rating is assigned to the school. She elaborated that the 20 percent graduation rate points are assigned on a four or five year achievement basis; whichever one provides the school with the most points. The college and career ready indicator qualifying scores are gleaned from the ACT Inc., Scholastic Achievement Test (SAT), and the WorkKeys assessments.

[8:27:07 AM](#)

REPRESENTATIVE REINBOLD returned to slide 5 and questioned point 8, regarding the increased directing of Title 1 funds.

DR. MCCAULEY responded that when Title 1 schools failed to meet AYP, districts were required to set aside a certain percentage of funds for supplementary educational services. These funds were to be made available to parents to purchase tutoring services, or for the school to use towards implementing supplementary education services.

REPRESENTATIVE REINBOLD clarified her understanding that these were funds for assisting parent's in supplementing their children's education, and asked, "That's no longer available?"

DR. MCCAULEY stated, "That's correct."

[8:28:30 AM](#)

REPRESENTATIVE SEATON returned to page 3, of the committee handout, and the percentage of federal funds allowed for administration, to ask what percentage of the department's budget two-three percent represents, and whether it is sufficient to cover the necessary agency costs.

COMMISSIONER HANLEY offered to provide further information.

[8:29:27 AM](#)

REPRESENTATIVE COLVER asked about how the waiver relates to student busing.

DR. MCCAULEY responded that NCLB included a busing provision, if a student was attending a school that did not meet AYP and had

the opportunity to attend one which did. The option fell away with the waiver and the elimination of AYP.

COMMISSIONER HANLEY added that, when in effect, this option was available in larger districts with multiple schools, as many areas are single school districts.

[8:30:52 AM](#)

REPRESENTATIVE KELLER asked what occurs if the state fails to meet the terms of the waiver.

COMMISSIONER HANLEY said the result of non-compliance would be a return to the NCLB model, AYP would be required, and flexibility would be lost. To a follow-up question he explained that EDC submitted a plan for approval by the U.S. Department of Education (USDOE), which is subject to ongoing monitoring. Washington State recently lost their waiver and has returned to implementing NCLB. Other states are at risk for not making progress towards the goals in their waivers, but Alaska received kudos for not only a great job of implementing the waiver, but for making the USEDC monitoring process easy.

[8:34:34 AM](#)

REPRESENTATIVE KELLER questioned the NCLB requirement that 100 percent of students meet AYP by 2014, and asked if it is rational to expect all students to reach full proficiency by a date certain.

DR. MCCAULEY explained that proficiency on some level relates to basic skills, which a worthwhile goal that every educator directs students towards. The flawed aspect, under NCLB, is the timeline and the one size fits all expectation that did not take into account where schools were at the onset of the mandate; to have the same expectation of every school does not make sense, she opined. The one-size-fits all approach of AYP is what educators lost faith in over time.

REPRESENTATIVE KELLER observed that the waiver does not appear to emphasize proficiency, and he suggested perhaps it has become lost in the process. Turning to page 6, he noted that no slice of the pie is dedicated to school progress, perhaps being combined with academic achievement. He opined that the system may downplay, and unintentionally allow a school to have an ongoing failure in proficiency.

COMMISSIONER HANLEY clarified that the "academic achievement" category could easily have been named "proficiency" instead, and represents 35 percent of the schools star ranking. The goal remains for every school to be proficient, he said, but rather than having a school ranked entirely on proficiency the other components were included.

REPRESENTATIVE KELLER said determining academic success still appears difficult, as well as understanding whether the money being put into education results in proficient students.

DR. MCCAULEY offered that, in addition to the academic achievement portion being exclusively the percent of students who are/are not proficient, the school progress aspect is about whether or not students are progressing. There are seven levels of performance, from far below proficient through advanced. When a school moves a student from one level to another, credit is earned in the ASPI system. The scores are established via the statewide mandated assessment. Should a student backslide rather than progress, it will be reflected in the metric and affect the schools rating as well. The seven levels are about moving towards, maintaining, or advancing a student's proficiency.

[8:41:29 AM](#)

REPRESENTATIVE DRUMMOND recalled how educators across Alaska determined early on that the NCLB AYP requirement would be unattainable. The act neglected to recognize variables that could bring down a schools rating, such as attendance considerations. A school could be performing well on all other fronts, but not meet AYP because a flu epidemic occurred during a crucial count period.

[8:42:38 AM](#)

REPRESENTATIVE KELLER commented that NCLB is a large target, and not a policy that he is comfortable defending; however the question for measurable academic growth remains. He pondered whether schools are being expected to maintain a continued trajectory, of unlimited improvement, indefinitely. Educational goals once were, and should be again, clear and not obscured, he opined. Additionally, it is important to understand how to best allocate limited state funds.

COMMISSIONER HANLEY offered that the department has tried to not allow progress to obscure proficiency. A student that is

proficient or above must be recognized, and the waiver system allows for that recognition where NCLB did not. Also, funds were not required for the system shift from NCLB to the waiver.

REPRESENTATIVE KELLER asked, "How do we know the proficiency of our kids - where are we at?" Further, he asked whether the National Assessment of Educational Progress (NAEP) is used to determine proficiency.

COMMISSIONER HANLEY answered that the statewide assessments are looked to for measuring student growth. The NAEP assessment is only administered in the 4th and 8th grade every other year, allowing comparisons on a national level. Also, NAEP does not provide aggregated data on sub-groups.

REPRESENTATIVE KELLER asked whether EDC anticipates improvement on the NAPE scores.

COMMISSIONER HANLEY answered, "Yes." He stressed that improvement would occur due to the changes in the system: raising the trajectory for learning and implementing higher expectations.

[8:48:08 AM](#)

REPRESENTATIVE REINBOLD returned to page 5, of the committee handout, to ask how much money has been spent on NCLB, and offered her own calculations. She then asked whether, if every school would end up failing [under AYP requirements], NCLB could be considered a success.

COMMISSIONER HANLEY pointed out that NCLB did have positive aspects. Certain requirements that proved helpful included: disaggregating school data, identifying needs in sub-group populations, and providing a better picture of overall performance. However, the accountability portion that was imposed under the reauthorization failed to make sense.

REPRESENTATIVE REINBOLD queried what changes might occur if it were reauthorized again.

COMMISSIONER HANLEY responded that Congress has discussed reauthorization and EDC is monitoring the progress. Despite the attention that NCLB is receiving on a national level, nothing has yet come to fruition. However, he opined that flexibility regarding the accountability measures, as offered under the

waiver, would be a good direction for USDOE to consider pursuing.

REPRESENTATIVE REINBOLD asked:

Did the NCLB waiver cause college and career ready standards, a P20 data system, assessments, and accountability, which caused the teachers evaluations to be linked [to proficiency].

COMMISSIONER HANLEY established that the P20 data system is not connected to the waiver. The college and career ready standards were in place prior to, and helpful in, receiving waiver approval. Criteria for the waiver requires that teacher evaluations be connected to student learning. Department regulations have eight standards for evaluating a teacher, and one was replaced to include student learning as a component; an area that was under revision prior to the waiver application.

REPRESENTATIVE REINBOLD reported having reviewed a forty page document posted on-line by EDC [unidentified] and asked why the AMO indicates different targets for students; Native American and Asian for example.

DR. MCCAULEY responded that AMO targets vary for each school, as well as targets within subgroups of students. The baseline data for the targets are established independently for each school, as well as for each subgroup.

COMMISSIONER HANLEY offered an example that if a particular group of students were found to be 50 percent proficient, the goal would be to reduce the number of non-proficient students by one half. In the course of six years, 75 percent of the students would need to be assessed as proficient. The goal is to move all students towards proficiency by reducing the baseline non-proficient percentage by 50 percent at a time.

[8:55:17 AM](#)

REPRESENTATIVE SEATON queried whether the rewards schools recognition program is based on two different systems measuring growth and proficiency.

DR. MCCAULEY said the program is based on two systems and explained that the reward categories are for the highest performance and the highest progress and include the top ten percent of schools in each category: overall student

proficiency and overall progress of students. Additionally, a minimum graduation rate must be attained, irrespective of progress or proficiency, along with other baseline achievements. Remarkably, she said, a handful of schools are recognized, each year, in both categories.

[8:57:06 AM](#)

REPRESENTATIVE REINBOLD asked for an opinion on the "top down approach," and whether it is considered supportable.

COMMISSIONER HANLEY responded that EDC is not a fan of the NCLB approach, which is why the waiver contains an accountability system created by the department.

REPRESENTATIVE REINBOLD asked if the mandates for the waiver requirements are fully funded.

COMMISSIONER HANLEY allowed that the department does not consider the waiver system perfect, however it is an improvement over NCLB. The AYP scores were difficult to address, and schools were at a loss on how to approach improvement. Under the waiver the schools remain engaged and understand the star rating system. Reiterating that the waiver did not require funding to implement, he said that to answer the full funding question would require an audit of the various components; some are certainly fully funded and some are not.

[9:00:08 AM](#)

REPRESENTATIVE SEATON stated his understanding of the improvement measurement system having seven levels within each grade level, and asked if it is an accurate summation. He further asked how attendance is considered and whether medical situations are taken into account.

DR. MCCAULEY agreed with the member's comprehension of the system. She discussed the seven levels, stressed the difference between proficiency and progress, and added that, although it is a complex system, the teachers are able to work within the matrix to create a rigorous classroom dynamic. Regarding the attendance percentage, she said there is an adjustment for excused versus unexcused absences, and offered to provide further information.

[9:04:45 AM](#)

REPRESENTATIVE REINBOLD mentioned a number of programs that she would like further information on, then described her understanding of the costs involved for implementing the waiver, which she maintained has been considered by school boards to be an unfunded mandate. Kodiak [school district] has reported costs for implementation to have reached \$1.8 million, which has included: alterations to the curriculum, assessments, broadband, and teacher training. During these economic times, she said it is important to understand the costs involved. A ten year snap shot for the federal, state, and local costs would be helpful, she opined.

REPRESENTATIVE KELLER requested that the member clarify her specific requests and submit them in writing to EDC to ensure a clear and accurate response. He commented that in a business situation, where results are lacking and new systems are implemented, an automatic skepticism occurs regarding effectiveness. He said this is not far from what is happening with the change in the educational system. The pass fail system of NCLB being reconfigured into a star rating system will take some time to correlate and comprehend. However, he acknowledged that the committee and EDC are certainly on the same page for providing students the best education possible.

[9:10:28 AM](#)

REPRESENTATIVE KELLER announced the next meeting.

[9:11:17 AM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:12 a.m.