

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

February 8, 2016

8:04 a.m.

MEMBERS PRESENT

Representative Wes Keller, Chair
Representative Liz Vazquez, Vice Chair
Representative Jim Colver
Representative Paul Seaton
Representative David Talerico
Representative Harriet Drummond
Representative Jonathan Kreiss-Tomkins

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 264

"An Act relating to repayment of Alaska performance scholarships and Alaska education grants."

- HEARD & HELD

HOUSE BILL NO. 157

"An Act relating to language immersion charter schools; relating to teacher certification; and relating to standards-based assessments in language immersion charter schools and language immersion programs."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 264

SHORT TITLE: REPAYMENT OF SCHOLARSHIPS & ED. GRANTS

SPONSOR(S): REPRESENTATIVE(S) WILSON

01/20/16	(H)	READ THE FIRST TIME - REFERRALS
01/20/16	(H)	EDC, FIN
02/08/16	(H)	EDC AT 8:00 AM CAPITOL 106

BILL: HB 157

SHORT TITLE: LANG. IMMERSION SCHOOLS/TEACHER CERTS.

SPONSOR(s): REPRESENTATIVE(s) KREISS-TOMKINS

03/20/15	(H)	READ THE FIRST TIME - REFERRALS
03/20/15	(H)	EDC, FIN
02/01/16	(H)	EDC AT 8:00 AM CAPITOL 106
02/01/16	(H)	Heard & Held
02/01/16	(H)	MINUTE (EDC)
02/08/16	(H)	EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

REPRESENTATIVE TAMMIE WILSON

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented HB 264, as sponsor.

DIANE BARRANS, Executive Director

Commission on Postsecondary Education

Department of Education and Early Development (EED)

Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on HB 264, and responded to questions.

REID MAGDANZ, Staff

Representative Jonathan Kreiss-Tomkins

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Responded to questions regarding the sectional analysis for HB 157.

JENNIFER HUTCHINS, Principal

Fronteras Spanish Immersion Charter School

Wasilla, Alaska

POSITION STATEMENT: Testified in support of HB 157, and responded to questions.

SUSAN SCHMIDT

Recruiting and Operations

Anchorage School District (ASD)

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 157.

DR. BARBARA AMAROK, PhD

Nome, Alaska

POSITION STATEMENT: Testified in support of HB 157.

SHAWN ARNOLD, Superintendent

Nome Public Schools
Nome, Alaska

POSITION STATEMENT: Testified in support of HB 157.

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

POSITION STATEMENT: Testified with concern for HB 157

KEVIN ALLEN, Student Representative
Thunder Mountain High School
Douglas, Alaska

POSITION STATEMENT: Testified in support of HB 157.

ACTION NARRATIVE

[8:04:20 AM](#)

CHAIR WES KELLER called the House Education Standing Committee meeting to order at 8:04 a.m. Representatives Keller, Kreiss-Tomkins, Seaton, Drummond, Vazquez, Colver, and Talerico were present at the call to order.

HB 264-REPAYMENT OF SCHOLARSHIPS & ED. GRANTS

[8:04:44 AM](#)

CHAIR KELLER announced that the first order of business would be HOUSE BILL NO. 264, "An Act relating to repayment of Alaska performance scholarships and Alaska education grants."

[8:05:07 AM](#)

REPRESENTATIVE TAMMIE WILSON, Alaska State Legislature, presented HB 264, paraphrasing from the sponsor statement, which read [original punctuation provided]:

This bill would require Alaskans who received funds from the Alaska Performance Scholarship award or the Alaska Education Grant to repay the amount of the grant or scholarship they were awarded if they fail to complete the qualified postsecondary education program within 6 years.

Terms and conditions of repayment are laid out in AS 14.43.120, except the interest would begin on the date when the obligation for repayment commences.

With the Alaska Performance Scholarship award or the Alaska Education Grant, an opportunity has been given to a student by the State of Alaska to help off-set educational costs; however, with this opportunity comes an obligation of completing the qualified degree and/or certification.

8:06:19 AM

REPRESENTATIVE SEATON recalled that the Alaska Performance Scholarship (APS) was intended to encourage students to pursue a rigorous course of high school education, and be the reward for those who applied themselves to the challenge. A further benefit would be in having students enter a postsecondary facility prepared and eliminate the need for remedial classes. It appears that HB 264 removes the reward aspect and ties the scholarship to a student's college performance, he opined.

REPRESENTATIVE WILSON stated her understanding that the scholarship was created to be two-fold. She agreed with the intent for having it incentivize a student's rigorous high school performance, and eliminate the need for college level remediation. Additionally, she said, the issue that jobs continue to go to people from out-of-state, is a part of the equation; ensuring an in-state trained workforce. The proposed legislation is not a disincentive but it does require students to have skin in the game, and for a student who finishes a course of study, nothing changes. She pointed out that a student would only be paying money back, following the six year completion window, and no interest would have accrued during that period.

REPRESENTATIVE SEATON requested transcripts of the new criteria indicating how the bill aligns with the goals of the APS.

8:09:35 AM

REPRESENTATIVE COLVER noted that the fiscal note requires two full time employees (FTE) positions to be filled, and asked for justification. Further, he solicited the sponsor's comments on the frugality at the Alaska Postsecondary Education Commission, in regards to staff.

REPRESENTATIVE WILSON responded that the fiscal note appears daunting, with 99 FTE's already in place and a request for more. It also includes \$800,000 to make changes to the computer system, which will be questioned, she said.

[8:10:51 AM](#)

REPRESENTATIVE COLVER espoused how state entities that are off-budget, or self-funded, can grow large through lack of oversight. The scholarship application requires the submission of a parental federal, financial statement, although it is supposed to be based on the student's merit. Pointing out the existing Online Alaska School Information System (OASIS), he questioned the requirement to submit federal financial forms, and the requested \$800,000 fiscal note to upgrade the commission's computer system. He said he will be submitting legislation to address the information requirement.

[8:13:12 AM](#)

REPRESENTATIVE KREISS-TOMKINS noted the possible impacts on students in military service, or needing to care for an ailing parent.

REPRESENTATIVE WILSON said the current rules make no exceptions, and agreed that an extra year's grace could be considered for members of the military.

[8:14:44 AM](#)

REPRESENTATIVE SEATON referred to HB 157, page 1, line 7, and read:

... fails to complete the qualified postsecondary education program in which the person is enrolled within six years after the date of the first payment of funds, ...

REPRESENTATIVE SEATON noted that the performance scholarship can be activated in two ways, either via the WorkKeys program certificate, or acceptance to a four year college. He asked how repayment would be handled if a student initially entered college planning to complete a bachelor's degree, but altered course and completed a technical certificate instead.

[8:16:00 AM](#)

REPRESENTATIVE WILSON said the emphasis is for students to finish a program.

REPRESENTATIVE SEATON clarified that a bachelor's degree student could change direction and complete a two year certificate, without repayment required.

REPRESENTATIVE WILSON responded yes.

8:17:02 AM

REPRESENTATIVE TALERICO referred to the fiscal note to point out information regarding retroactivity, and asked for clarity.

REPRESENTATIVE WILSON explained that the bill is not retroactive to scholarship recipients who are already benefiting from the program.

8:18:00 AM

DIANE BARRANS, Executive Director, Commission on Postsecondary Education, Alaska Department of Education, testified on HB 264, and said the commission's comments have not been fully formulated, nor solicited; however, the proposed legislation is being analyzed and, several points of concern can be brought forward. The first concern regards the possibility of having the scholarship convert to a loan. Although repayment is not included in the program, requirements and incentives exist in both the scholarship and grant programs to expedite a student's time to degree. She reported that the APS includes a minimum number of credits, enrollment level requirements, and an earned credit accumulation that a student must maintain in order to continue to receive the award. If these requirements are not upheld the award status is suspended until the student satisfies the criteria. The grant program provides a higher amount for the students who enroll in programs at an accelerated pace. These students are also required to maintain good academic standing and continue to accumulate credits towards their chosen credential.

8:20:28 AM

MS. BARRANS offered that a more straight forward approach, to address the amount of investment in a student that doesn't result in a credential, would be something similar to the Texas "Be on Time" loan. The Texas program is a straight-forward loan and contains requirements for academic standards, including

completion of a degree within five years of initial enrolment. The students receive the funds with the understanding that it is a loan program, conditions may be met to have the balance forgiven, but there is no confusion that it's a scholarship or grant, which later converts to a loan.

[8:21:08 AM](#)

MS. BARRANS stated that, with regard to the grant program, which targets low and middle income students, imposing the threat of additional debt could be a disincentive for them. She opined that the very students, who might derive the most benefit from additional education and training, will be discouraged in their pursuit.

[8:21:28 AM](#)

MS. BARRANS said, to the extent to which students elect not to risk the associated repayment responsibility, and reduce their enrollment level to accommodate the loss of financial aid, statistically they will also reduce the likelihood of completing their program of study. She said it appears that the legislation unilaterally applies to APS eligible graduates who have already earned eligibility, as well as graduates who become eligible for awards after passage of the legislation. Making this change mid-stream, without grandfather provisions, will likely be seen by participants, and the parents, as an unfair, bait-and-switch action.

[8:22:54 AM](#)

MS. BARRANS cited the possibility for administrative/technical issues, and offered a description of a federal teach grant program, that was initially offered specifically for teacher education training. If the program requirement for teaching in a qualifying school was not met, the grant converted to a federal loan. She reported a high level of difficulty in administering the program, which required annual, conditional reviews for each participant. Therefore, the program is no longer utilized.

[8:24:11 AM](#)

MS. BARRANS indicated that the bill also calls for implementation with awards paid out mid-way through the 2016-2017 academic year. She opined that the timeline is inadequate for making the necessary modifications to the aid management

system, promulgating regulations, developing contracts and disclosures, and communicating the new terms to aid recipients. The terms and conditions of the loan incorporated in the bill refer to AS 14.43.120, she said, a statute under which loans have not been made for over 15 years. The statute contains no method for setting interest rates, the borrowing limits are non-specific for the proposed application, and the forgiveness of obligations clause for active military duty may require clarification. Finally, the proposed bill indicates that interest accrues only at the time that the aid converts to a loan status; however, recipients would need to have a specific rate quote, prior to signing an agreement for receipt of funds. The loan terms and conditions would need to be disclosed by the state to the students prior to the consummation of the obligation.

[8:26:50 AM](#)

REPRESENTATIVE VAZQUEZ directed attention to the committee packet, and the page titled, "Exhibit 7, AY14 Public High School Graduates' In-State and Out-of-State Attendance Patterns by Standard APS Eligibility and Award Levels, Fall 2014," and asked for an explanation of the statistics being presented.

MS. BARRANS said the chart indicates the disbursement of the 2014 graduating class: 7,666 graduates, 2,273 in-state college attendees, 1,205 out-of-state college attendees, and 4,188 not found/attending. She drew attention to the third row of the chart, to point out that the APS eligible students attended college in-state, at a higher rate.

[8:29:20 AM](#)

CHAIR KELLER continuing with the same chart, inquired about the 55 percent, the 4,188 not found/attending, and asked whether these students have been subject to suspension of funds.

MS. BARRANS clarified that the third line represents the eligible APS population. Of the total eligible population, she pointed out that 17 percent did not attend college in the autumn of their high school graduation year. Under the terms of existing statutes governing the APS contract, these students have an additional five and one-half years to initiate use of their award.

[8:30:51 AM](#)

REPRESENTATIVE SEATON noted the 48 percent eligibility level and commented that these statistics indicate how the scholarship is serving the purpose for which it was intended. He said the expectation was to stimulate students to apply themselves more rigorously in high school. That is, to not only take the basic requirements for graduation, but go beyond those requirements and be rewarded via APS eligibility. The chart reflects how this merit based program is being fulfilled, and doing an excellent job for what it was intended: raising student achievement levels.

[8:32:09 AM](#)

MS. BARRANS clarified that the total eligibility group in 2014 was about 28 percent and, of those, 48 percent attended college in Alaska.

REPRESENTATIVE SEATON asked if the percentages have changed over time.

MS. BARRANS reported that the last two graduating classes have had a slight increase, perhaps as high as 32 percent; however, the percentage of the graduates who are eligible for the career technical education award, has increased significantly.

[8:33:22 AM](#)

REPRESENTATIVE COLVER asked for the percentage of the overall high school graduates who attend vocational/technical postsecondary education, versus pursuing college degrees.

MS. BARRANS offered to provide further information, and added that not all vocational facilities are required to file federal reports, from which the statistics are drawn.

CHAIR KELLER said public testimony would be held open.

[8:35:02 AM](#)

REPRESENTATIVE WILSON assured the committee that the bill does not act retroactively, and agreed that the military duty question will require further consideration.

[8:37:04 AM](#)

CHAIR KELLER announced HB 264 was held over.

HB 157-LANG. IMMERSION SCHOOLS/TEACHER CERTS.

8:37:17 AM

CHAIR KELLER announced that the final order of business would be HOUSE BILL NO. 157, "An Act relating to language immersion charter schools; relating to teacher certification; and relating to standards-based assessments in language immersion charter schools and language immersion programs."

8:39:00 AM

REPRESENTATIVE KREISS-TOMKINS said the information from the previous hearing was incorporated into a new committee substitute and every section of the bill has been revised. The goal of the bill is to encourage and streamline immersion schools in Alaska.

8:41:49 AM

CHAIR KELLER noted that the legislation appears to create a particular type of charter school model that is new to the state and establish new educational policies. He stated his understanding that charter schools are an effort to return local control to districts; however, this legislation appears to involve the Department of Education and Early Development (EED) in the specific area of language schools.

REPRESENTATIVE KREISS-TOMKINS said that language schools are quite different from other facilities, requiring that subject teachers also be fluent in the immersion language. He pointed out that these teachers may have difficulty in attaining a state teaching certificate. The bill is a vehicle to address the unique character of immersion schools and enhance the ability for teachers to meet the certification demands. It is important to understand that a qualified teacher, who has English as a second language, may find it difficult to achieve a state teaching certification.

8:44:14 AM

REPRESENTATIVE COLVER expressed concerns for injecting burdensome bureaucracy into the charter school system.

CHAIR KELLER said the proposed legislation may create a template containing a new policy that will extend beyond the linguistic programs.

8:45:40 AM

REPRESENTATIVE SEATON asked if the main thrust of HB 157 applies to a type M permit. The M permit is generally issued to someone with a specialized skill to allow them to lead a class, such as an expert welder. The immersion teacher doesn't necessarily fall under the M permit, as they must provide a wider expanse of topics, he noted, and asked for clarity regarding the intent of the bill.

REPRESENTATIVE KREISS-TOMKINS concurred and opined that the current state certification process is not accommodating to language specialists.

8:46:58 AM

CHAIR KELLER established that the original HB 157 labeled, 29-LS03234\S was before the committee, and asked for a review of changes that might affect the current charter school statutes. He referred to the committee packet document, titled, "Sectional Analysis, HB 157 - Language Immersion Schools/Teacher Certifications (version S)," and the Section 1 entry, which read:

Section 1 requires the charter contract between a school board and a language immersion charter school established under section 2 of the bill to contain provisions requiring compliance with section 2.

CHAIR KELLER asked to whom the compliance language refers.

REID MAGDANZ, Staff, Representative Jonathan Kreiss-Tomkins, Alaska State Legislature, responded that immersion institutions would have a contract indicating compliance and ensuring that the requirement to provide 50 percent of instructional hours in a non-English language was being met.

8:48:35 AM

CHAIR KELLER noted that Sec. 2 represents a new section, and expressed concern that it may contain restrictions to district programs.

REPRESENTATIVE KREISS-TOMKINS assured the committee that the intent is to eliminate the cumbersome process currently in place and address the specialized field of language immersion.

However, he stressed, the expectation is for the bill to be complimentary, and additive without displacing existing charter school statutes.

8:50:20 AM

CHAIR KELLER asked if the 50 percent instructional requirement could cause Fronteras to make significant curriculum changes to remain in compliance, and whether the proposed bill provide any benefits over current statute.

8:50:50 AM

JENNIFER HUTCHINS, Principal, Fronteras Spanish Immersion Charter School, stated support for HB 157, and emphasized the need for the legislation, as a means to bolster other programs and alleviate the stress involved in staffing. She explained the difficulty in recruiting language/culture holders, who can also qualify for a state teaching certificate. The existing statutes include specifications that ensures adherence to the established standards and evaluation processes for all teachers.

CHAIR KELLER surmised that the certification portion of the bill is the priority aspect.

MS. HUTCHINS concurred.

8:54:25 AM

REPRESENTATIVE SEATON noted that the bill doesn't prevent a school from using a 40 or 60 percent language practice, only if a request is being made for this type of teacher certification.

MR. MAGDANZ said correct.

REPRESENTATIVE KREISS-TOMKINS added that many immersion programs have a blend of curriculum to provide more than 50 percent target language instruction, which is the minimum that the bill establishes.

CHAIR KELLER theorized that a school offering 40 percent would not qualify for the proposed certification changes.

REPRESENTATIVE KREISS-TOMKINS clarified that the 50 percent represents an aspirational benchmark. A school would submit a proposal to EED to indicate how the benchmark would be reached, and the agency would make the determination for compliance.

8:58:07 AM

MR. MAGDANZ turned to the bill Sec. 2, page 3, and lines 22-25, which read:

(f) Notwithstanding (e) of this section, a person who possesses a teacher certificate issued under AS 14.20.015, 14.20.017, AS 14.20.020, or 14.20.022, but does not possess a language immersion endorsement issued under AS 14.20.021, may teach classes in English at a language immersion charter school.

MR. MAGDANZ pointed out that subsection (f) is specific to an immersion language charter school, and no other charter schools.

8:59:05 AM

CHAIR KELLER referred to the bill requirements indicated on page 2, lines 9-11, and expressed interest in knowing whether the language indicates a need for EED to write new regulation.

8:59:52 AM

MR. MAGDANZ said Sec. 3 includes language for implementation of higher standards and specific training for teachers at immersion schools. The section is modeled after one Utah has in place, called a world languages endorsement, which attaches to a standard certificate and verifies a fitness for teaching other subject matter in a foreign language.

9:00:44 AM

CHAIR KELLER directed attention to the bill Sec. 4, page 4, line 2, which read:

(3) demonstrates the ability to conduct classroom activities entirely in the indigenous or foreign language; and

CHAIR KELLER surmised that this would require additional departmental regulation to ensure compliance.

MR. MAGDANZ concurred, and to a follow-up question, responded that the department will not be required to approve the course or program of study that the immersion teacher attends.

[9:02:20 AM](#)

CHAIR KELLER questioned the deletion of the language on page 4, line 11, which reads:

... expertise for which it is issued, to teach Alaska Native [LANGUAGE OR] culture, ...

MR. MAGDANZ responded that in creating a new limited teacher's certificate, specific to language, the deletion is appropriate from this section and the intent is recaptured in Section 6.

CHAIR KELLER noted deletion of language from Sec. 4, page 4, lines 19-22, which read:

... competent as a teacher [. THE BOARD MAY REQUIRE A PERSON ISSUED A LIMITED CERTIFICATE TO UNDERTAKE ACADEMIC TRAINING AS MAY BE REQUIRED BY THE BOARD BY REGULATION AND MAKE SATISFACTORY PROGRESS IN THE ACADEMIC TRAINING].

MR. MAGDANZ clarified that it is being removed as it applies to someone teaching a specific skill, such as carpentry, and the requirement was deemed unnecessary for the purposes of the language endorsement being proposed.

[9:04:59 AM](#)

CHAIR KELLER directed attention to Sec. 5, page 4, line 31, and page 5, lines 1-2, which read:

(c) The board may not require, as a condition for extending or renewing a limited certificate under (b) of this section, that a person complete additional academic training.

CHAIR KELLER noted that the wordage is in keeping with the preceding language adjustments.

MR. MAGDANZ concurred.

[9:05:33 AM](#)

REPRESENTATIVE KREISS-TOMKINS moved to Sec. 6, beginning on page 5, to comment that it represents the vital organs of the bill in order to provide a pathway for language speakers to be in the classroom.

CHAIR KELLER opened public testimony.

9:07:48 AM

SUSAN SCHMIDT, Recruiting and Operations, stated support for HB 157, and said that all of the immersion classes are very popular and have waiting lists. Recently a Spanish speaking teacher was out of the classroom, and finding a substitute was difficult. The person finally located has indicated interested in continuing in the classroom, however, he would be required to enroll in a class at the university.

9:10:51 AM

DR. BARBARA AMAROK, PhD, provided a brief history of the depression of the Native languages and erosion of the culture, during the last century in Alaska. Fortunately, the generational change has seen a turn of events and refocused the importance for acceptance and preservation of the Native's authentic history and culture. She provided personal anecdotes illustrating her families' experiences of the initial cultural divide and the recent reunion.

9:13:12 AM

SHAWN ARNOLD, Superintendent, Nome Public Schools, stated support for HB 157, noting the importance for having a method in place that will help to recruit language speakers. Some people are unable to attain certification until they have been hired, due to financial constraints.

9:15:51 AM

LES MORSE, Deputy Commissioner, Department of Education and Early Development (EED), pointed out that a limited certificate is currently allowed, as shown in Sec. 4, page 4, line 7, specific to teaching Alaska Native language or culture. He suggested the language proposed for removal be retained and the term "world" inserted. Thus, the concerns addressed by the previous two witnesses might be satisfied. The Sec. 4 language, proposed for removal, lines 19-22, were adopted to ensure that a skilled worker, such as a carpenter, could not be required to attend college classes in carpentry in order to receive a type M certificate, but could be required to take classes specific to teaching and assessing students.

[9:19:10 AM](#)

MR. MORSE moved to Sec.6, beginning on page 5, line 3, and said the proposed language would allow a limited certificate teacher to instruct any subject class, with allowance for the board to impose content testing of an instructor's knowledge. However, the concern is that although a teacher may be capable of teaching a subject, such as math in a foreign language due to having passed a content examination, they may not have a full, extended knowledge of math. Additionally, a teacher not holding a bachelor's degree, is not qualified to be enrolled in the teacher retirement system (TRS). It is the teaching of the other content areas that raises concern, he stressed. The proposed language is appropriate to describe a paraprofessional position, or teacher's aide. He added that the forthcoming bill version may alter these concerns, as well as change the fiscal note.

[9:23:05 AM](#)

CHAIR KELLER inquired about the status of immersion schools in Alaska and whether they are all charter schools.

MR. MORSE said there is no charter requirement for an immersion school, and he conjectured that some exist which aren't charter facilities.

CHAIR KELLER asked about immersion school status in other states.

REPRESENTATIVE DRUMMOND offered that Anchorage School District (ASD) has had language immersion classes available, within the neighborhood schools, since the 1990's.

REPRESENTATIVE KREISS-TOMKINS confirmed that ASD, as well as other states, have immersion programs in public schools.

CHAIR KELLER noted that the limited certification applies to all schools not only the charter school.

[9:26:34 AM](#)

KEVIN ALLEN, Student Representative, Thunder Mountain High School, stated support for HB 157, suggesting that it may be the best way to preserve Alaskan Native languages.

[9:28:39 AM](#)

CHAIR KELLER closed public testimony and announced HB 157 as held.

CHAIR KELLER thanked the participants and announced the next meeting.

[9:29:20 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:29 a.m.