

ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE

March 26, 2015

3:30 p.m.

MEMBERS PRESENT

Senator Mike Dunleavy, Chair
Senator Charlie Huggins, Vice Chair
Senator Cathy Giessel
Senator Gary Stevens
Senator Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 79

"An Act relating to reemployment of persons who retire under the defined benefit plan of the teachers' retirement system."

- HEARD AND HELD

SENATE BILL NO. 80

"An Act relating to the duties of the Department of Education and Early Development; relating to educational standards and assessments; relating to an educational standards and assessments review committee; and providing for an effective date."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 79

SHORT TITLE: REEMPLOYMENT OF RETIRED TEACHERS & ADMIN

SPONSOR(S): SENATOR(S) DUNLEAVY

03/18/15	(S)	READ THE FIRST TIME - REFERRALS
03/18/15	(S)	EDC, CRA
03/26/15	(S)	EDC AT 3:30 PM BUTROVICH 205

BILL: SB 80

SHORT TITLE: ED. STANDARDS AND ASSESSMENTS/FED FUNDS
SPONSOR(s): SENATOR(s) DUNLEAVY

03/18/15 (S) READ THE FIRST TIME - REFERRALS
03/18/15 (S) EDC, FIN
03/26/15 (S) EDC AT 3:30 PM BUTROVICH 205

ACTION NARRATIVE

3:30:11 PM

CHAIR MIKE DUNLEAVY called the Senate Education Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Huggins, Giessel, Gardner, and Chair Dunleavy. He said he would introduce SB 79 and SB 80 today.

SB 79-REEMPLOYMENT OF RETIRED TEACHERS & ADMIN

3:31:18 PM

CHAIR DUNLEAVY announced the consideration of SB 79. He said in years past there have been retiree hire bills. The bill is a tool for districts if they feel the need to expand their pool of qualified educators. As sponsor, he read the sponsor statement:

Currently Alaska is experiencing a shortage of qualified educators, especially in hard to fill areas of the state. This situation is compounded by the drastic reduction in state revenue due to low oil prices. Senate Bill 79 expands the pool of experienced, qualified educators available to school districts.

This legislation will allow school districts to reemploy educators who are currently retired for at least three months. This bill will not require any school district to reemploy any particular retired individual. It will only give the district an option to do so. Under SB 79, a school district may offer a contract to a retired educator for a part-time or full-time position at a lower cost to the district.

Educators reemployed under this provision continue to receive retirement benefits during the period of reemployment. SB 79 provides one more tool for school districts struggling from a shortage of qualified educators, as well as a significant decrease in funding. I hope that you will give it your support.

CHAIR DUNLEAVY said SB 79 is a straightforward bill. Staff worked with departments others associated with education to put the bill together, looked at what was done in the past, and at federal and state laws. The goal is to try to get as many tools as possible for districts in preparation for what may be a long downturn in state revenues.

He recognized the presence of Senator Stevens.

CHAIR DUNLEAVY stated that SB 79 allows school districts to determine their needs.

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SENATOR GARDNER asked why this concept couldn't be opened to others in state service besides educators.

CHAIR DUNLEAVY commented that his focus is in education.

SENATOR GARDNER said at one time she would not have supported such a bill, but has been persuaded that it is valuable for schools.

CHAIR DUNLEAVY described his experience with teacher turnover in rural and urban Alaska and the success of the mentor program. He suggested the pool of teachers could be enlarged with experienced educators.

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SENATOR STEVENS said it is worth the discussion. He found that teachers become better the longer they teach. He asked about the insurance benefits for these retirees. He assumed there would be no cost to the state because the teachers are retirees. He asked if part-time teachers would earned retirement benefits or just a negotiated salary.

CHAIR DUNLEAVY said the model is the mentor project where the teachers were retired and only received compensation from a paid contract.

SENATOR STEVENS recalled long discussions in other occupations regarding double dipping.

CHAIR DUNLEAVY said he is open to suggestions. His goal is to get a larger pool of teachers, especially during a prolonged downturn in revenue, at the request of school districts.

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SENATOR HUGGINS recalled the same discussion in the Department of Fish and Game. He thought it could potentially be abused, especially under retirement incentive programs.

CHAIR DUNLEAVY said that was not the intent.

CHAIR DUNLEAVY held SB 79 in committee.

SB 80-ED. STANDARDS AND ASSESSMENTS/FED FUNDS

[3:42:32 PM](#)

CHAIR DUNLEAVY announced the consideration of SB 80. As sponsor, he read the sponsor statement:

SB 80 establishes an active role in public education for the legislature by requiring the legislature to give final approval of statewide educational standards and standardized assessments. Public education is a primary governmental function and the legislature is the ultimate authority in Alaska for public education. This authority is outlined in the Alaska Constitution and has been emphasized in recent court cases. Article 7 of the Alaska Constitution, titled Health, Education, and Welfare requires in part that, "The legislature shall by general law establish and maintain a system of public schools open to all children of the State..." In the recent Moore vs. State of Alaska case, it was stated "...this Court returns once again to the language of the Alaska Constitution, which places the responsibility 'to maintain a system of public schools open to all children of the state' squarely upon the legislature -not upon the Department of Education and Early Development and not upon local school districts."

In light of growing concerns surrounding the adoption of a new set of standards and assessments, and with more accountability being demanded by the public, it is crucial that the adopted standards and assessments our state mandates be selected through a process that directly involves the public and the legislature.

SB 80 requires state adopted standards and assessments to be:

- reviewed at least once every five years by a committee composed of no less than 50% of parents with school age children

- reviewed starting in 2015 with a report and request for approval during the 2016 legislative session
- approved by the legislature

SB 80 also prevents the Department of Education and Early Development from accepting grants which have associated standards and mandates (such as assessments), unless approved by the legislature. The legislature needs to step up its responsibility for public education. I request your support for SB 80.

CHAIR DUNLEAVY said there is a strong executive form of government in Alaska. Years ago, the legislature ceded its authority to the Department of Education and Early Development (DEED) to select and adopt standards and assessments and to take on grants. Curriculum, by law, has been reserved to school districts. The issues of Common Core and the Alaska Standards involved DEED, and the legislature did not have to approve them or their related assessments. He provided the history of the state's grant involvement from 1965 on. Today, the legislature does not have to approve the department's acceptance of grants.

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CHAIR DUNLEAVY stated that SB 80 is an opportunity to have a larger discussion that includes the legislature. Currently, the legislature only appropriates funds. He said he is not indicating that the department is not doing its job. It appears that the federal government is becoming more active in state education and the bill allows the legislature to be part of the process.

He related that No Child Left Behind was passed by Congress in 2001. Secretary of State Arnie Duncan, some would say, unilaterally changed that law without an act of Congress. Along with the changes and the money comes the mandates without the legislature having a say. He concluded that SB 80 allows the legislature to be a part of the process.

He noted there may be several changes in the bill.

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SENATOR HUGGINS said he supports the idea.

SENATOR STEVENS said the bill is quite different from the current system, but he is willing to listen to the discussion. He opined that school boards play a key role in the process and

he wants to depend on their opinion. He questioned what would happen if all departments undertake this procedure. He noted, having served in the legislature for 15 years, there have been chairs and members of the Education Committee that didn't know the first thing about education. He stated that the bill is transferring a lot of power to the Education Committee and its chair.

CHAIR DUNLEAVY said he looks forward to the discussion. He noted he has looked into the involvement of school boards and would be sharing that information. Legislative Legal reminded the sponsor that the legislature is responsible for education, not school boards. He said he wants to have presentations by the State School Board. He concluded that he fears mandates associated with federal grants and it is worth exploring that issue. He said it might make a difference if the State School Board was elected.

[CHAIR DUNLEAVY held SB 80 in committee.]

[3:54:07 PM](#)

There being nothing further to come before the committee, Chair Dunleavy adjourned the Senate Education Standing Committee at 3:54 p.m.