

**ALASKA STATE LEGISLATURE
JOINT MEETING
HOUSE EDUCATION STANDING COMMITTEE
SENATE EDUCATION STANDING COMMITTEE**

February 10, 2016

8:32 a.m.

MEMBERS PRESENT

HOUSE EDUCATION STANDING COMMITTEE

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

SENATE EDUCATION STANDING COMMITTEE

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

MEMBERS ABSENT

HOUSE EDUCATION STANDING COMMITTEE

Representative Jim Colver
Representative David Talerico

SENATE EDUCATION STANDING COMMITTEE

Senator Cathy Giessel

OTHER MEMBERS PRESENT

Representative Lora Reinbold

COMMITTEE CALENDAR

PRESENTATION: STATE BOARD OF EDUCATION AND EARLY DEVELOPMENT:
ANNUAL REPORT TO THE STATE LEGISLATURE

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

JAMES FIELDS, Chairman
State Board of Education and Early Development
Glennallen, Alaska

POSITION STATEMENT: Presented the State Board of Education & Early Childhood annual report to the state legislature.

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

POSITION STATEMENT: Responded to questions during the State Board of Education & Early childhood annual report to the state legislature.

ACTION NARRATIVE

[8:32:29 AM](#)

CHAIR MIKE DUNLEAVY called the joint meeting of the House and Senate Education Standing Committees to order at 8:32 a.m. Present at the call to order from the House were Representatives Keller, Seaton, Vazquez, and Drummond; Representative Kreiss-Tomkins arrived as the meeting was in progress. Present from the Senate were Senators Dunleavy, Huggins, Stevens, and Gardner.

**PRESENTATION: STATE BOARD OF EDUCATION AND EARLY DEVELOPMENT:
ANNUAL REPORT TO THE STATE LEGISLATURE**

[8:33:00 AM](#)

CHAIR DUNLEAVY announced that the only order of business would be the State Board of Education and Early Development: Annual Report to the State Legislature.

[8:35:32 AM](#)

JAMES FIELDS, Chairman, State Board of Education and Early Development, named the board members then paraphrased from a prepared statement, which read [original punctuation provided]:

Strategic Priorities

In 2015, the State Board of Education & Early Development developed strategic priorities to guide the board in its leadership role and focus the department's actions on student achievement as the highest priority. Informed by the perspectives of superintendents, legislators, and school board members, the State Board established three priorities as the foundation of its plan:

1) empower local control of educational decisions; 2) modernize the state's educational system; and 3) ensure high-quality educators for Alaska's children.

Resolutions

In December the State Board approved three resolutions: 1) Supporting no change to the minimum student count for school funding; 2) supporting repeal of the minimum expenditure for instruction; and 3) recommending funding of cooperative arrangement grants as provided in AS 14.14.115.

[8:37:30 AM](#)

SENATOR GARDNER asked how cooperative arrangement grants differ from other grants.

MR. FIELDS responded that statute includes provisions for a cooperative grant as support for districts that collaborate on cost saving measures; however, the grant has never been funded.

[8:38:16 AM](#)

MIKE HANLEY, Commissioner, Department of Education and Early Development (EED), explained that the statute allows districts to apply for one time grants of up to \$100,000, as they pursue consolidation of services. Sharing services can provide efficiencies, and districts are beginning to indicate an interest in making application; however, he reiterated, the grants have never been funded. To a follow-up question, he said the statute stands alone, and no regulations have been promulgated.

CHAIR DUNLEAVY interjected that there is no history for its use, but it could help fund the consolidation of services.

REPRESENTATIVE KREISS-TOMKINS reported that the Hydaburg and Southeast Island School Districts have merged offices and administrative services, motivated by the cooperative arrangement statute.

CHAIR DUNLEAVY noted that the legislature has considered funding the grant if districts decide to merge services and require financial assistance in the effort.

COMMISSIONER HANLEY agreed, and said it represents a thoughtful way to help districts.

[8:40:56 AM](#)

MR. FIELDS continued paraphrasing from the prepared statement, which read [original punctuation provided]:

Significant regulations

In keeping with empowering local control, the State Board adopted regulations to permit an alternate route for obtaining an administrator certificate with a superintendent endorsement. The board's intent was to encourage a larger pool of applicants for superintendent positions, in light of the many annual vacancies among superintendents. Many rural districts supported the certificate. The new certificate contains many requirements to ensure quality.

The State Board raised educators' fees for certification in order to fully cover the annual cost (approximately \$300,000) of operating the Professional Teaching Practices Commission.

In keeping with empowering local control, the State Board repealed the requirement for school districts to administer early literacy assessments to students in kindergarten through third grade. The state no longer funds such assessments. Without repeal, the assessment requirement would be an unfunded mandate. Districts favored the repeal.

In keeping with empowering local control, the State Board adopted a regulation to allow advanced nurse practitioners to diagnose fetal alcohol spectrum disorder and other health impairments in determining a student's eligibility for special education.

Previously, only physicians were allowed to make that determination, which placed a burden on districts. The regulation was requested by health practitioners and vetted by the state's chief medical officer.

[8:42:40 AM](#)

SENATOR GARDNER asked about raising the fees for the Professional Teaching Practices Commission (PTPC), and what cost savings efficiencies are being considered, such as implementing electronic meeting formats.

COMMISSIONER HANLEY said statutory language speaks to the PTPC being self-sufficient and supported by fees, similar to the bar association. Two paid staff members exist and the overall cost is about \$300,000; others donate their services.

SENATOR GARDNER asked if the members travel to meet together in person, and whether the meetings could be held telephonically.

COMMISSIONER HANLEY responded that traditionally they come together to meet three times a year. The travel is reimbursed, along with per diem, but due to the recent travel restrictions, other measures will be implemented.

SENATOR GARDNER asked that, if the PTPC will be avoiding travel costs, perhaps it would be prudent to wait on raising teachers fees until actual costs are calculated.

COMMISSIONER HANLEY pointed out that the primary cost is for office space, and travel restrictions could save \$20-30,000.

[8:46:32 AM](#)

SENATOR GARDNER inquired about repealing the requirements for early literacy assessments K-3, and asked what Alaska will do to assess reading skills prior to third grade.

COMMISSIONER HANLEY provided a brief history from the previous administration, which pushed to have early screening to ensure reading abilities by the third grade. Although some districts already practiced literacy screening, Governor Sean Parnell authorized \$300,000 to mandate the practice statewide. With a change in the budget, it became an unfunded mandate, which has been removed. He pointed out that some districts still administer the early screenings.

MR. FIELDS commented that it was a question of whether or not to retain an unfunded mandate. The majority of the districts have kept screening practice in place.

SENATOR GARDNER queried whether data that compare the effectiveness of early versus standard literacy assessments for K-3.

COMMISSIONER HANLEY responded that the data was designed to inform instruction practices, as diagnostic tools, and does not provide outcome information.

[8:50:15 AM](#)

REPRESENTATIVE SEATON directed attention to the committee packet, and the full report titled, "State Board of Education & Early Development Report to the Alaska Legislature, January 2016," pages 2-3, and the bullet point under REGULATIONS AND OTHER BOARD ACTIONS, which read:

A student's [Alaska Performance Scholarship (APS)] money ends six years after high school graduation, unless the student qualifies for a department extension. The board extended the years of eligibility for students who could not use their scholarship because of enrollment delays outside their control.

REPRESENTATIVE SEATON asked for further elaboration on this aspect of the APS.

MR. FIELDS deferred.

COMMISSIONER HANLEY responded that often programmatic issues may arise, such as the waiting list to take certain nursing classes at the University of Alaska Anchorage (UAA), and this was taken under consideration.

REPRESENTATIVE SEATON asked whether the action is handled through regulation.

COMMISSIONER HANLEY answered that it is within the statutory language to allow the department to make the accommodations, while still fulfilling the goal of the scholarship program.

[8:53:02 AM](#)

REPRESENTATIVE VAZQUEZ upheld the concern for early literacy screening, and opined that fourth grade is too late to intervene; as upheld by national statistics. She asked for further details regarding the \$300,000 appropriation, and followed-up to inquire how many districts have continued to implement the assessments as a diagnostic tool.

COMMISSIONER HANLEY responded that the \$300,000 was initiated on July 1, 2014, as an annual appropriation. The amount was determined using the existing cost of programs that had been adopted, and implemented, by 50 percent of the districts, as a best teaching practices policy. The goal was to extend funding to provide the resource to all teachers. He said there has not been tracking to determine how many are still using the assessments

REPRESENTATIVE VAZQUEZ asked to have an accounting.

CHAIR DUNLEAVY pointed out that the appropriation was defunded as part of the budget reduction effort. The Every Student Succeeds Act (ESSA) may provide a potential for shifting the responsibility for literacy testing, he opined.

MR. FIELDS added that the early literacy screening was a large topic before the board; however, the intent is to avoid imposing upon districts, any unfunded mandates that require recorded data.

[8:57:27 AM](#)

SENATOR STEVENS asked for clarification of the chain of authority over education in Alaska; specifically the role of the state board versus the governor, as well as the appointment process for a commissioner.

MR. FIELDS explained that the governor appoints the state board, and the board nominates a commissioner which is submitted to the governor for confirmation.

[8:58:51 AM](#)

MR. FIELDS moved to charter schools, paraphrasing from a prepared statement, which read [original punctuation provided]:

Charters

The State Board approved requests for all eight charters, new or renewed, that it received. All such requests had been approved first by the applicants' local school board.

Alaska Measures of Progress [(AMP)]

The written report to the legislature reflects events in 2015. Since then, the department has decided to not use the Alaska Measures of Progress assessments after this school year. Federal law requires us to give an assessment this spring. The department will prepare an [request for proposal (RFP)] for a new test vendor for the following years. Superintendents and other stakeholders will be consulted in the process.

[8:59:39 AM](#)

SENATOR HUGGINS inquired about the policy for the districts to administer the AMP, and the expectations regarding the disposition of the data results.

MR. FIELDS reported that the idea for securing a waiver for administering the AMP was discussed.

COMMISSIONER HANLEY stated that Acting Secretary John King, U.S. Department of Education, has stated that there are no opportunities to not administer an assessment this year. He pointed out that a large concern, regarding the AMP, was that at the district level, the data information was not actionable; lacking the detail necessary to implement changes at the school level. However, the data is valid and reliable. Knowing that the assessment is required, it was decided to take an approach to render the data as useful as possible, which includes: modification of the reports from four levels to eight levels; removal of confusing language and graphics; timely return of the data; and basically putting a silver lining on a dark cloud. Thus, as a two year report parents and students will garner value in being able to compare improvements.

SENATOR HUGGINS asked what the consequences are for not administering the assessment.

COMMISSIONER HANLEY explained that components of federal law could create sanctions on funds received. Alaska receives approximately \$63 million in Title funds, and \$300 million in

total federal funding, which would be put at risk. He pointed out that state statute also requires the testing.

SENATOR HUGGINS observed that, under ESSA, it appears education is entering a new era, and status quo measures do not correspond with what's emerging.

SENATOR GARDNER commented that value can be garnered through administering appropriate assessments, which informs instruction. The assessment process is the means for education accountability and is required. It is troubling and unfortunate to start over and have to work out the bugs, as well as absorb the costs. She conjectured the wisdom of making a change, when a difference may prove to be negligible.

COMMISSIONER HANLEY acknowledged that to switch, after only one year, is difficult. The new opportunities, with the implementation of ESSA, does allow additional options that were not previously available. He reminded the committee that the state is under a five year, \$25 million contract, renewable annually. By the end of the second year, approximately \$9 million will have been paid for two years of assessments. Although it has been a frustrating process, the money has not been wasted, he assured, and the data will be used.

SENATOR GARDNER asked that if, under ESSA, high schools can choose assessments other than nationally recognized tests, how can student outcomes be compared between high schools.

COMMISSIONER HANLEY responded that until federal regulations are promulgated, it will be difficult to know exactly how this will be handled. However, the Scholastic Achievement Test (SAT) and American College Testing (ACT, Inc.) have comparability scores, which are two assessments that may meet the requirements when the federal regulations are released.

[9:08:54 AM](#)

CHAIR DUNLEAVY asked how long the reauthorization will remain in effect for the ESSA.

COMMISSIONER HANLEY responded, four years; however, it will remain in effect pending reauthorization, which in the case of NCLB has taken eight years.

[9:09:15 AM](#)

REPRESENTATIVE SEATON noted that, in the recent past, not only have absolute numbers been presented to the legislature, but measurable growth levels, to ascertain progress at individual schools. He asked, by stopping the assessment after the second year, what other alternatives will exist to provide growth comparisons across schools throughout the state.

COMMISSIONER HANLEY responded that the AMP and ESSA assessments are too different to be calibrated, and agreed that the growth model, comparing and tracking school progress, will only cover a two year period. He predicted that a gap will be created, in 2017, due to the assessment change which eliminates the possibility for comparison. Due to the lack of connection between the AMP and ESSA assessments it will take an additional year before growth can again be compared.

REPRESENTATIVE SEATON expressed concern, stating that the education committee has, for some time, been focused on measuring growth in students not just the static level. It's a concern, he said, if it is not possible to gather follow-up data, and the continuity is interrupted for tracking student growth. The legislature has pushed for the development of the growth model, and if the school board doesn't have some other means for growth comparisons, measuring standards may revert to a baseline assessment. We may be stepping backwards, he opined.

MR. FIELDS suggested that data is data, and it could be possible to do some type of assessment between the two testing approaches, while a new RFP is being established.

[9:13:50 AM](#)

REPRESENTATIVE VAZQUEZ queried what the damages to the state will be, for breaking the five year contract, and requested a copy of the contract.

COMMISSIONER HANLEY said a copy of the renewable contract will be provided.

REPRESENTATIVE VAZQUEZ voiced support to have a nationally recognized assessment tool in place, which will provide the possibility for comparison as well as accountability.

[9:14:51 AM](#)

MR. FIELDS continued with the prepared statement, which read [original punctuation provided]:

The Every Student Succeeds Act

The new federal education law, the Every Student Succeeds Act, returns to the states some of the control over their schools that was lost in No Child Left Behind. Alaska intends to work with stakeholders to build a school accountability system that meets the needs of parents, students, educators, and the public. The State Board will consider removing from state regulations the former federal requirement that school districts incorporate data about student achievement in educator evaluations. Using such data sounds like a good idea, but implementing its use in a fair and valid way would be an enormous and time-consuming task for districts. The districts would have to generate valid before-and-after data about student achievement for all subjects, including the many subjects that don't use standardized tests.

Beyond that, the Every Student Succeeds Act allows the states more flexibility in the type of assessment, more freedom in creating a school accountability system, and more local control over corrective measures for low-performing schools.

The department will be working with stakeholders on the state's plan to operate under the new law. The plan is due at the end of October 2016.

The department will convene an advisory committee to develop options for the state plan. The committee will include members from urban and rural districts and at least one member each from education, parent, business, nonprofit, and Alaska Native organizations. The public will be able to comment on the options, on the draft plan, and on the revised draft plan.

The Alaska Statewide Mentor Project

The Alaska Statewide Mentor Project, a partnership of the department and the University of Alaska, has been serving school districts since the 2004-2005 school year. One of its main goals is to improve teacher retention, particularly in rural districts, so that students can benefit from experienced teachers.

Since the project began, mentors have served in 52 of Alaska's 54 districts in over 80% of Alaska's approximately 500 public schools. For 2015-16, 30 mentors are serving 328 early career teachers in 188 schools within 28 school districts. The state funds 12 mentors (nine full-time, three part-time) in 23 rural districts. The remaining mentors are funded through external sources. A federal grant funds a study that evaluates the effectiveness of ASMP in five urban districts; it supports fourteen mentors (10 urban and four rural). The remaining four rural mentors are funded through two other federal grants.

The State Libraries, Archives & Museums Division

The State Libraries, Archives & Museums Building, now under construction, will place the Alaska State Museums, the Alaska State Archives, and the Alaska State Libraries in one facility at the site of the current State Museum. The new building is scheduled to open in April 2016.

Libraries, Archives & Museums benefits lifelong and K-12 education. Examples are:

- Live Homework Help offers live tutoring for students in grades 4 to early college, seven days a week, from noon to 2 a.m.
- In Alaska's Digital Pipeline are hundreds of full-text online books, magazines, newspapers and other research resources for students.
- Many school districts' Alaska Native language materials are scanned and available online.

Graduation and dropout rates

In 2015, the preliminary five-year graduation rate was 78.3%. This refers to a cohort of students who were 9th-graders five school years previously. Many graduated in four years, but others needed all or part of a fifth year. The five-year rate reflects more accurately than the four-year rate the percentage of 9th-graders that do get a diploma.

Alaska's four-year rate in 2015 was 75.6%, up from 71.2% in 2014. With the repeal of the Alaska High School Graduation Qualifying Exam, more students are receiving a diploma.

Preliminary information for the 2014-2015 school year shows a grade 7-12 dropout rate of 3.68% compared to 4.0% in 2013-2014. The dropout rate generally has declined from 6.0% in 2004-2005.

National Assessment of Educational Progress

Every two years the U.S. Department of Education, through the National Assessment of Educational Progress (NAEP), tests large samples of 4th-graders and 8th-graders in each state in reading and math. The most recent results were released in 2015.

NAEP's state and nationwide results are presented as average scores on a scale of 000 to 500. The "scale scores" fall into four categories of achievement: advanced, proficient, basic, and below basic. Thus, NAEP also reports the percentage of students who fall within those categories of achievement.

NAEP's definition of proficiency is rigorous. In NAEP, basic refers to partial mastery of the subject. Proficient refers to competency in challenging material, including knowledge, application, and analytical skills. Advanced is superior performance. In no state did more than 54% of students score proficient on any of the NAEP tests.

Alaska's performance on the NAEP is poor. It is similar to the national average because that also is poor. Some states perform notably better than Alaska and the national average. The department has cited Alaska's performance on NAEP as one indication of the need to implement higher standards in English language arts and math.

Alaska is about at the national average in 4th-grade and 8th-grade math. Alaska is notably below the national average in 4th-grade reading but only a little below in 8th-grade reading.

[9:21:49 AM](#)

REPRESENTATIVE KELLER noted the report on high school students attending for a fifth year, and questioned the budgetary impact necessary to serve them. The four year graduation plan appears to have become a five year plan, and he asked whether it serves a significant number of students.

COMMISSIONER HANLEY answered that only few students require a fifth year; however, these students highly value the opportunity to complete their diploma, and it's important to honor their effort. The fiscal impact is marginal, but it represents an outcome worth reporting.

[9:23:27 AM](#)

SENATOR STEVENS asked about the board's involvement in recent events at Mt. Edgecombe. He reported having received inquiries concerning its possible closure.

MR. FIELDS replied that the board has had no involvement in current decisions, regarding the facility.

SENATOR STEVENS asked if EED was aware of the situation.

COMMISSIONER HANLEY reported having received a 15 minute briefing regarding a plan that was made locally, which came as a surprise to the department.

SENATOR HUGGINS suggested the need for an omnipotent voice to dispel rumors regarding the reported actions. He made it clear that Mt. Edgecombe will not be closing, neither will the Alaska Native Science & Engineering Program (ANSEP) be taking over.

[9:27:29 AM](#)

REPRESENTATIVE KELLER commented on how different next year's report may be with the changes that are afoot to return control to local districts. He pointed out that the board handles a huge responsibility, is seated by volunteers, and meets only a handful of times per year. The Mt. Edgecombe situation is an example of what can happen without clear direction, which he anticipates will be cleared up through the leadership of Chairman Fields.

[9:30:19 AM](#)

REPRESENTATIVE SEATON recalled that a few years ago it was evident that some schools were failing, primarily due to the local control that was not effective at the time. The legislature stepped-in to assist, and among other measures taken, oversaw the creation of the statewide mentorship program; effectively improving teaching techniques and bolstering administrators. He cautioned that the committee not let go of the reins and allow a situation of devolvement to ensue out of budgetary concerns.

[9:31:59 AM](#)

REPRESENTATIVE KELLER reported that the by-laws of the state board are not able to be downloaded.

MR. FIELDS offered to make them available.

CHAIR DUNLEAVY thanked the commissioner for the dedication he has afforded the position, which he will vacate on 3/1/16.

[9:32:58 AM](#)

ADJOURNMENT

There being no further business before the committees, the joint meeting of the House Education Standing Committee and Senate Education Standing Committee was adjourned at 9:32 a.m.