

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

April 13, 2016

8:03 a.m.

MEMBERS PRESENT

SENATE EDUCATION STANDING COMMITTEE

Senator Gary Stevens
Senator Berta Gardner

HOUSE EDUCATION STANDING COMMITTEE

Representative Wes Keller, Chair
Representative Paul Seaton
Representative David Talerico
Representative Harriet Drummond
Representative Ivy Spohnholz

MEMBERS ABSENT

SENATE EDUCATION STANDING COMMITTEE

Senator Mike Dunleavy, Chair
Senator Cathy Giessel
Senator Charlie Huggins, Vice Chair

HOUSE EDUCATION STANDING COMMITTEE

Representative Jim Colver
Representative Liz Vazquez, Vice Chair

OTHER LEGISLATORS PRESENT

Representative Lora Reinbold
Representative Jonathan Kreiss-Tomkins
Representative Dan Ortiz

COMMITTEE CALENDAR

PRESENTATION: UPDATE ON THE DEVELOPMENT OF THE ESSA STATE PLAN

- HEARD

PRESENTATION: COMMON CORE FUNDING

- HEARD

PRESENTATION: EDUCATING FOR THE 21ST CENTURY

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

REPRESENTATIVE TAMMIE WILSON

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented a report on Common Core funding.

SUSAN MCCAULEY

Interim Commissioner

Department of Education and Early Development (DEED)

Juneau, Alaska

POSITION STATEMENT: Presented "Update on the Development of the ESSA State Plan."

MARGARET MCKINNON, Director

Assessment and Accountability

Department of Education and Early Development (DEED)

Juneau, Alaska

POSITION STATEMENT: Presented information on the "Update on the Development of the ESSA State Plan."

TED DINTHERSMITH

Change Agent and Founder edu21c.com

Earlysville, Virginia

POSITION STATEMENT: Presented information on "Educating for the 21st Century."

ACTION NARRATIVE

8:03:35 AM

CHAIR WES KELLER called the joint meeting of the Senate and House Education Standing Committees to order at 8:03 a.m. Present at the call to order were Senators Gardner and Stevens

and Representatives Spohnholz, Talerico, Drummond, and Chair Keller. Representative Seaton arrived shortly thereafter.

Presentation: Common Core Funding

8:03:49 AM

CHAIR KELLER announced a presentation on Common Core Funding.

8:04:10 AM

REPRESENTATIVE TAMMIE WILSON, Alaska State Legislature, presented a report on Common Core Funding. She read from her prepared statement:

On March 14th, 2016, House Majority members formally requested a joint hearing of the House and Senate Education Committees. This request is included in members' packets. This is a preliminary presentation on the matter of whether the Department of Education and Early Development expended or is still expending money in a manner that violates AS 14.07.020(b).

Due to the importance of the budget, a desire to adhere to a 90-day session, and an ongoing effort to gather more information on the issue, the purpose of this presentation will be for clarification regarding what the next hearing will cover, as well as to give the Department of Education and Early Development and the Department of Law an opportunity to prepare.

The primary issue is whether the Department of Education and Early Development expended money in violation of AS 14.07.020(b) in implementing Common Core Standards. The laws of the State of Alaska are taken seriously and should be adhered to. Legislative intent is important when implementing state law and is referenced frequently when interpreting different statutes.

An important question to consider is:

Was it the legislature's intent with HB 278 that the state would not track what curriculum was utilized in our schools as long as the state was not paying for it?

During the discussion of HB 278 in 2014, the intent of the legislature was clear that Alaska did not want Common Core Standards used in its schools. To be more

specific, the intent was that if the standards could never be implemented by the department, state schools would not have curriculum established by those standards.

The Sitka School District, the Copper River School District, the North Slope School District and Alaska's Learning Network have adopted Common Core after this legislation was passed. As legislators, we need to find out how many other districts may have adopted these standards after HB 278 became law and where state funding to school districts is going.

Where is the accountability of the department to adhere to state law and is the department monitoring what standards school districts adopt?

Recent opinions on the issue by Legislative Legal and The Department of Law inferred that because AS 14.07.020 (b) only applies to "implementing" the standards, the state must continue to fund districts that have already implemented Common Core Standards.

The definition of implement is: to fulfill; perform; carry out.

The question becomes this: Does "implementing" as written in the statute apply to the purchase of new books and other materials that are used to teach Common Core? If the answer is yes, it raises additional concerns regarding ongoing expenditures by the department to school districts that may have adopted Common Core Standards. Additionally, the same legal opinions mentioned above also indicate that 14.07.020 (b) only applies to the department's expenditures and that with respect to its applicability to school districts, it is "possible to conceive of a scenario in which the department's expenditures may be at issue."

How can you conceive a scenario in which the department's expenditures would not be at issue when a school district that is funded by the state implements Common Core standards?

[8:07:38 AM](#)

She referred to an email from the Department of Education that says school districts are not required to inform the department

if they adopt standards that differ from standards adopted by the department. She also received a memo from the Department of Law regarding a House amendment that was stripped out in the Senate and an amendment made on the floor.

[8:08:09 AM](#)

REPRESENTATIVE KELLY thanked Representative Wilson.

SENATOR GARDNER requested a copy of her opening statement.

Presentation: Update on the Development of the ESSA State Plan

[8:09:36 AM](#)

CHAIR KELLER announced a presentation on the development of the state plan for the Every Student Shall Succeed Act (ESSA).

[8:09:58 AM](#)

At ease

[8:11:00 AM](#)

SUSAN MCCAULEY, Interim Commissioner, Department of Education and Early Development (DEED), presented "Update on the Development of the ESSA State Plan." She said she was happy to have the opportunity to provide an overview of the work the department has undertaken with regard to the new ESSA, which was reauthorized and passed in December 2015. At the beginning of the session, the committee received an overview of elements of the law itself.

She said the purpose today is to inform the committee how the department is proceeding to guide the work of developing Alaska's state plan for ESSA.

DR. MCCAULEY began with the three elements of the state plan under Title I: standards and assessment, accountability, and school support and improvement.

[8:12:48 AM](#)

She explained that ESSA requires consultation, specifically with the Governor, the legislature, State Board of Education, districts, representatives of Indian tribes, teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and parents. The plan must be made publicly available no less than 30 days before submission and include assurance that comments were taken into account.

[8:14:07 AM](#)

DR. MCCAULEY related the primary methods for stakeholder involvement: advisory committee, focus groups, work groups, state leadership, and the public at large. She said they are at the beginning stage of the process.

The advisory committee is a 45-member committee to explore options related to the three key elements of the ESSA state plan. It supports the involvement of other stakeholders. They reconvene as necessary to respond to input received through other stakeholder involvement.

[8:15:44 AM](#)

REPRESENTATIVE KELLER opened the meeting to questions.

SENATOR STEVENS asked who the 45 members are.

DR. MCCAULEY explained that the majority of the members were recruited through districts that submitted a primary nominations and several alternates. The department requested the district pay attention to the language for consultation required in the law.

SENATOR STEVENS asked if they are professionals.

DR. MCCAULEY responded that they are primarily current practitioners: six superintendents or assistant superintendents, 14 central office administrators, 2 students, 9 teachers, 5 principals, 2 PTA members, 6 members of professional organizations, including non-profits, and one university member.

CHAIR KELLER requested a copy of the names and Dr. McCauley agreed to provide them.

[8:17:56 AM](#)

DR. MCCAULEY continued to say the committee reconvenes as necessary to respond to input received through other stakeholder involvement. They met five times by webinar from February through March 2016. She explained some of the information exchanges via webinar and Pownoodle. She noted the webinars equalize status because comments are anonymous. In addition to webinars, presentations, and meetings, members were asked to respond in writing to suggested resources.

[8:20:29 AM](#)

DR. MCCAULEY said some members were asked to join work groups. She noted the advisory committee met in person on April 6, 2016,

and the spring leadership conference followed on April 7 & 8, attended by over 175 participants from around the state.

She described the Spring Leadership conference and the various sessions. Currently, the department is analyzing the feedback from the conference in order to identify emerging ideas of stakeholders.

She provided examples of how ideas were gathered and showed pictures of the conference. She said they asked participants to complete an evaluation of the conference when it was over.

MARGARET MCKINNON, Director, Assessment and Accountability, Department of Education and Early Development (DEED), presented information on the "Update on the Development of the ESSA State Plan." She noted a tool called "Go Vote" was used to collect data.

[8:24:19 AM](#)

DR. MCCAULEY participants were asked to share their level of knowledge and comfort with ESSA and the state plan requirements, before and after the conference. She showed how members plan to continue to take part in the ESSA State Plan conversation and how they will share the information gained.

[8:26:11 AM](#)

CHAIR KELLER asked for information about specific questions asked of the advisory committee.

MS. MCKINNON said that information is being analyzed and could be made available to committee members.

CHAIR KELLER noted the presence of Representative Reinbold.

DR. MCCAULEY suggested the department compile the information in a document and send it to the committee.

[8:27:30 AM](#)

DR. MCCAULEY described the way the stakeholder outreach was broadened. Focus groups will be formed that focus on job or interest-related areas and make use of webinar or face-to-face conferences. They will make abbreviated presentations on three key elements and will provide input through Povernoodle or surveys. She listed up-coming conferences where focus groups could present.

[8:30:33 AM](#)

She described work groups that will use trends from emerging stakeholders' voices to develop options for specific sections. They will identify considerations for the various options and make technical recommendations.

She discussed a highly technical subject as an example.

[8:32:06 AM](#)

SENATOR GARDNER referred to a school in her district that has a highly gifted school-within-a-school. The neighborhood would like to know how their school is doing outside of the highly gifted program. She asked if this is an example of what Dr. McCauley is referring to.

DR. MCCAULEY said yes. The current system would require the performance of the school-within-a-school to be part of the whole school. There is broad opportunity to be able to develop an accountability metrix that could do that. Federal requirements are not tightly prescribed and the state has more leeway now. Even if school performance were to be required as a whole, the state could consider that option. An accountability metrix that works equally well across Alaska is very challenging. The department was successful in the waiver to allow private schools to have a separate metrix. It was not possible under NCLB, but more possible through the waiver, and even more possible under ESSA.

[8:35:59 AM](#)

SENATOR GARDNER suggested you still want to measure the effectiveness of a specific program, as well as the whole school.

DR. MCCAULEY addressed accountability indicators and examples of technical issues that require special work groups.

[8:36:43 AM](#)

DR. MCCAULEY turned to public-at-large feedback. The department proposes to review materials and webinars posted to the Alaska ESSA webpage and provide input and feedback through an online survey.

[8:38:04 AM](#)

SENATOR STEVENS asked if the public will only be involved via webinars.

DR. MCCAULEY said that has not been determined and she hoped not. She requested recommendations by the legislature on how to

involve the public. There is no formula for this process. It was not allowed under NCLS so this is new work for the department.

SENATOR STEVENS suggested public hearings would be beneficial.

DR. MCCAULEY clarified that the broader plan is not in place, but would include more than websites.

[8:40:28 AM](#)

CHAIR KELLER asked who would make these decisions.

DR. MCCAULEY said the advisory committee would not make the decisions regarding methods for stakeholder input, the department will, in collaboration with the State Board of Education.

[8:41:29 AM](#)

CHAIR KELLER asked if the interpretation of federal law will be done within the department.

DR. MCCAULEY said the department is seeking outside legal counsel from various sources and watching what is happening nationally as the U.S. Department of Education (DOE) develops regulations. She noted the concern that the new law be developed as it was intended, and not be inappropriately prescribed by DOE regulations. It must return a great of control to the states and prohibit DOE from repeating what happened under NCLB. She added that the state has begun work without the new law in place.

[8:44:26 AM](#)

SENATOR GARDNER noted there were 175 attendees at the leadership conference, but the survey has only 95 respondents.

MS. MCKINNON explained that the survey was done at the end of the conference and some people had left.

[8:45:16 AM](#)

DR. MCCAULEY turned to the topic of state leadership. The State Board of Education noted it wants the opportunity to review and provide input well in advance of the department bringing them a plan in its final form. Work on ESSA will take up a good part of the board's meetings very soon. She described the meeting timeline, noting the board will be kept up to date.

Dr. MCCAULEY said the department does not have a fully formed plan as to how to engage the legislature. She requested input from members as to how this should take place.

[8:47:00 AM](#)

CHAIR KELLER encouraged Dr. McCauley to include the Education Committees during the interim.

DR. MCCAULEY identified the Governor, legislature, and state board as state leadership members.

[8:48:27 AM](#)

DR. MCCAULEY shared DEED's timeline regarding ESSA, listing milestones. She did not believe the federal legislation would be completed until fall.

DR. MCCAULEY noted the department would be consulting with other ESSA title programs, outside of Title I. They have to figure out how to include stakeholder input and feedback from those affected by the title programs.

She gave an example of librarian concerns. She said stakeholder input opportunities will begin in May and there is an enormous amount of work ahead.

[8:52:25 AM](#)

SENATOR GARDNER asked if will be hard to include educators who don't work in the summer.

[8:52:49 AM](#)

DR. MCCAULEY listed methods to pull people together using title funds. She thought summer was a good time to hold quality meetings.

SENATOR GARDNER asked if the department has the resources to get all the ESSA work done.

DR. MCCAULEY said the reductions to the department are significant and she has concerns. She noted partnerships with ACSA, AASB, and NEA-Alaska have been very valuable. The department is doing its best to leverage partnerships to find ways to develop the state plan. She stated that it causes her some worry.

[8:55:06 AM](#)

CHAIR KELLER noted ESSA is federal legislation and has some funding for implementation.

MS. MCKINNON agreed that ESSA funding can be used, but it comes out of administration money that is being used for staff and current work.

CHAIR KELLER thought many of the administrative costs were covered by federal funds.

DR. MCCAULEY said those funds are allocated to staff that are currently involved with monitoring and compliance work. ESSA work is additional, new, and short-termed. The challenge is to do this creative work well, in addition to regular work.

[8:57:40 AM](#)

SENATOR STEVENS brought up local control and asked what the district's responsibility to ESSA will be.

DR. MCCAULEY said that question was brought up at the conference. She opined that stakeholder involvement is important and if they develop the plan well, it will reflect what local communities want and be meaningful to the classroom teacher. The question needs to keep being asked. For example, a metric that has meaning for school accountability could be developed. There could be multiple pathways for accountability that recognize performance either through percent proficiency or through attaining a certain level of growth.

She noted that the department still has to submit one state plan, but there could be multiple pathways for accountability. They have been working with Senator Murkowski's office on ESSA reauthorization and want to react proactively on any disconnects. Nothing has come out yet that requires a response.

[9:02:11 AM](#)

SENATOR STEVENS appreciated this process and hoped the local focus is maintained.

CHAIR KELLER shared that early on in the ESSA process there was a focus on local control. He asked if that is part of the intent in the revisited ESSA process. He equated parents with school boards.

[9:03:47 AM](#)

DR. MCCAULEY stated that the law itself primarily returns control to states, but it does not comment on the degree to which that control can or should be returned or given to the local level.

CHAIR KELLER thought that was very important.

DR. MCCAULEY added that the law has some specific exceptions to that. It says a local district can choose a high school assessment other than the one selected at the state level.

CHAIR KELLER pointed out that it has to first be approved by DEED and DOE.

DR. MCCAULEY emphasized the objected for the department is to try to go forward with the development of the Alaska plan in a manner that highly engages folks at the local level. There is a need to keep that idea at the forefront of the process. Now that there is room for creative thinking, such as with technology, she said she is encouraged by the creative thinking being brought to the process.

[9:06:43 AM](#)

CHAIR KELLER stated that parents are the key to success. The perception of local control is in the context of parent rights.

[9:07:53 AM](#)

CHAIR KELLER noted the presence of Representative Kreiss-Tomkins.

Presentation: Educating for the 21st Century

[9:08:58 AM](#)

CHAIR KELLER announced a presentation on "Educating for the 21st Century."

TED DINTERSMITH, Change Agent and Founder, edu21c.com, presented information on "Educating for the 21st Century." He said he has been to 49 states; in some states nothing about education will change, but some will succeed in their attempts to improve education by working together and determining what they want to accomplish.

He provided his background in innovation venture firms. He spoke of two instances that changed his life; one being the rate of the advance of innovation and the impact it has had on society and on the workplace. He urged people to focus on the impacts of innovation. The second impact was the realization that schools are training kids for jobs that don't exist.

He discussed misconceptions about what is needed to improve education. He provided an example of his son's experience in

school and its narrow focus of thinking geared at passing standardized tests.

[9:15:16 AM](#)

MR. DINTERSMITH addressed the need to change the focus in schools to innovative thinking. He recalled the history of how schools became narrow thinking entities. He said schools today are doing exactly what they were asked to do in 1893 in a world of manufacturing. He mentioned "A Nation at Risk" report in 1983, which concluded that if a foreign nation had imposed the education system on the U.S., it would be declared an act of war. However, the education system remained the same. He used an analogy of trying to turn a covered wagon into a race car.

MR. DINTERSMITH addressed the process of change. He maintained that facts and data and reports are not important. The key is to focus on changing the minds of parents. He opined that emotion is a big part of change. He said he made a film on the need for change in education called "Most Likely to Succeed" and made it available to schools. It makes people rethink everything about education. He used Lawrenceville Prep School as an example of the ills of memorization.

[9:23:41 AM](#)

MR. DINTERSMITH shared information about his involvement with education at the government level and their lack of innovation. He related the response to his film. He concluded that mathematics, as usual, is outdated. He also stated that college curricula is outdated. Students today feel disaffected.

[9:28:17 AM](#)

He suggested instead to challenge students to find ways they can make the world better through what they know. He spoke highly of the vocational path, rather than the academic path, because in job training, students learn and retain more fundamentals and can succeed in life.

[9:32:33 AM](#)

He discussed how people learn and he maintained that it is not by memorizing data sources. Students learn by doing, by interacting with others, and by being innovative and creative. He suggested changing priorities in schools.

[9:35:05 AM](#)

MR. DINTERSMITH said Alaska is independent and innovative and has great opportunities ahead if it chooses them. He offered to help with "moving schools ahead."

[9:36:55 AM](#)

SENATOR STEVENS hoped to see the film. He asked if Alaska's approach to ESSA will be successful. He inquired how Mr. Dintersmith ended up being creative, having come through the old system.

MR. DINTERSMITH described his journey through education. He learned a lot through independent study. He did a lot of research long ago when calculus was not yet obsolete. He said he also able to be innovative outside of school.

[9:40:53 AM](#)

REPRESENTATIVE REINBOLD said federal education does not belong in the schools and ESSA is a horrific way forward. She said Mr. Dintersmith made her excited about education.

MR. DINTERSMITH gave examples of the success of innovative thinking by students in Fort Wayne and Albuquerque. He contrasted that with schools that focus on measurability and facts. He noted teachers are more innovative than given credit for.

[9:48:08 AM](#)

He provided advice about changing education. He said to first "bring clarity to where you want to go." Ask what you want the Alaska graduate to be good at. Allow teachers to develop innovative programs and emphasize the need to train kids to manage themselves.

[9:50:05 AM](#)

CHAIR KELLER said his district has an innovative superintendent who believes that teachers are not data sources.

He asked if the film has been shown in Alaska.

MR. DINTERSMITH did not know.

[9:51:54 AM](#)

REPRESENTATIVE KREISS-TOMKINS listed Mr. Dintersmith's film screening travel schedule.

MR. DINTERSMITH pointed out that the film raises questions, but does not deliver answers.

[9:53:03 AM](#)

CHAIR KELLER thanked Mr. Dintersmith.

9:53:15 AM

There being no further business to come before the committee, Chair Keller adjourned the Joint Education Committee at 9:53 a.m.