ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE
March 3, 2017
8:00 a.m.

MEMBERS PRESENT

Senator Shelley Hughes, Chair
Senator John Coghill
Senator Tom Begich

MEMBERS ABSENT

Senator Cathy Giessel
Senator Gary Stevens

COMMITTEE CALENDAR

PRESENTATION: BROADBAND ACCESS IN ALASKA'S SCHOOL DISTRICTS

- HEARD

SENATE BILL NO. 66
"An Act re-designating the Alaska State Council on the Arts as a public corporation and governmental instrumentality of the state; defining the powers and duties of the Alaska State Council on the Arts; providing exemptions from certain statutes for the Alaska State Council on the Arts; making conforming amendments; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 66
SHORT TITLE: ST. COUNCIL ON THE ARTS: PUBLIC CORP.
SPONSOR(s): EDUCATION

02/22/17	(S)	READ THE FIRST TIME - REFERRALS
02/22/17	(S)	EDC, FIN
03/03/17	(S)	EDC AT 8:00 AM BUTROVICH 205

WITNESS REGISTER

DR. BOB WHICKER, Executive Director

Consortium for Digital Learning
Association of Alaska School Boards (AASB)
Juneau, Alaska
POSITION STATEMENT: Presented information about broadband access in Alaska's school districts.

JOSHUA BANKS, Staff
Senator Shelly Hughes
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Presented the sectional analysis of SB 66 on behalf of the sponsor.

BENJAMIN BROWN, Chair
Alaska State Council on the Arts (ASCA)
Juneau, Alaska
POSITION STATEMENT: Presented information on SB 66.

ALICE BIOFF, Member
Alaska State Council on the Arts (ASCA)
Nome, Alaska
POSITION STATEMENT: Testified in support of SB 66.

ANDREA NOBLE-PELANT, Executive Director
Alaska State Council on the Arts
Anchorage, Alaska
POSITION STATEMENT: Testified in support of SB 66.

ACTION NARRATIVE

8:00:26 AM
CHAIR SHELLEY HUGHES called the Senate Education Standing Committee meeting to order at 8:00 a.m. Present at the call to order were Senators Begich, Coghill, and Chair Hughes.

Presentation: Broadband Access in Alaska's School Districts

8:01:03 AM
CHAIR HUGHES announced that the first order of business would be presentation on Broadband Access in Alaska's School Districts by Dr. Wicker.

DR. BOB WHICKER, Executive Director, Consortium for Digital Learning, Association of Alaska School Boards (AASB), presented information about broadband access in Alaska's school districts. He read from the following:

I've watched testimony from many of the entities that have come before you. I will try to bridge the message they have been delivering and bring an added perspective from our experience at the Consortium for Digital Learning. From previous testimony, you've seen that schools are making progress toward using digital learning and providing meaningful relevant career/college readiness skills but face challenges in bringing this type of learning to all students. It is prudent to keep the overall goal in mind. Access to the appropriate technology for desired teaching and learning outcomes is what is transformational about this discussion. The ubiquitous access to digital learning and appropriate teaching tools that promote the types of educational experiences we desire is the thing that makes the difference. The power of the technology tools we use provides the nimbleness, effectiveness, and increased opportunities and potential for academic achievement that are not available without it. Improved broadband and higher technology adoption in our schools adds tools to achieve these things.

8:04:14 AM

In previous testimony I outlined how the Consortium for Digital Learning has been an active advocate for the advancement of digital learning for all students in K12 since 2005. Through the support of the Alaska Legislature, we've assisted over 140 schools in implementing 1 to 1 laptop and tablet programs and districts have continued or expanded those programs. We have continued to advance digital learning in Alaska by creating examples of collaboration between districts, working with vendors to develop unique solutions to our challenges, and conducting demonstration projects and programs resulting in higher learning and systemic changes. These projects were great learning environments that laid the groundwork for where digital learning has progressed today in our State.

8:05:29 AM

It is important to note that our successful implementations of digital learning advance by controlling variables that can be controlled and working around those that aren't. Let me repeat that again… "Successful implementations control variables

that can be controlled and work around those that can't." Sometimes this means learning to use the broadband you have to amplify and accelerate learning with the technology that is available. Improving and sustaining our broadband services will no doubt, greatly improve opportunities for our students, and is worth pursuing. Yet, while broadband is a crucial aspect to digital learning, improved broadband alone does not guarantee an improved educational outcome without addressing other aspects of digital learning. Commitment, innovation, and wise use of resources and district strengths have much to do with successful implementations.

8:06:24 AM

The topics I will address today include 1) the types of learning broadband and the use of technology avails, 2) the level of broadband and technology for a blended learning educational model in our state, 3) other challenges and possible solutions, and 4) a foundation of a plan for moving forward.

8:06:55 AM

The first graphic titled "Use of Bandwidth in Instruction" highlights four examples of what types of learning that are broadband enables. These examples are promising innovations to Alaska's educational model that modernize our instruction for increased efficiencies and expansion of offerings, to say the least.

At the top of the graphic is the published broadband recommendation for schools for 2018 from the State Education Technology Directors Association and President Obama's ConnectEd Initiative. The figure of 1Gbps per 1000 students equals 1 mbps per student or 1000 kbps. That figure is presently beyond the great majority of Alaskan school districts and schools and far beyond those in rural Alaska.

8:08:44 AM

DR. WHICKER noted the upper left corner of the graphic gives an example of online learning.

8:08:56 AM

CHAIR HUGHES said that the document is available online under BASIS.

8:09:22 AM
DR. WHICKER continued:

Our definition of this is the delivery of core courses or content online. You have heard from the Digital Teaching Initiative districts and Ketchikan Digital Academy is one highlighted here. Their main vendors are Canvas and Edgenuity, whose learning management software platforms are widely used across the state. Ketchikan serves 14 partner schools across districts. While offering courses through their Digital Teaching Initiative grant, they have built a model around a $250 per course cost to participants.

8:10:06 AM
Vendor bandwidth recommendations are 384 - 512 kbps per concurrent user. Other online course providers in other schools specify up to 1.5 mg per student for their services. For areas with low bandwidth, a media appliance (server) helps provide content that does not need to be live.

8:10:30 AM
Important lessons learned here:

1. An on-site adult to supervise learning is crucial, success of coursework is greatly dependent on that person.

2. A central provider enables success and ease of use by consolidating efforts, streamlining administration and providing needed expertise to the end-user site.

The upper right of your handout highlights virtual telepresence and teleconference. The definition we use for this is “the delivery of instructional content, professional development and special services from inside or outside the district through video”. Kodiak Island School District is highlighted as an example. Classes are taught from Kodiak to their villages through video conference including welding, music, fine art courses, and even coaching of sports teams. They also use of video conferencing robots for teacher professional development by instructors in the lower 48. Broadband connections serve village schools over satellite and there is a fiber terrestrial connection in Kodiak proper.

You have heard from other enterprising districts delivering content inside and outside the district from video conferencing studios. Outside technical and special services, as well as professional development, are also being delivered through mobile robots using telepresence.

8:12:28 AM
Bandwidth recommendations from vendors for this type of video conferencing in static implementations is up to a dedicated 2 mg up and down. Districts are successful using less bandwidth employing expensive equipment and skilled technical expertise.
For Double Robots - 2 mg per robot is the recommendation, also running on less in our school environments.

8:12:56 AM
CHAIR HUGHES asked for more information about mobile robots.

8:13:07 AM
DR. WHICKER explained that they have been working with a company called Double Robot on Segway-type robots. The robots use iPads and engage with students to deliver instruction and remediation programs.

CHAIR HUGHES asked if a teacher offsite could roll up to a student's desk.

8:14:44 AM
DR. WHICKER said yes. The ability to be mobile removes some of the issues of access to students by moving around the classroom to help students and to coach and mentor teachers.

CHAIR HUGHES said it opens a whole new aspect. She asked if Kodiak is using teacher-controlled robots to work with students.

DR. WHICKER said yes, but they are used mostly for staff development. They do have a robot basketball coach. Robots provide an example of what could be possible.

8:17:03 AM
He continued:

The lower left of your handout highlights High Access Learning Environments. In this environment, teachers

and students use technology to amplify learning by researching, creating content and digital products, and communicating through email, video, and audio. A dedicated digital device per student is recommended for maximum impact and are used at various times during the day as appropriate. Teachers moving through levels of technology adoption are central to this blended learning approach. Over 140 schools have some sort of 1 to 1 program serving some students and a few school districts that have all students with a per-user device to student ratio.

8:18:08 AM

Bandwidth recommendations: 500 kbps per concurrent user to allow for basic productivity and WAN/cloud access. Many schools with 1 to 1 have less bandwidth per student and use shaping and network filtering to still meet instructional goals. The use of extensive streaming video requires more bandwidth.

8:19:10 AM

Lessons learned here are:

• Professional development is critical, borne out in our doctoral studies. There is a high correlation between how much teachers use the technology to the amount of district PD is offered over time.

• The high access learning environment is a fundamental change needing leadership commitment, sustainable funding commitment, many layers of project support, focused curricular goals, and community support.

8:19:34 AM

The lower right of your handout is an example of Collaborative Learning - Our example is the World Bridge Project between Copper River School District, Kodiak Island Borough School District, Trillium Learning, and NASA. Kodiak has sent two teams of high school students in this project to the Europa Challenge in Italy, a very high-level competition between businesses and universities, and they have won both times.

The project between the Copper River School District and Kodiak had teams work across districts to design, build, and launch pre-earthquake sensors into high altitude as an experiment in gathering sensitive data for the project. Copper River students designed the

rocket and Kodiak used computer imaging, 3D printing and sensor modification to design the payload. The launch was more than successful. Students and teachers used teleconferencing, video conferencing, and an online platform called Basecamp, used for creativity and the sharing and tracking learning activities and products.

8:21:25 AM
CHAIR HUGHES referred to the handout on use of bandwidth in instruction and asked if the bandwidth requirement for robots in the Kodiak School District is 2 Mbps per video unit. She requested more information on whether it was a per-class, per-video unit.

DR. WHICKER replied 2 Mbps is what is recommended by the vendor per robot, however, Kodiak is using less bandwidth per robot. The 2 Mbps per video unit is what is recommended for a static VTC classroom. Some classrooms use less depending on the quality of the picture they want. Some vendors recommend 4 Mbps per class, but the consortium recommends 2 Mbps.

CHAIR HUGHES provided an example of a 30-student classroom where each student is watching something on their own laptop. She asked if 60 Mbps would be needed.

DR. WHICKER clarified that the 2 Mbps requirement refers to a classroom with one camera with a couple of screens. In high access learning environments, the recommendation is for 500 Kbps per user of Wifi access per classroom. He did not recommend it as a strategy.

8:24:34 AM
DR. WHICKER continued:

In our experience, if we're going to establish a distance delivery or blended learning model utilizing online learning, then we need to establish the kinds of learning activities we desire for our children, and then get to that bandwidth requirement. With that in mind, the graphic titled "School Broadband Use Scenarios in Alaska" show what levels of broadband are needed at the school level when there are numbers of students using different learning modalities. In this graphic, the broadband speeds needed for various types of learning and administrative activities are indicated in the top charts. The amount of bandwidth

needed is dependent on what is going on in the school and how many students are involved in the activity at the same time.

The amount of bandwidth needed for different learning activities are based on vendor recommendations and our experience. The scenario of a 200-student school follows with three examples of the numbers of students involved in a particular activity and the bandwidth required for them (low, average, and high usage). Let's take a look at Scenario 1 for our 200-student school. This scenario has 140 of the 200 students engaged in learning activities not requiring any bandwidth. It also has 40 students engaged in general digital learning doing different tasks, and 10 students engaged in online learning classes on their personal device and 10 more in a VTC classroom. The second example on page 2 is of a school of 40 students.

8:29:04 AM
DR. WHICKER opined that the middle ground, the average usage, is a good example of a digital school. High usage would require dramatic restructure of a school. Scenario 3 shows only 20 kids offline and is not typical of usage.

8:29:52 AM
CHAIR HUGHES thought of small rural schools where great teachers might need to be beamed in.

8:30:24 AM
DR. WHICKER moved to the second scenario on page 2. He described the bandwidth use of a small-size 40-student school. Twenty students were offline, ten were doing general internet use, six were taking online courses, and four were in a VTC class. He suggested that the recommendation for that scenario is close to 10 Mbps. If there is an increased use of videoconferencing, it is considered a high use scenario, but it is still under 20 Mbps and right at 500 Kbps per second, per student recommendation.

CHAIR HUGHES pointed out that half of Alaska districts are still below 100 Kbps per student.

DR. WHICKER said the handouts refer to 2014 bandwidth before the grants were approved or implemented. He opined that most all schools are around 10 Mbps now - 150 Kbps to 200 Kbps.

8:33:59 AM
CHAIR HUGHES requested a list of all school district bandwidth to date.

DR. WHICKER said 2014 is the best data they have. It was collected for a grant and needs to be redone.

8:35:04 AM
CHAIR HUGHES asked how much the grant cost.

DR. WHICKER said it was from the Broadband Pass Grant and it was about $100,000 by Connect Alaska. It was very ambitious. People from AASB personally visited 38 districts to verify the ability and use of broadband.

CHAIR HUGHES requested he find out how much a new grant would cost.

DR. WHICKER agreed to do so. He thought it wouldn't cost as much.

8:36:58 AM
DR. WHICKER continued:

> I'd like to move to what is as important as the availability of broadband. Effective distance education should include a comprehensive approach to overcoming barriers, both technical and human. They include:
>
> Having the necessary equipment. Much can be done with the level of equipment we have now in our schools. Almost all our rural schools have equipment, however, there are widespread issues with having older equipment not being refreshed and systems being outdated throughout our state. The majority of our students do not have access to a personal device provided by the school. That said, many rural districts and larger districts are working hard to include distance delivery of education and greater digital learning as a main model of course and class delivery.

8:37:57 AM
> Reliance on E-Rate - E-rate reimbursements are crucial to Alaska education and provide the basis for Internet Service Providers to consider schools as anchor

tenants. When hiccups occur with E- rate (especially in rural Alaska), it can knock the wind out of districts. Even with E-rate subsidies, districts tend to buy the level of bandwidth they can afford, not necessarily all they need.

Data - We currently do not have good publicly available statewide data on broadband speeds and costs. Updating this data annually and doing further research on school usage of broadband would be prudent in efforts to improve education through broadband and use of technology. We've done this in 2014 and it needs to be done again.

Human issues - We've learned through our experience that implementation without adequate support systems present many challenges. A number of issues, mostly human ones, ALL must be addressed to improve the opportunity for success.

8:39:23 AM

Those issues include teacher using distance delivery and video conferencing must know how to engage students who learn with different styles of learning. What works for one student may not work for all. We know that a straight lecture from a talking head is not an engaging methodology for many students.

Connection, relationship, and work on engaging content and activities are possible. In my work life, I have come to know people through phone, video, and email communication and we have formed lasting friendships. When working with children in a distance delivery model, having a caring adult physically present with rapport to both the child and distance teacher builds a strong educational model.

8:40:12 AM

The lack of ongoing professional development and adequate pre-service programs is significant when teacher's roles are changing. Many teachers get rudimentary professional development regarding the use of applications but seldom get more. Sometimes, cheat-sheets or instructional tutorials which could alleviate issues are absent or lacking. As demands for professional development time of mandated trainings and information grow, important learnings of the

changes needed in classroom management using technology, workflows made possible, learning structure, and assessment strategies are often neglected. A commitment and prioritization of a blended professional development model is what is needed.

8:41:14 AM

The disconnect between technology departments and what is actually happening in the classroom can be an issue. It is a balancing act between network and equipment management by the technology departments and how and when technology gets used by the classroom teacher. If viewed as a main instructional strategy, technology just has to work. We've seen how technical difficulties bring a system to its knees or greatly diminish learning opportunities. The fortunate thing is that it WILL just work, if properly configured and maintained. Even when the technology department gets things working, many times they focus on just that rather than being focused on how it works in the classroom.

A lock-down mentality of permissions, passwords, and teacher's not having a level of administrative access to equipment are major barriers to effective and efficient use of technology. It is not uncommon to go into a school and see equipment not being used because overcoming these issues takes too much effort from teachers and they resort to ways that are easier. Response times to technology challenges (most fixable software or network issues) have to be timely and efficient in order for teachers to use the technology.

8:42:50 AM

Many districts recognize this issue and are including the technology department in curricular and planning discussions. A new model of distributed roles within public and private partners is also taking hold.

8:43:12 AM

Lastly, barriers exist when addressing issues with changing an instructional model and collaborating across schools and districts. We are lucky to have our Digital Teaching Initiative districts that are familiar in addressing many of these things. These include:

1. Logistical changes - having common schedules (daily, vacations, calendars)

2. Ways of accepting and granting credit

3. Administrative and technical staffing levels that are needed, changing job descriptions

4. Policy alignment with practice

8:44:39 AM

So what can we do? Schools are working to provide the best education possible for their children. We appreciate your support of these ideas to develop a sustained model of education that moves our students forward into the world they will live in. With assistance and the right tools, schools can accelerate the rate of modernization of instructional models. We have much of what we need to make this happen. A statewide system of support could provide opportunity for voluntary participation, and local control and input that best addresses the children of a community and the community aspirations for its children.

8:45:41 AM

While there are several ways to move forward, I would like to paint a vision of one such way. The development of an Innovative School Network of leading school districts would help move us forward as a state. The foundational pieces for this statewide approach are in place and the basis for this network is already established through the Digital Teaching Initiative districts and others, most which have testified before you. The Digital Teaching Initiative experience has led to development of common recommendations and strategies. Their efforts have a level of scalability that could impact the vast majority of our students in the very near future. Combining their knowledge with the knowledge gained by the Consortium for Digital Learning and other innovative districts and organizations as that directly supports the transition through consolidated purchasing, professional development, technical services, liaison to stakeholders and providers, and common consistent approaches to solving issues could form a basis of educational transformation.

8:47:02 AM

Through this network, systems to promote, develop, incentivize, and administer the use of technology in high quality, inspirational and effective ways can be developed. That includes:

A well trained, well prepared teacher and "Learning Coaches".

High access to technology.

Central source of administrative, technical, curricular, and implementation supports centered on the learner.

A high quality distance and blended learning program that is collaborative, administered, delivered, and received at distance.

Central organized system of learning management and VTC capabilities to access vetted high quality content, organize resources and assess outcome.

High quality professional development delivered in a tiered blended learning model.

8:48:12 AM

We know that there are potential significant cost savings over time with changes of the delivery of professional development, curriculum and instructional materials, and hardware purchasing. Our basis for this determination has come from our experience of initiating high access learning environments that maximize the use of broadband and that have been sustainable over time.

8:49:01 AM

DR. WHICKER concluded:

For the past 12 years, the Association of Alaska School Boards has made significant commitment by hiring staff and garnering funds to expressly to move our member districts forward with digital learning, modernization, and innovation. We are very excited about the ideas that are being generated by the series of hearings you have conducted and stand ready to

assist and work with the Legislature and DEED in any way we can.

8:49:41 AM
SENATOR BEGICH voiced appreciation for the presentation. He noted his past involvement in the Moore and Kasayulie lawsuits. The Moore lawsuit identified that there were certain types of educational deliveries that needed to be done to meet the state's constitutional educational obligation. It makes sense to apply technology in an appropriate way so that we are not reducing a student's ability to learn, but we are providing access to educational elements. He said he is excited about a new survey on broadband needs and the various approaches of bandwidth use.

In terms of the general things, he suggested to be sure that we elevate schools to the minimum bandwidth and upgrade the level of teaching, but also provide the means to replenish technology in both rural and urban areas with an on-going effort to maintain equity.

8:52:45 AM
DR. WHICKER agreed. He said there must be a way to replenish technology. Schools are getting better at having a "refresh schedule." In the past it was looked at as purchasing equipment, but a sustainable model looks at refreshing equipment every year. Repairs cost almost as much as buying a new device; refresh mode flattens out the cost.

SENATOR BEGICH thought that made sense. He spoke of a need for a regular spending mechanism. He stressed the importance of training and the concept of collaboration in training. He thought cultural learning should be considered and not sacrificed to technology.

8:56:40 AM
DR. WHICKER agreed. He provided an example of a small district, Copper River, which has revamped the calendar to allow cultural curriculum. Distance delivery should consist of high quality instruction and be standards based, place based, localized and project based. That has to do with the state's foundational approach.

SENATOR BEGICH asked whether robot technology saves money if it is a teacher who is running the robot. He said it would concern him if it was not a teacher.

DR. WHICKER replied that the main delivery model is through a classroom teacher. Other support comes from outside for professional development, but the teacher is still in the classroom.

SENATOR BEGICH summarized that technology adds quality that is difficult to provide to a rural village. Robots can make use of a mode of teaching alongside a teacher. He thought robots cost about $2,500 at the least. He spoke of a need for technical support.

DR. WHICKER agreed that there needs to be a system of support.

SENATOR BEGICH asked where the potential cost savings are with robots. He opined they enhanced the educational experience, but might not save money.

9:00:44 AM
DR. WHICKER agreed. He said the cost savings he has seen is in the delivery of professional development. Kodiak has saved money by bringing a team together using a robot. He recommended talking to Superintendent McDonald about further uses of robots.

9:02:30 AM
SENATOR COGHILL voiced appreciation for Dr. Whicker's work. He asked what students are doing that could be done in outlying areas.

9:03:13 AM
DR. WHICKER spoke of highly individualized programs. Real-life applications of personalized learning and mentoring programs could be used more in outlying areas.

9:04:53 AM
SENATOR COGHILL noted students can get take classes outside the school setting to earn credits more quickly. He suggested this might work in rural areas.

9:05:45 AM
CHAIR HUGHES wanted clarification if there are places where there might be more broadband available in a community, but the district is not purchasing it due to expense.

DR. WHICKER said yes.

CHAIR HUGHES asked for follow up information on that. She asked whether districts need to think about shared bell schedules and calendars to make the innovative network work.

9:07:22 AM
DR. WHICKER agreed that there needs to be a system that allows broadband to happen, but he could not say what it would be for everyone. It depends on the area. He did not believe there needs to be a standard bell or calendar.

9:08:14 AM
CHAIR HUGHES envisioned a small K-12 school using a robot to do a 2-way virtual class with an instructional aide to help the younger students.

9:09:19 AM
DR. WHICKER said that is an effective model. Whether a robot is used is questionable.

9:10:10 AM
CHAIR HUGHES thanked the Mr. Whicker.

9:10:26 AM
CHAIR HUGHES announced the consideration of SB 66.

SB 66-ST. COUNCIL ON THE ARTS: PUBLIC CORP.

9:10:59 AM
CHAIR HUGHES related that SB 66 is a committee bill that would quasi-privatize the Alaska State Council on the Arts (ASCA) by restructuring it as a public corporation to allow ASCA to increase its ability to leverage funds from non-governmental contributors and better adapt to the shifting economic climate in Alaska. This effort responds to the widespread interest in governmental entities to at least partially privatize their operations and increase their operating efficiency.

9:11:30 AM
JOSHUA BANKS, Staff, Senator Shelly Hughes, Alaska State Legislature, presented the sectional analysis of SB 66 on behalf of the sponsor. He read:

> **Section 1 (Pages 1-4):** Amends AS 39.25.110 concerning exempt state employees to add all employees of the Alaska State Council on the Arts (ASCA), thus making employees of ASCA exempt from the State Personnel Act.

Section 2 (Pages 5-7): Adds artists' submissions made in response to an inquiry or solicitation initiated by the Alaska State Council on the Arts, to the list of records that are exempt from public inspection under AS 40.25.120.

Section 3 (Page 7): Repeals and re-enacts AS 44.27.040 regarding the creation of ASCA, to establish the Council as a separate and independent public corporation of the state of Alaska within the Department of Education and Early Development (DEED).

Section 4 (Page 7): Amends AS 44.27.041 to charge ASCA to be governed by an 11-member board of trustees, adds literary arts as a field represented within the board, and a member's expertise, rather than interest, as a factor for consideration for board membership.

Section 5 (Page 7): Amends AS 44.27.042 to replace the term "members" with the term "trustees" and "council" with "board of trustees".

Section 6 (Page 8): Amends AS 44.27.043 to replace the term "member" with "trustee".

Section 7 (Page 8): Replaces the term "members" with the term "trustees" in AS 44.27.044 and replaces language that entitles trustees to be reimbursed for travel expenses at the same rate of members of state boards under AS 39.20.180.

Section 8 (Page 8): Amends AS 44.27.045 to use gender-neutral terms for board members.

Section 9 (Page 8-9): Amends AS 44.27.050 to require the council to encourage literary arts as well as other disciplines, invest in arts throughout the state, and conduct research into artistic and cultural activities throughout the state.

9:14:22 AM

Section 10 (Page 9): Amends AS 44.27.052(a) to replace "educational objectives with "strategic" objectives as it relates to the council's ability to enter into contracts and accept gifts, contributions, and bequests.

Section 11 (Page 9-10): Amends AS 44.27.054 to replace language with the proper terms “chair” and “trustees” previously established and makes a conforming amendment to Section 1.

Section 12 (Page 10): Adds a new section to AS 44.27 detailing the administration of affairs of the board of trustees. The board of trustees shall manage the assets of the council, establish and amend bylaws governing the business of the corporation, and employ an executive director to supervise the administration of ASCA. This section also exempts ASCA from the State Procurement Code (AS 36.30), instructs the board of trustees to establish procedures for procurement, and requires consistency with the Alaska Veterans preference established in AS 36.30.32(f). The operating budget of ASCA is subject to the provisions established in the Executive Budget Act (AS 37.07).

9:15:39 AM

Section 13 (Page 10): Amends AS 44.27.058 to require that ASCA comply with the 20 U.S.C 951 – 960 (National Foundation on the Arts and the Humanities Act of 1965) as it relates to the receipt and disbursement of funds from the National Endowment for the Arts.

Section 14 (Page 10-11): Amends AS 44.27.060 to add new subsections (e) and (f) regarding confidentiality of artist submissions and adds a provision for public disclosure to submissions when the artist is awarded a commission for said submission. However, under subsection (g), subsections (e) and (f) do not apply if the submission was created as a work for hire under 17 U.S.C. 101 or if the artist’s copyright has been transferred under 17 U.S.C. 204.

Section 15 (Page 11): Amends AS 44.27 to add definitions for “board of trustees” and “council”.

9:16:53 AM

Section 16 (Page 11-12): Creates transition language for ASCA to allow council members to remain on the board of trustees until their term is over, allows current employees to remain with ASCA, allows regulations, contracts, rights, liabilities, and obligations created under current law to remain in

effect, and allows ASCA to retain all records, equipment, appropriations, and other property.

Section 17 (Page 12): Creates an effective date for this legislation as July 1, 2017.

9:17:31 AM
CHAIR HUGHES noted that Section 12 allows for the hiring of an executive director; it is not adding a new position.

MR. BANKS said that was correct. ASCA currently has an executive director.

9:18:03 AM
SENATOR COGHILL asked if there is a timeline for members to become trustees.

MR. BANKS deferred the question to Mr. Brown or Ms. Nobel-Pelant.

SENATOR COGHILL said he is reluctant to put U.S. Code requirements into state statute because it unknown whether the state is in compliance. He suggested those requirements be spelled out in Section 13. He also inquired whether trustees have new responsibilities.

MR. BANKS offered to work on those issues.

9:19:13 AM
BENJAMIN BROWN, Chair, State Council on the Arts (ASCA), presented information on SB 66. He said the reason behind the request to restructure ASCA was due to the state fiscal crisis and issues that have arisen even before the budget situation. Due to ASCA receiving more private foundation money, they have been hamstrung by the State Procurement Code. They decided to put together a package of the best ways to make ASCA more effective. He thanked the committee for taking up their request. He noted the House Education Committee has a companion bill. He concluded that ASCA is trying to be part of the solution, not part of the problem.

He addressed Senator Coghill's question. He said the National Arts and Humanities Act mandates that state art agencies be under the auspices of state government. Their funding must be matched dollar for dollar. It also mandates that 40 percent of funding pass through state arts agencies. He emphasized that SB

66 references federal requirements for purposes of clarity. It does not add any more requirements of the legislature.

He offered to answer questions.

9:23:19 AM
CHAIR HUGHES noted the bill will be held over and questions could be considered at the next meeting.

9:23:44 AM
ALICE BIOFF, Member, State Council on the Arts (ASCA), testified in support of SB 66. She shared her personal background and work with Kawerak, the regional non-profit consortium of tribes for the Bering Straits region as a business planning specialist. She spoke of her work with artists within the region. Kawerak provides direct technical assistance to artist entrepreneurs. She has seen firsthand how important ASCA is to artists in supporting their work. The restructuring of ASCA strengthens this support and will provide better funding opportunities and better tools and services. SB 66 streamlines the process ASCA will use to present opportunities to artists all over Alaska.

9:26:38 AM
ANDREA NOBLE-PELANT, Executive Director, Alaska State Council on the Arts, testified in support of SB 66. She shared her personal background. She said the timing of SB 66 is opportune, as Alaska's creative industry is currently growing due to targeted public and private investments in the past ten years. She described the efforts of ASCA and the grants, programs, and private programs it provides to Alaskan artists. SB 66 will allow new and existing programs to reach more Alaskans with increased impact and efficiency.

She related that ASCA works with constituents to oversee projects and initiatives that build capacity for arts organizations and provide practical and professional development and opportunities for artists. She named several programs ASCA works with, such as those with PTSD, incarcerated persons, and more. They have long-standing partnerships with the Rasmuson Foundation, the Alaska Arts and Culture Foundation, and the Atwood Foundation. She listed new partners, which were inspired by ASCA's work. Other partners include the Alaska Humanities Forum, and the Western States Arts Federation. Funding from partners goes back to Alaska residents and communities as grants, programs, and services. She concluded that SB 66 provides flexibility for ASCA to manage projects in a timely

manner and to work across sectors, and it strengthens ASCA's ability to secure future funding.

CHAIR HUGHES thanked the presenters.

MR. BROWN addressed Senator Coghill's question about expertise of council members. He stated that everyone currently on the council has expertise in one of the enumerated art areas and qualifies to continue.

9:31:28 AM
CHAIR HUGHES held SB 66 in committee.

9:31:55 AM
There being no further business to come before the committee, Chair Hughes adjourned the Senate Education Standing Committee at 9:31 a.m.