

**ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE**

April 4, 2017

3:31 p.m.

MEMBERS PRESENT

Senator Shelley Hughes, Chair
Senator Gary Stevens
Senator Cathy Giessel
Senator John Coghill
Senator Tom Begich

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 96

"An Act relating to education; relating to school districts; relating to course credit for students; relating to group insurance, self-insurance, and other cooperative arrangements between school districts and businesses, nonprofit organizations, and government agencies; relating to funding for school districts; relating to school operating funds; relating to competency examinations for teacher certificates; relating to the Professional Teaching Practices Commission; relating to the duties and powers of the Department of Education and Early Development and the commissioner of education and early development; relating to a virtual education consortium; relating to the minimum wage for bus drivers; relating to the investment, appropriation, and administration of the public school trust fund; and providing for an effective date."

- MOVED CSSB 96(EDC) OUT OF COMMITTEE

SENATE BILL NO. 102

"An Act relating to funding for Internet services for school districts; and relating to the Alaska higher education investment fund."

- HEARD & HELD

SENATE BILL NO. 103

"An Act establishing the Alaska education innovation grant program; eliminating the Alaska education grant program and the Alaska performance scholarship program; redesignating the Alaska higher education investment fund as the Alaska education innovation grant fund; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 104

"An Act relating to the duties of the state Board of Education and Early Development; and relating to school curriculum."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 96

SHORT TITLE: EDUCATION:SCHOOLS/TEACHERS/FUNDING

SPONSOR(S): EDUCATION

03/20/17	(S)	READ THE FIRST TIME - REFERRALS
03/20/17	(S)	EDC, FIN
03/22/17	(S)	EDC AT 8:00 AM BUTROVICH 205
03/22/17	(S)	Heard & Held
03/22/17	(S)	MINUTE(EDC)
03/23/17	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
03/23/17	(S)	Heard & Held
03/23/17	(S)	MINUTE(EDC)
03/24/17	(S)	EDC AT 8:00 AM BUTROVICH 205
03/24/17	(S)	<Bill Hearing Canceled>
03/27/17	(S)	EDC AT 8:00 AM BUTROVICH 205
03/27/17	(S)	Heard & Held
03/27/17	(S)	MINUTE(EDC)
03/28/17	(S)	EDC AT 5:30 PM BUTROVICH 205
03/28/17	(S)	Heard & Held
03/28/17	(S)	MINUTE(EDC)
03/30/17	(S)	EDC AT 8:00 AM BUTROVICH 205
03/30/17	(S)	Heard & Held
03/30/17	(S)	MINUTE(EDC)
03/31/17	(S)	EDC AT 8:00 AM BUTROVICH 205
03/31/17	(S)	Heard & Held
03/31/17	(S)	MINUTE(EDC)
04/03/17	(S)	EDC AT 8:00 AM BUTROVICH 205
04/03/17	(S)	Heard & Held
04/03/17	(S)	MINUTE(EDC)
04/04/17	(S)	EDC AT 3:30 PM BUTROVICH 205

BILL: SB 102

SHORT TITLE: INTERNET FOR SCHOOLS; FUNDING

SPONSOR(s): FINANCE

04/03/17 (S) READ THE FIRST TIME - REFERRALS
04/03/17 (S) EDC, FIN
04/03/17 (S) HUS WAIVED PUBLIC HEARING NOTICE, RULE
23
04/04/17 (S) EDC AT 3:30 PM BUTROVICH 205

BILL: SB 103

SHORT TITLE: ED GRANTS/SCHOLARSHIP; INNOVATIVE ED FUND

SPONSOR(s): FINANCE

04/03/17 (S) READ THE FIRST TIME - REFERRALS
04/03/17 (S) EDC, FIN
04/03/17 (S) HUS WAIVED PUBLIC HEARING NOTICE, RULE
23
04/04/17 (S) EDC AT 3:30 PM BUTROVICH 205

BILL: SB 104

SHORT TITLE: EDUCATION CURRICULUM

SPONSOR(s): FINANCE

04/03/17 (S) READ THE FIRST TIME - REFERRALS
04/03/17 (S) EDC, FIN
04/03/17 (S) HUS WAIVED PUBLIC HEARING NOTICE, RULE
23
04/04/17 (S) EDC AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

BRITTANY HUTCHINSON, Staff
Senator Anna MacKinnon
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented information about SB 102, SB 103, and SB 104, on behalf of the Senate Finance Committee.

SENATOR ANNA MACKINNON, Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified on SB 102, SB 103, and SB 104 on behalf of the Senate Finance Committee.

JENNIFER MCNICHOL, Vice President
Sitka School Board
Sitka, Alaska

POSITION STATEMENT: Testified on SB 102, SB 103, and SB 104.

PETE HOEPFNER, Superintendent
Cordova School District
Cordova, Alaska

POSITION STATEMENT: Testified on SB 102, SB 103, and SB 104.

PENNY VADLA, Vice President
Kenai Peninsula School Board
Kenai, Alaska

POSITION STATEMENT: Testified on SB 102, SB 103, and SB 104.

JEANNIE KITAYAMA, Member
Haines School Board
Haines, Alaska

POSITION STATEMENT: Testified on SB 102, SB 103, and SB 104.

CASS POOK, Member
Sitka School Board
Sitka, Alaska

POSITION STATEMENT: Testified on SB 102, SB 103, and SB 104.

ACTION NARRATIVE

[3:31:26 PM](#)

CHAIR SHELLEY HUGHES called the Senate Education Standing Committee meeting to order at 3:31 p.m. Present at the call to order were Senators Begich, Giessel, Stevens, Coghill, and Chair Hughes. She listed the bills to be heard: SB 96, SB 102, SB 103, and SB 104. She hoped to pass out SB 96 depending on the will of the committee. She will provide an opportunity for school districts to testify on SB 102, 103, and 104 today, and there will be public testimony tomorrow at 8:00 a.m. She encouraged people to submit written testimony. She requested that testimony be limited to the bills before the committee and not on the proposed budget reductions.

SB 96-EDUCATION: SCHOOLS/TEACHERS/FUNDING

[3:34:15 PM](#)

CHAIR HUGHES announced the consideration of SB 96.

[3:34:32 PM](#)

SENATOR BEGICH thanked Mr. Banks, Chair Hughes, and the committee for their work on SB 96. He recalled that when his dad worked in the legislature, they took a decade to get 24

education reform bills passed. This committee took time, deliberation, and thoughtfulness on SB 96.

He described the excellent education system in the state in the 1960s and hoped Alaska would have a similar system again. He said he still has issues with items in the bill, but will support it because the bill is moving in the right direction.

He got a legal opinion on the use of the principal of the Public Schools Land Trust that causes him some concern, but said it can be fixed. This bill does great things around innovation and technology, and provides for districts that want to work together. For all of those reasons, he said he will support the bill.

[3:37:52 PM](#)

SENATOR GIESSEL voiced appreciation for the bill. She still has concerns about the repealing of double minimum wages for bus drivers in Section 24. She proposed to delete Section 24 and leave the double minimum wages in place. She understood that only four school districts have unionized members and would be affected by the provision.

[3:38:55 PM](#)

CHAIR HUGHES clarified that the provision is an option for districts. She said removing Section 24 is not a deal breaker for her. She said there are some very good tools in the bill and she did not want to see the process slowed down.

[3:39:30 PM](#)

SENATOR COGHILL liked the idea of the curriculum consortium, but he still had questions about it. He did not know if the consortium was an enabler or not. If it becomes a constrainer he said he will have problems with it. He requested the Department of Education and Early Development (DEED) to keep an eye on it. He thought innovative ideas districts are already using should be considered.

He thought the committee would spend time in the summer on the bill.

CHAIR HUGHES reassured that they have had lengthy conversations with the department on the consortium; it is an optional provision for districts. She expected to have Act II of the bill next year.

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SENATOR COGHILL said two areas come to mind Section 24. His district could not get enough bus drivers for the first three weeks of school. He also wanted to know how the bill will impact his district.

[3:43:05 PM](#)

SENATOR STEVENS said hearing the bill has been a wide-ranging experience. He still had concerns about unintended consequences.

[3:43:34 PM](#)

CHAIR HUGHES thanked Mr. Banks, Senator Begich and his staff, Sydney, as well as and Kate Glover in Legislative Legal for their work on the bill.

She said the committee would look at teacher education and truancy problems next year. She commented on the change to the provision in the bill about merging facilities and said the districts would be contacting the department with ideas. She provided an example of factors to consider in order to free up dollars.

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SENATOR GIESSEL moved to report the CS for SB 96, version 30-LS0452\M, from committee with individual recommendations and attached fiscal notes.

CHAIR HUGHES announced that without objection, CSSB 96(EDC) passed from the Senate Education Standing Committee.

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At ease

SB 102-INTERNET FOR SCHOOLS; FUNDING

[3:47:54 PM](#)

CHAIR HUGHES announced the consideration of SB 102.

[3:48:16 PM](#)

BRITTANY HUTCHINSON, Staff, Senator Anna MacKinnon, Alaska State Legislature, presented information about SB 102, SB 103, and SB 104 on behalf of the Senate Finance Committee. She related that there are high achieving students, great teachers, and great schools and districts in Alaska. However, there are also many schools that are not achieving and there is a large achievement gap for many Alaskan students. Outcomes are not where they should be for students to be prepared for life after high school. The goals of the three bills are to prioritize K-12

education as the state's constitutional responsibility and to prioritize how the state's limited funds are spent. Other goals are to improve outcomes for Alaska's students and to provide for efficiency and streamlined deliveries of education processes and procedures. Alaska's students deserve a 21st Century education.

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MS. HUTCHISON provided the sectional analysis of SB 102:

Section 1 AS 14.03.127(a)

Increases the floor of internet download speed from 10 megabits per second (Mbps) to 25 megabits per second (Mbps) for every school in Alaska.

Section 2 AS 37.14.750(a)

Puts into statute that the legislature may pay for internet services through the Higher Education Fund.

Section 3 AS 37.14.750

Conforming language that allows the legislature to pay for internet services through the Higher Education Fund.

CHAIR HUGHES asked if there is any background information to share.

[3:50:19 PM](#)

MS. HUTCHISON said the reason 25 Mgbs was chosen for the bill was because all schools could increase to that amount without any additional infrastructure. She said that amount is based on the federal E-rate Program, which covers 70 percent to 90 percent of internet services, depending on how many students are on the free or reduced lunch program. For every state dollar, schools receive about \$7 federal dollars.

All school districts utilize the E-rate Program. Only 29 school districts used the Broadband Assistance Grant. She estimated that the bill will bring 197 schools up to 25 Mgbs.

CHAIR HUGHES asked how much funding will be available.

MS. HUTCHISON said they don't have a fiscal note yet, but they estimate about \$16 million will be needed to bring all schools up to 25 Mgbs, tapering off each year.

[3:52:33 PM](#)

SENATOR BEGICH asked if they calculated the ability for each school to make use of that 25 Mgbps by various methods. He did not want to see any schools left behind.

MS. HUTCHISON said all schools can come up to 25 Mgbps.

SENATOR BEGICH pointed out that the download is often absorbed by other users in the community. He suggested making it a dedicated 25 Mgbps for schools.

MS. HUTCHISON said it was an excellent idea.

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SENATOR BEGICH said it should be easy to add language. He suggested an addition of "an applicant's share to a dedicated 25 Mgbps" would ensure that it would not be consumed by the community.

CHAIR HUGHES noted a new satellite launch and the potential for expansion of internet in Alaska.

She asked how many schools would be upgraded.

MS. HUTCHISON said 197 schools, according to 2016 FCC information.

[3:56:33 PM](#)

SENATOR BEGICH asked if the suggestion of 25 Mgbps came from the FCC.

MS. HUTCHISON replied that is was from the Alaska Telephone Association.

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CHAIR HUGHES held SB 102 in committee.

SB 103-ED GRANTS/SCHOLARSHIP;INNOVATIVE ED FUND

[3:57:29 PM](#)

CHAIR HUGHES announced the consideration of SB 103.

[3:57:44 PM](#)

MS. HUTCHISON explained SB 103. She provided the sectional analysis:

Section 1: AS 14.03

Adds a new section, AS 14.03.128, that establishes the Alaska Education Innovation Grant Fund. School Districts may request a grant under this section for the support of innovative education ideas. The Commissioner of the Department of Education and Early Development (DEED) shall determine annually the amount requested for grants and submit them in their budget for legislative approval.

Section 2: AS 14.42.030(e)

Removes the Alaska Education Grant from state statute. The Alaska Education Grant is in AS 14.43.400 - AS 14.43.420.

Section 3: AS 14.43.810(a)

Makes the high school graduating class of 2017, the last high school class to receive the Alaska Performance Scholarship (APS).

Section 4: AS 14.43.820(a)

Allows the commission to award an APS to a student no later than July 1, 2017.

Section 5: AS 14.43.915(a)

Makes the APS and the Alaska Education Grant (AEG) available to students for four years and does not allow a student's eligibility to go past the 2020-2021 academic year.

Section 6: AS 14.43.915(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant". This section deals with money going from the fund to the Alaska Education Grant fund. This section is repealed Feb. 1, 2021.

Section 7: AS 14.43.915(b)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant". This section deals with money going from the fund to the Alaska Performance Scholarship award account. This section is repealed Feb. 1, 2021.

Section 8: AS 14.43.915(c)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant". This section deals with the allocation of monies from the fund. This section is repealed Feb. 1, 2021.

Section 9: AS 14.45.130(a)

This section deals with eligibility of students from a private or religious school receiving the APS. It is repealed Feb. 1, 2021.

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Section 10: AS 37.14.750(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant". This section establishes the purpose of the fund, which is "making grants to school districts to support the Alaska Education Innovation Grant Program."

Section 11: AS 37.14.750(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant". This section establishes the purpose of the fund, which is "making grants to school districts to support the Alaska Education Innovation Grant Program." This section also removes the language that allows payments from the fund to go to scholarships to postsecondary institutions. This section is repealed in Feb. 1, 2021.

Section 12: AS 37.14.750(d)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant".

Section 13: AS 43.20.014(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant".

Section 14: AS 43.55.019(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant".

Section 15: AS 43.56.018(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant".

Section 16: AS 43.65.018(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant".

Section 17: AS 43.75.018(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant".

Section 18: AS 43.77.045(a)

Conforming Language to change the name of the fund from "Alaska Higher Education Investment" to the "Alaska Education Innovation Grant".

Section 19: AS 14.03.113

AS 14.03.113, "District's determination of scholarship eligibility" is repealed July 1, 2017

Section 20

Repeals the following sections on Feb. 1, 2021.

Article 8: Alaska Education Grant Program

- AS 14.43.400 - Purpose; creation
- AS 14.43.405 - Administration
- AS 14.43.406 - Applicability of other laws
- AS 14.43.415 - Eligibility; priority
- AS 14.43.420 - Limitation on grants

Article 12: Alaska Performance Scholarship Program

- AS 14.43.810 - Alaska performance scholarship program established; regulations
- AS 14.43.820 - Alaska performance scholarship program; eligibility
- AS 14.43.825 - Maximum annual awards
- AS 14.43.830 - Qualified postsecondary institutions

- AS 14.43.840 - Report to the Legislature
- AS 14.43.849 - Definitions

Article 13 General Provisions

- AS 14.43.915 - Alaska education grant account and Alaska performance scholarship award account

Article 9: Alaska Higher Education Investment Fund

- AS 37.14.750(c) - As soon as is practicable after July 1 of each year, the commissioner of revenue shall determine the market value of the fund established in this section on June 30 for the immediately preceding fiscal year. The commissioner shall identify seven percent of that amount as available for appropriation as follows: (1) one-third for the grant account established under AS 14.43.915AS 14.43.915(b), from which the Alaska Commission on Postsecondary Education may award scholarships. (a), from which the Alaska Commission on Postsecondary Education may award grants; and (2) two-thirds for the scholarship account established under

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Section 21: Applicability Section

The Alaska Commission on Postsecondary Education may only award an APS to a new applicant if they are determined eligible by their school district and reported as eligible to DEED on or before July 1, 2017.

Section 22: Transition

The Departments of: Education and Early Development, Labor and Workforce Development and the Alaska Commission on Postsecondary Education may adopt regulations to implement necessary changes made by this act. The regulations may only take effect after the law is implemented.

Section 23: Retroactivity

If Sections 3-5 and 19 of this Act take effect after July 1, 2017, then sections 3-5 and 19 of this act are retroactive to July 1, 2017.

Section 24: Effective Dates

Sections 2, 9, and 11 take effect Feb. 1, 2021.

Section 25: Effective Date

Except for Sections 2, 9, and 11, this act takes effect immediately.

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SENATOR BEGICH voiced concern about a policy bill coming from Senate Finance Committee at this late date. He said Sections 12-17 are amendments to Education Tax Credit that is set to sunset next year. He said that he has crafted an amendment to extend it seven more years, if the sponsor is interested. He asked whether Senator Coghill will be offering it as a bill.

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SENATOR BEGICH related that the Innovation Grant Fund provides support to offset cuts proposed by the Senate Finance Committee. He asked how much is in the Grant Fund for this fiscal year.

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MS. HUTCHISON said the amount in the Alaska Higher Education Investment will be transferred into the Alaska Education Innovation Grant Fund. That amount currently is \$349 million.

SENATOR BEGICH asked if the entire amount will be available for the Grant Fund.

MS. HUTCHISON explained that the whole Grant Fund will not be available; the Alaska Performance Scholarship and the Alaska Higher Education Investment must be funded for four more years, as well as non-designated appropriations.

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SENATOR BEGICH asked how much will be available.

MS. HUTCHISON offered get that information.

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CHAIR HUGHES thought there might be \$100 million left.

MS. HUTCHISON said she has seen the figures of \$100 million and \$118 million.

SENATOR BEGICH explained that there is a one-time decrement of \$69 million that lowers the BSA and follows through over time.

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CHAIR HUGHES stated that the formula is not being change. She said the idea is to help districts come up with new ways to

provide classroom instruction and serve as lasting changes. The Innovation Grants would no longer be needed year after year.

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SENATOR BEGICH restated his question for the benefit of Senator MacKinnon, sponsor, who just joined the meeting.

[4:07:01 PM](#)

SENATOR ANNA MACKINNON, Alaska State Legislature, speaking on behalf of the Senate Finance Committee, explained why Senator Begich's analysis was not correct. She noted the starting point of \$349,360,778 in the FY18 Governor's budget for the Education Innovation Grant Fund. There are different draws on the Fund in both the House and Senate, so she cannot provide a balance after those are taken. Also, two other bills before the committee will draw from the Fund, should SB 103 pass. If the APS stays the same, it will also draw from the Fund. In addition, they propose to use a one-time expense in the e-rate bill, and the curriculum bill will probably pay for a DEED advisor. She concluded that she does not know what the final number will look like because there are different ways the money could be reduced over time. She is expecting fiscal notes for SB 102, SB 103, and SB 104 soon.

She spoke of the APS funding ramp down over four years.

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SENATOR MACKINNON discussed the huge budget shortfall and the fact that she has met with districts regarding their needs. She said the bill is designed with no funds available, except from drawing from savings to keep afloat the current system. The bill retools a fund where there are dollars available to provide students with better outcomes at state and global levels. The bill is intended to keep afloat the current system and allow students to have better outcomes. It takes existing resources and uses them for a constitutionally required benefit for K-12 students.

[4:11:26 PM](#)

SENATOR BEGICH agreed there is a constitutional obligation to provide an adequate education. He noted that the Grant Fund does not continue into perpetuity.

SENATOR MACKINNON said that is dependent on the legislature. She countered that "we are required to provide a basic education, not an adequate education." She said she wants all children to succeed and pursue their dreams and it is her hope that the

Grant Fund would continue to be a bridge to provide additional opportunities. She explained that the Senate's budget is using a portion of the Grant Fund to pay the debt down of the unfunded PERS and TRS liability. The conference committee, should the budgets pass, would have the option of leaving the money in the Grant Fund or using it for a one-time expense. There originally was much more in the Grant Fund and it has decreased. About \$350 million is available now for the legislature and the Governor to consider its best use.

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She added that e-rate and reoccurring costs would also come out of the Grant Fund.

SENATOR BEGICH stated that the bill phases out the APS by 2021. He asked if it was also phasing out the needs-based Scholarship.

SENATOR MACKINNON said yes.

SENATOR BEGICH noted there would be future competition for the grants by 53 school districts resulting in inequities created due to the skill level of grant writers. He hoped there would be consideration for a fairer playing field.

[4:15:28 PM](#)

SENATOR MACKINNON replied that DEED is involved in the process of working with districts to provide a level playing field.

CHAIR HUGHES noted that DEED is present in the room and hears the discussion.

She understood that the Innovation Grants will be able to continue without ongoing funds.

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SENATOR MACKINNON said that is one way to look at it. The bill provides that DEED would come to the legislature in the form of a budget request after working with school districts across the state and after gaining support by the State Board of Education and the Governor. They could be ongoing, depending on what a district chooses to do.

SENATOR MACKINNON stated that it is not fun to close down a program that is benefitting students, however, the state must prioritize the money it is currently utilizing. This proposal would benefit all students in Alaska, while the APS benefits only a few hundred or a thousand. She said her desire is not to

pit one program against the other, but to have the same students benefit from the program, sooner rather than later, so that they are prepared to enter college or a vocational program.

4:18:28 PM

SENATOR BEGICH voiced concern, not about the end of the APS, but about the \$69 million removed from the BSA for competitive grants. He asked if they are directing districts as to where they can put their resources.

SENATOR MACKINNON said no. She recalled the press conference yesterday where the bill was mentioned as innovation she hoped districts could use. She said the \$68 million cut to the BSA is a different discussion and SB 103 is not tied to it. The cut is in response to a proposed \$13 billion to be drawn from savings with a section of government she believes is taking over 30 percent of designated general funds and applying a small cut, compared to other cuts that are being made in other departments.

She said her intent is to provide a bridge to the future. Everyone wants what is best for kids, but there is a need to change together. She looks to the Board of Education and DEED, working with school districts, to come up with something everyone can support.

She spoke of how the e-rate bill could be used to support smaller districts. She pointed out that none of the bills mandate anyone to do anything. She hoped to work together on BSA concerns. She concluded that cuts to the budget are difficult for everyone and are part of a process. They will try to do everything possible to put students first.

4:23:05 PM

CHAIR HUGHES said during all exploratory hearings on education, it has been highlighted that Alaska is not fully meeting students' education needs and there is a disparity in achievement. The Senate Education Committee is trying to step out of the box to be innovative and to change those results. She said the timing is right, with good leadership and the Alaska Innovative Challenge. She has had conversations with people in other states and has concluded that Alaska will be a leader in this mission. She said they will work together with both bodies, the administration, and districts to effect change and make a difference. She appreciated Senator MacKinnon's work.

4:25:24 PM

SENATOR GIESSEL underscored Chair Hughes comments. She said that there have been discussions about innovation in education the past four years. She said the state cannot continue to do the same thing and expect different results. Funding is not getting to the classrooms and allowing teachers to teach to their highest capacity. She said she is supportive of SB 103.

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CHAIR HUGHES agreed that teachers need the freedom to be flexible and creative.

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SENATOR BEGICH related that he believes in the same things and supports innovation. He agreed that these bills are innovative, however, the process is concerning. There is an odd disconnect between these bills and what is going on overall with education funding. He requested looking at everything together. The three bills are laudable. He requested to be sure that due diligence is used.

CHAIR HUGHES held SB 103 in committee.

SB 104-EDUCATION CURRICULUM

[4:29:19 PM](#)

CHAIR HUGHES announced the consideration of SB 104.

SENATOR ANNA MACKINNON, Alaska State Legislature, speaking on behalf of the Senate Finance Committee, explained that SB 104 proposes to suspend curriculum adoption for schools for three years and allow time to work with DEED to find best practices and curriculum from other states and nations that have better outcomes than Alaska has, specifically for math and Language Arts

[4:30:05 PM](#)

MS. HUTCHISON provided the sectional analysis:

Section 1 AS 14.07

- A) Adds a new section titled, "Curriculum Approval and Review".

- B) This section allows the State Board of Education (BOE) to approve of all curricula from the largest 5 school districts, based on the 2015-2016 ADM and 2 rural school districts, chosen by the BOE, and makes it

available for all school districts to use, on a voluntary basis.

- C) The Department of Education and Early Development (DEED), in consultation with school districts, shall review curricula used in other states and other countries to find the best curricula and best practices in the areas of Math and English language arts. DEED has one year to complete this review. DEED shall then implement a way to test this new curricula, for a period of two years, to make sure that it is appropriate and then submit it to the State BOE for approval.
- D) DEED may submit the curriculum to the BOE for approval, after testing, if it meets the requirements of being: appropriate, in compliance with nondiscrimination standards, aligned with state education standards, and result in improved academic achievement for students
- E) If the State BOE approves of the curriculum, they shall make it available for all school districts to use on a voluntary basis.
- F) The State BOE shall adopt standards for the approval of the curriculum and best practices.
- G) School districts do not have to have their math and English language arts curriculum go through the approval or review process for three years. After the three years, if a school district adopts the BOE's new approved curriculum for math and English language arts, they do not need that curriculum reviewed or approved.
- H) Defines School District as having the meaning given in AS 14.30.350.

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CHAIR HUGHES asked if curriculum review will be an on-going task for DEED.

MS. HUTCHISON said it would be a one-time provision.

CHAIR HUGHES suggested considering that it may be needed more often.

SENATOR MACKINNON reported that over a year ago she submitted a letter to the State Board of Education requesting that they take on the responsibility of finding curriculum appropriate for smaller districts. She said that DEED has lost most curriculum specialists, so a fiscal note might be warranted. If curriculum were to be adopted by the State Board as a matter of practice on a regular basis, then smaller school districts could choose to look to the State Board for curriculum review for possible cost savings. She concluded that it is not in the bill in perpetuity because she believes it is a State Board responsibility and they should work together with DEED and districts to see if there is interest and cost savings.

[4:33:21 PM](#)

SENATOR BEGICH understood that the fiscal note would provide funding for DEED. He asked if the bill's intent is not to have a mandate for math and English, but to prepare the curriculum so that a local district may choose it.

SENATOR MACKINNON said yes; it is an opt-in and has no mandate. She hoped the State Board would agree that it is of value to smaller school district. Many of the "big five" school districts are already using similar curriculum. Small districts may have more varied curriculum.

SENATOR BEGICH commented on the great innovations happening in Copper River School District and in Chugach School District. He suggested curriculum for small districts might already be available. He wanted to ensure the power of the local school board.

SENATOR MACKINNON said local control is mandated in the constitution and the bill tries to honor that. She agreed there are great performing districts in Alaska.

[4:36:13 PM](#)

CHAIR HUGHES asked what it costs a district to review a K-12 curriculum.

MS. HUTCHISON said DEED told her it cost about \$323 per student to update curriculum.

[4:37:05 PM](#)

CHAIR HUGHES stated she would hold SB 104 in committee.

[4:37:24 PM](#)

SENATOR MACKINNON stated that they are not pre-assuming cost savings in districts in any amount. All provisions are on a volunteer basis. She noted it is an open dialogue and is a process.

CHAIR HUGHES concluded that there could be savings by districts if they decided to go with some of the provisions in the bill.

[4:38:26 PM](#)

JENNIFER MCNICHOL, Vice President, Sitka School Board, testified on SB 102, SB 103, and SB 104. She said they have no problems with the internet provisions in SB 102, however, they do have concerns about micromanagement and diverting funds from general education.

She spoke to SB 104 and the provision against maintaining the APS. She pointed to successes due to the APS and students' choices to attend UAS because of it. There will be ripple effects from discontinuing the fund, such as students leaving the state for education and not returning. She recalled that APS was also on the block last year and students came to lobby for it.

[4:42:06 PM](#)

MS. MCNICHOL spoke of concerns about the Innovative Grants being subject to legislative appropriation. There is no guarantee they will be available in future years. The district has been under budget constraints and has been trimming their budget, which has led to some wonderful innovations, such as collaboration with non-profits and using more grants. However, there are costs in administering grants. The overall feeling by the district is that they would rather have more general education funding than pursuing and competing for grants.

[4:44:06 PM](#)

MS. MCNICHOL addressed the achievement gap and poor outcomes. She pointed out that in the past two to three years there has been no consistent statewide assessment. Things may have changed that have not been measured.

MS. MCNICHOL voiced a concern in SB 104 regarding curriculum review. She liked the notion of fiscal support for DEED to develop math and English curriculum, however, a one-time review of curricula is a concern. Districts are mandated to review curricula every six years, which seems reasonable. They support best practices for curricula, but also highly value local control. Sitka is in the midst of implementing culturally

responsive programming at every level in every class. She feared the pressure to adopt a statewide curriculum would jeopardize that effort. She was happy it was not mandated. She thanked committee members for their service.

[4:47:18 PM](#)

PETE HOEPFNER, Superintendent, Cordova School District, testified on SB 102, SB 103, and SB 104. He said increasing bandwidth, as provided in SB 102, is a good idea, but they have concerns with SB 103 about the elimination of the APS and the rigorous course work it requires. Students have been focusing on a rigorous pathway in order to qualify for the APS. He questioned how long the innovation grants would be available. Regarding SB 104, he noted that Cordova has a six-year curriculum review schedule.

[4:49:57 PM](#)

PENNY VADLA, Vice President, Kenai Peninsula School Board, testified on SB 102, SB 103, and SB 104. She said the district has not had enough time to thoroughly consider the bills. She commented that the broadband in SB 102 would be nice for schools who lack enough access. She spoke in favor of keeping the APS, not eliminating it as proposed in SB 103 because it helps so many students and keeps them in Alaska.

She noted some issues with the Innovation Grant because KPBSD has been very good with innovation and has used efficiencies well. They have used Digital Incentive Grants for innovative purposes and already have new programs in place. They have a lot of knowledge and can share their curriculum with other districts. She did not think DEED needs to look out-of-state for innovative curricula. She stressed the importance of looking inward for innovation, making use of professional development to share it, and saving money.

[4:53:21 PM](#)

MS. VADLA stated that curriculum review in KPBSD is happening currently in the areas of math and English. She stressed the importance of cultural inclusion in curriculum. She opined that some of the test results in Alaska are good, such as ACT in math and reading, which are above national norms. She encouraged the committee to believe that results aren't necessarily poor. She noted that districts are already partnering and sharing information.

[4:56:09 PM](#)

CHAIR HUGHES agreed that Kenai was doing great things and said the committee was able to participate in a virtual classroom with them.

[4:56:35 PM](#)

JEANNIE KITAYAMA, Member, Haines School Board, testified on SB 102, SB 103, and SB 104. She said she is a newly retired teacher. She agreed with previous testimony by experienced school board members. She spoke in favor of increased broadband, and the retention of the APS. She thought innovation was a popular buzz word. She said charter schools were developed in order to try different ideas, taking successful ones into public schools. She commented that Alaska Schools are unique and diverse. She questioned whether a curriculum could be found that would fit every school.

[4:58:37 PM](#)

CASS POOK, Member, Sitka School Board, testified on SB 102, SB 103, and SB 104. She spoke in opposition to doing away with the APS. She shared a personal story about her son who would be a beneficiary of the APS.

She said the state would not need to be looking at the bills if there had been adequate funding for the past 8-10 years. She asked how they can work together to ensure that more things are not taken away. She thanked the committee for their work.

[5:01:39 PM](#)

CHAIR HUGHES noted public testimony would continue tomorrow.

CHAIR HUGHES held SB 104 in committee.

[5:03:00 PM](#)

There being no further business to come before the committee, Chair Hughes adjourned the Senate Education Standing Committee at 5:03 p.m.