

ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE

April 11, 2017

9:01 a.m.

MEMBERS PRESENT

Senator Mia Costello, Chair
Senator Shelley Hughes, Vice Chair
Senator Kevin Meyer
Senator Gary Stevens
Senator Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 47

"An Act relating to motor vehicle franchises, motor vehicle transactions, motor vehicle dealers, motor vehicle manufacturers, and motor vehicle distributors."

- MOVED CSSB 47(L&C) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 102(EDC)

"An Act relating to instruction in a language other than English; and relating to limited teacher certificates."

- HEARD & HELD

SENATE BILL NO. 85

"An Act relating to allocations of funding for the Alaska Workforce Investment Board; and providing for an effective date."

- BILL HEARING CANCELED

SENATE CONCURRENT RESOLUTION NO. 10

"An Act relating to allocations of funding for the Alaska Workforce Investment Board; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: SB 47

SHORT TITLE: MOTOR VEHICLE DEALER FRANCHISES

SPONSOR(s): SENATOR(s) MEYER

02/01/17 (S) READ THE FIRST TIME - REFERRALS
02/01/17 (S) L&C, JUD
02/23/17 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/23/17 (S) Heard & Held
02/23/17 (S) MINUTE(L&C)
04/11/17 (S) L&C AT 9:00 AM BELTZ 105 (TSBldg)

BILL: HB 102

SHORT TITLE: LIMITED TEACHER CERTIFICATES; LANGUAGES

SPONSOR(s): REPRESENTATIVE(s) KREISS-TOMKINS

02/03/17 (H) READ THE FIRST TIME - REFERRALS
02/03/17 (H) EDC
03/01/17 (H) EDC AT 8:00 AM CAPITOL 106
03/01/17 (H) Heard & Held
03/01/17 (H) MINUTE(EDC)
03/15/17 (H) EDC AT 8:00 AM CAPITOL 106
03/15/17 (H) <Bill Hearing Canceled>
03/20/17 (H) EDC AT 8:00 AM CAPITOL 106
03/20/17 (H) Heard & Held
03/20/17 (H) MINUTE(EDC)
03/27/17 (H) EDC RPT CS(EDC) 4DP 1NR 1AM
03/27/17 (H) DP: TALERICO, PARISH, SPOHNHOLZ, KOPP
03/27/17 (H) NR: DRUMMOND
03/27/17 (H) AM: FANSLER
03/27/17 (H) EDC AT 8:00 AM CAPITOL 106
03/27/17 (H) Moved CSHB 102(EDC) Out of Committee
03/27/17 (H) MINUTE(EDC)
04/05/17 (H) TRANSMITTED TO (S)
04/05/17 (H) VERSION: CSHB 102(EDC)
04/06/17 (S) READ THE FIRST TIME - REFERRALS
04/06/17 (S) L&C, EDC
04/11/17 (S) L&C AT 9:00 AM BELTZ 105 (TSBldg)

WITNESS REGISTER

WESTON EILER, Staff
Senate Labor and Commerce Committee
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the CS for SB 47, version U.

REPRESENTATIVE JONATHAN KREISS-TOMKINS
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 102.

REID MAGDANZ, Staff
Representative Jonathan Kreiss-Tomkins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented information on HB 102 on behalf of the sponsor.

BOB WILLIAMS, Director
Division of School Finance and Facilities
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Testified on HB 102.

SONDRA MEREDITH, Education Administrator
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Testified on HB 102.

BRANDON LOCKE, Senior Director
Curriculum and Instruction
Director
K-12 Language and Language Immersion Programs
Anchorage School District
Anchorage, Alaska

POSITION STATEMENT: Testified on HB 102.

ALICE TAFF, representing herself
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 102.

SHAWN ARNOLD, Superintendent
Nome Public Schools
Nome, Alaska

POSITION STATEMENT: Testified in support of HB 102.

KATHRINE GARDNER, Executive Director
Human Resources
Mat-Su Borough School District
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 102.

JENNIFER SCHMIDT-HUTCHINS, Principal
Frontieras Spanish Immersion School
Mat-Su Borough School District
Wasilla, Alaska

POSITION STATEMENT: Testified in support of HB 102.

ACTION NARRATIVE

[9:01:12 AM](#)

CHAIR MIA COSTELLO called the Senate Labor and Commerce Standing Committee meeting to order at 9:01 a.m. Present at the call to order were Senators Meyer, Gardner, Hughes, and Chair Costello. Senator Stevens arrived shortly thereafter.

SB 47-MOTOR VEHICLE DEALER FRANCHISES

[9:02:02 AM](#)

CHAIR COSTELLO announced the consideration of SB 47.

[9:02:19 AM](#)

CHAIR COSTELLO opened and closed public testimony on SB 47.

[9:02:26 AM](#)

SENATOR HUGHES moved to adopt the CS for SB 47, version 30-LS0090\U, as the working document.

CHAIR COSTELLO objected for discussion purposes.

[9:02:55 AM](#)

WESTON EILER, Staff, Senate Labor and Commerce Committee, Alaska State Legislature, presented the CS for SB 47. He explained that version U pares down the bill and focuses primarily on concerns expressed during public testimony and by members regarding warrantee work and service. It lays out a middle ground for Section 15.

CHAIR COSTELLO requested a copy of the new sectional analysis for version U.

[9:04:16 AM](#)

At ease

[9:04:42 AM](#)

MR. EILER said he did not have a sectional analysis. He explained that Section 1 describes the timelines and conditions by which repair and warranty claims can be made and includes audit and retail rates. It amends AS 45.25 and sets out

submission information about how retail rates are calculated. Page 3, line 15, lists exclusions for those calculations, and page 4, line 8, lists auditing provisions.

Section 3 adds an applicability section and clarifies definitions.

[9:08:00 AM](#)

CHAIR COSTELLO removed her objection. There being no further objection, version U was adopted.

[9:08:17 AM](#)

SENATOR GARDNER asked if the committee would hear from dealers and manufacturers.

[9:08:35 AM](#)

At ease

[9:10:33 AM](#)

CHAIR COSTELLO reconvened the meeting and advised that public testimony was not noticed for this meeting. She added that the bill goes to the Senate Judiciary Committee next where feedback will be a part of the process.

SENATOR GARDNER said she would probably object to moving the bill.

[9:11:39 AM](#)

SENATOR KEVIN MEYER, sponsor of SB 47, thanked Chair Costello for her work on the bill. He agreed that the first version of the bill was probable overly ambitious. He agreed with the compromises in Section 15. He noted the importance of the bill for dealers and consumers. He highlighted the difficulty associated with getting warranty work done and stated his preference to have it addressed in Section 15.

SENATOR HUGHES expressed appreciation for the changes, particularly the concern she voiced about dealer location.

[9:14:59 AM](#)

SENATOR HUGHES moved to report the CS for SB 47 from committee with individual recommendations and attached fiscal notes.

CHAIR COSTELLO announced that without objection, CSSB 47(L&C) is reported from the Senate Labor and Commerce Standing Committee.

[9:15:14 AM](#)

At ease

HB 102-LIMITED TEACHER CERTIFICATES; LANGUAGES

9:17:51 AM

CHAIR COSTELLO reconvened the meeting and announced the consideration of HB 102. She said the intent is to hear the bill, take public testimony, and hold the bill for further consideration. [CSHB 102(EDC) was before the committee.]

9:18:30 AM

REPRESENTATIVE JONATHAN KREISS-TOMKINS, Alaska State Legislature, sponsor of HB 102, stated that the bill authorizes the Department of Education and Early Development (DEED) to grant Type M certificates to teachers of languages other than English. He explained that HB 102 is the product of many conversations and years of work. He said SB 75 is the companion bill to HB 102. He noted the successes of world language immersion programs in school districts in Alaska.

9:19:44 AM

REID MAGDANZ, Staff, Representative Jonathan Kreiss-Tomkins, Alaska State Legislature, related that HB 102 authorizes the State Board of Education to create a new type of limited certificate specific to teachers teaching an immersion language program. Currently, limited certificates authorized under AS 14.20.025 are valid for teaching vocational and technical programs, Alaska Native language and culture classes, and military science courses.

He said that Legislative Legal Services drafted the bill as a repeal and reenactment, so much of the language in the bill already exists in current law.

9:20:41 AM

MR. MAGDANZ referred to page 1, subsection (a), paragraphs (1-3), which lay out the existing subjects for which limited certificates can be issued. Paragraph (4) is the crux of the bill and differs from current law.

He explained that limited teacher certificates allow schools to capture known local talent not generally available for classrooms. He used welders, mechanics, and Native speakers as examples. Type M certificates differ from standard teacher certificates in a couple of ways. Limited certificates must be requested by local school boards on a case-by-case basis and they are only good in the district that requested it.

[9:22:54 AM](#)

MR. MAGDANZ drew attention to two provisions that differ slightly from current law. The first difference is on page 2, lines 14 and 15, and requires the State Board of Education, when writing its regulations on language immersion limited certificates, to provide an option for applicants to demonstrate competency that is not just taking a Praxis test. The second difference is found in subsection (e). It adds a one-year initial period for a limited certificate and a probationary period for evaluation. Currently, there is only a probationary period for some types of limited certificates.

[9:24:21 AM](#)

CHAIR COSTELLO thanked Representative Kreiss-Tomkins for his interest. She listed several programs in her district: a Japanese immersion program, a German immersion charter school, a Russian immersion program, Spanish immersion program, and an Alaska Native charter school.

She asked whether the main teacher will be in the classroom with the limited certificate teacher.

[9:25:18 AM](#)

MR. MAGDANZ replied districts can apply any provisions they want and use the teachers as they wish.

[9:25:29 AM](#)

CHAIR COSTELLO talked about allowing exchange students from other countries to be in classrooms throughout the school day.

[9:26:10 AM](#)

REPRESENTATIVE KREISS-TOMKINS said he has not been party to that conversation, although he is familiar with that situation. He pointed out that Mt. Edgecombe High School in Sitka had exchange teachers from China teaching Chinese language and culture in school. He opined that those teachers could be eligible for a type M certificate if the district and school board agree.

[9:27:46 AM](#)

MR. MAGDANZ said the bill should provide that flexibility to districts. He suggested asking Mr. Locke, the director of Anchorage's world language program, to speak to the issue.

SENATOR GARDNER requested more information about the extension period.

MR. MAGDANZ replied the extension period is currently set in regulation by the State Board. He offered his belief that it would remain the same way under HB 102.

SENATOR GARDNER asked about the pay scale.

MR. MAGDANZ explained that pay is set at the local level and is between the district and the teachers union. Some districts put limited certification holders on the same pay scale as regular teachers; other districts do it differently. The bill does not affect how Type M teachers are paid.

[9:29:28 AM](#)

REPRESENTATIVE KREISS-TOMKINS said he believes that school districts could provide more information about pay scale in their testimony.

[9:29:59 AM](#)

SENATOR GARDNER asked about the teacher exchange program in Sitka and wondered if the district incurs the expense of hiring a new teacher.

[9:30:35 AM](#)

REPRESENTATIVE KREISS-TOMKINS said districts will have discretion on hiring and paying Type M teachers.

[9:31:20 AM](#)

SENATOR STEVENS described the wording on line 12 on page 1 as odd. It says, "any subject if the language of instruction is not English." He suggested it should say "another language" instead of "any subject."

[9:31:42 AM](#)

MR. MAGDANZ explained that the intention is to allow the State Board to create a certificate that works for language immersion programs. An immersion program often has classes in a foreign language for half the day and in English the other half. The bill will provide more flexibility to help staff the non-English half-day, which is why "any subject" is used.

[9:32:43 AM](#)

SENATOR STEVENS countered that "any subject" could be mathematics or history.

SENATOR HUGHES questioned whether math or history should be taught by a limited certificate person. It is important that

teachers know their content area. She asked if Type M teachers can take content Praxis examinations in other languages.

[9:34:01 AM](#)

REPRESENTATIVE MAGDANZ said the Praxis Exam is only offered in English.

[9:34:37 AM](#)

SENATOR HUGHES referred to subsection (d) on page 2 and expressed hope the State Board would adopt regulations to ensure that Type M teachers had content knowledge in the areas they were planning to teach. She asked if there are any immersion courses in high school.

[9:35:34 AM](#)

MR. MAGDANZ said he did not know of any immersion programs beyond grade 8. The bill intends that districts use discretion when assigning Type M teachers to teach courses.

SENATOR HUGHES asked what subjects might be taught in non-English languages.

[9:36:29 AM](#)

MR. MAGDANZ said he understands that they would have core subjects during the English-speaking half of the day.

[9:36:59 AM](#)

CHAIR COSTELLO said she would have Department of Education and Early Development (DEED) up next, followed by those who could answer members' questions.

[9:37:14 AM](#)

SENATOR HUGHES said she wants students to learn language fluency, as well as the additional benefits of brain development that will help them in other subjects. She shared a story of how a child was able to quickly pick up a second language.

[9:38:27 AM](#)

SENATOR STEVENS wondered if language immersion might prevent non-English speaking students from learning English well.

[9:39:16 AM](#)

REPRESENTATIVE KREISS-TOMKINS opined that learning another language would not exclude mastering English. Immersion language programs in Alaska are highly regarded by parents.

[9:40:45 AM](#)

SENATOR HUGHES noted that English has become a global language. She asked if Spanish immersion programs in Alaska are attended by Spanish speakers or by English speakers.

9:41:31 AM

REPRESENTATIVE KREISS-TOMKINS said he understands that there is a difference between bi-lingual and immersion language education. Most immersion students grew up speaking English and are learning another language.

CHAIR COSTELLO related that math scores for students who learn another language are higher. She said she also heard that those students who are behind when beginning an immersion program catch up in English later in high school. She asked if there is interest in extending immersion language teachers into high school. She sees the Type M certificate teachers and foreign exchange students as supplementing regular classes and providing opportunities for enhancement.

9:45:41 AM

SENATOR GARDNER asked what Type I certificates are. She asked why districts are prohibited from requiring Type M applicants to take the Praxis exam. She also asked if an application can be denied.

9:46:10 AM

MR. MAGDANZ explained that Type I is a limited certificate only used by the Lower Kuskokwim School District in Bethel. It is for those who have been teaching as a para-professional and are working toward a Type A certificate.

To the second question, he explained that the prohibition in testing found in (d) applies only to the State Board regulations. A local school board could still require the Praxis test as one way to demonstrate competency.

9:47:54 AM

SENATOR STEVENS noted the overwhelming need for remedial education when students go to college and asked for assurance that the bill wouldn't make that worse. He suggested the focus should be on English proficiency.

9:48:36 AM

REPRESENTATIVE KREISS-TOMKINS said immersion language classes are already in existence and the bill aims only to certify immersion language teachers to do their jobs more effectively. HB 102 does not mandate immersion education or extend it.

Outcomes from these programs are impressive and produce successful students.

SENATOR STEVENS countered that many students are not succeeding in English.

[9:50:55 AM](#)

CHAIR COSTELLO invited the Department of Education and Early Development (DEED) to testify on the bill.

[9:51:24 AM](#)

BOB WILLIAMS, Director, Division of School Finance and Facilities, Department of Education and Early Development (DEED), voiced concerns with HB 102, even though DEED fully supports immersion programs. He noted three ways of checking the quality of teachers today and said the bill removes all three of those methods: a Bachelor's Degree, a teacher preparation program, and a competency exam. The bill does say the department can require academic training, but not a teacher preparation program. The bill removes the three checks on teacher quality.

[9:53:52 AM](#)

CHAIR COSTELLO agreed it was a repeal and enactment bill and adds to a list that already exists. She asked how DEED justifies someone who comes in to help teach vocational or technical courses or ROTC programs.

MR. WILLIAMS said the Type M certification includes checks on quality. He provided an example of a quality check by the military. Another example is teaching by Alaska Native speakers. The vocational technical piece does not require a BS, but they have a technical skill and must pass a competency exam. However, HB 102 says if you speak another language, then you can teach any subject. It assumes that the person has the content knowledge to teach all areas.

[9:57:01 AM](#)

CHAIR COSTELLO asked if he would support the bill if it specified expertise in a specific language. She asked if there is a lack of trust by DEED for local districts. She noted districts can set local requirements and asked if that is sufficient.

[9:57:46 AM](#)

MR. WILLIAMS said the department has a great deal of trust in districts. Their concern is that when districts are in a bind

they may hire someone who is not qualified, and the state wants to ensure a minimum quality.

9:58:39 AM

SENATOR STEVENS agreed with the concern. He gave an example of a French teacher teaching other subjects besides French. He asked how the district uses the Type I certificate.

MR. WILLIAMS explained the use of Type I certificate in the Lower Yukon Kuskokwim School District (LYKSD), where para professionals are on a pathway to get a Bachelor's Degree.

10:00:17 AM

SENATOR STEVENS reiterated his concern about remediation needs in college. He asked how LYKSD students fare in college.

MR. WILLIAMS offered to provide that information.

10:01:22 AM

SENATOR HUGHES pointed out that subsection (d) on page 2 does give the State School Board the ability to write regulations and create quality checks. She suggested the department might give the Board suggestions for quality checks.

MR. WILLIAMS stated his preference to have the teacher preparation program, the B.S. degree, and the competency exam in place.

10:03:01 AM

SENATOR HUGHES asked if the Board "shall require that the person take academic training and achieve a certain score."

10:03:41 AM

SONDRA MEREDITH, Education Administrator, Department of Education and Early Development (DEED), explained that their main concern with HB 102 is allowing language teachers to teach outside of their area of expertise. The department does not have the means to require a level of postsecondary education or teacher preparation or knowledge of content area. They would have to fall back on district-determined measures of excellence. The department would like to have more flexibility and more tools available to them.

10:05:21 AM

SENATOR HUGHES asked if changing "may" to "shall" would be agreeable to the department.

[10:06:00 AM](#)

MR. WILLIAMS replied that is still weaker than requiring a teacher preparation program. He suggested allowing teachers who are certified in other countries to teach in Alaska. The goal is to get good teachers in the classroom and there is a need to provide clear definitions of quality teaching.

[10:07:31 AM](#)

BRANDON LOCKE, Senior Director, Curriculum and Instruction, Director, K-12 Language and Language Immersion Programs, Anchorage School District, described their immersion programs. The Russian program was started with a grant and has been a model program. There are two Spanish immersion programs and a bi-lingual/immersion two-way model program. There is a K-8 German immersion program and an advanced German immersion class at East High School. They also have a Chinese immersion program.

The elementary immersion model is a half-day with a teacher for English and math, and a half-day for science, social studies, and the target language with a native-speaking teacher. In the middle school, students attend two periods in the target language - social studies and foreign language - in addition to English. He was not aware of any advanced math or science class taught in a foreign language at the high school level. He provided an example of a high school foreign language class with a theme or perspective such as Perspectives of Literature, a Spanish course.

[10:14:07 AM](#)

He noted that the bill supports a one-year certificate. Parents choose to put their students in immersion programs or not. Research shows that students of immersion programs meet and surpass academic scores. Science and social studies terms are easier, generic, and global and fit into immersion better than math.

He pointed out two instances where they would use this certificate. He stated that they are not trying to bypass teacher requirements. He provided an example of a French teacher with a teaching certificate who could not pass the English on the Praxis I test. The person acted as a teacher for substitute pay with no health benefits. Another example was a Spanish immersion teacher who required substitutes in the classroom. The bill would provide the ability to hire them as teachers on the limited one-year certificate.

[10:18:56 AM](#)

He spoke of Delaware and Utah's reciprocity programs with Chinese and Spanish teachers provided at a state level.

He said he understands the concerns about students who are not doing well in English. Immersion programs are not designed to replace English classes. He spoke of a national campaign called "Lead with Languages" designed to prepare American students to work in a diverse, global marketplace.

[10:20:56 AM](#)

SENATOR GARDNER asked about students who do not do as well in English. She related a personal experience that learning other languages improves a person's native language. She asked if there is data to that effect.

MR. LOCKE said yes, and he would share the research. In Anchorage's programs there are a few Japanese "heritage learners" who are learning three languages. Research also supports the benefits of learning a third language.

[10:23:39 AM](#)

CHAIR COSTELLO said her interest in the bill is as a former teacher and as a parent of children who are learning another language. She stated the importance of keeping an open mind about the bill and ensuring that the bill's goals are achieved without putting children's education at risk.

MR. LOCKE shared the names of the researchers - Thomas and Colliers.

[10:25:28 AM](#)

ALICE TAFF, representing herself, testified in support of HB 102. She shared her background as a teacher of many levels. She agreed with the concern Senator Stevens has about students not being ready for college. She maintained that the education system is not good for all students. She said students who are taught local language in schools are more successful academically and have better health. The suicide rate is much lower for Native language learners and language was the only predictor. Students who know who they are don't commit suicide. Also, they have lower instances of diabetes.

She concluded that children have one chance at education. She stated the importance of starting now with immersion programs. She said HB 102 can help children succeed in school. She noted that the United Nations has designated 2018 as the Year of Indigenous Languages. She said, "With the help of this bill,

Alaskans will be able to demonstrate in 2018 that we're on our way to the positive results for students that we've seen from immersion schools elsewhere."

10:31:07 AM

SENATOR STEVENS said it sounds like she is talking about a Native-speaking student going into a Native-language class. Earlier, the discussion was on the difference between immersion and bi-lingual education.

MS. TAFF explained that she is talking about a model where a Native student, whether they speak the language or not, is being taught in their Native language. Successful immersion schools start with one grade and added more grades as the students get older. She shared data about the success rate of students who are confident because of being taught in their own language.

10:34:30 AM

SENATOR STEVENS asked if this process is creating a bi-furcated society in which there are English speakers and non-English speakers. He asked how people succeed in life if they don't speak English.

MS. TAFF said if people have respect for themselves they will be successful.

SENATOR STEVENS asked if she had concerns about Native language immersion students going to college.

MS. TAFF said under the current system, students are under prepared, so this is a method of looking at education a different way. She proposed that HB 102 will provide a different system where local cultures are respected and recognized.

10:36:56 AM

SHAWN ARNOLD, Superintendent, Nome Public Schools, testified in support of HB 102. He described how the schools are seeking new avenues of language revitalization and using grant money to have indigenous immersion schools. They have a shortage of fluent speakers in their district.

He noted an example of a person who has completed a degree at UAS, but cannot be hired as an immersion teacher. They have worked to get Type M certificates to solve that problem. HB 102 provides another avenue to hire Native speakers.

10:39:47 AM

KATHRINE GARDNER, Executive Director, Human Resources, Mat-Su Borough School District, testified in support of HB 102. She spoke of problems getting Spanish immersion teachers and their inability to pass the Praxis I. The bill will provide the ability to hire these teachers. Specialized expertise adds great value to their district.

[10:42:15 AM](#)

JENNIFER SCHMIDT-HUTCHINS, Principal, Frontieras Spanish Immersion School, Mat-Su Borough School District, testified in support of HB 102. She described their programs and noted scores remain at or above the district-wide average. She said there are checks and balances for immersion teachers who are evaluated just like all other staff. She shared examples of Spanish teachers who work in the immersion program, but cannot pass the Praxis I exam and receive no benefits.

She concluded that HB 102 will help schools provide an enriching learning experience.

[10:48:10 AM](#)

CHAIR COSTELLO closed public testimony on HB 102 and held the bill for further consideration.

[10:48:14 AM](#)

There being no further business to come before the committee, Chair Costello adjourned the Senate Labor & Commerce Standing Committee at 10:48 a.m.