

**ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE**

March 26, 2019

8:08 a.m.

MEMBERS PRESENT

Senator Gary Stevens, Chair
Senator Shelley Hughes, Vice Chair
Senator Chris Birch
Senator Tom Begich

MEMBERS ABSENT

Senator Mia Costello

OTHER LEGISLATORS PRESENT

COMMITTEE CALENDAR

SENATE BILL NO. 79

"An Act relating to course credit for students; relating to annual reports regarding school district performance and school district employees; relating to school operating fund reserves; relating to competency examinations for teacher certificates; relating to the duties and powers of the Department of Education and Early Development; relating to the Professional Teaching Practices Commission; relating to a virtual education consortium; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 79

SHORT TITLE: VIRTUAL ED/TEACHER EXAM./COURSE EXAM.

SPONSOR(S): SENATOR(S) HUGHES

03/06/19	(S)	READ THE FIRST TIME - REFERRALS
03/06/19	(S)	EDC, FIN
03/26/19	(S)	EDC AT 8:00 AM BUTROVICH 205

WITNESS REGISTER

SHEILA MORRISON, Intern
Senator Shelley Hughes
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SB 79 on behalf of the sponsor.

MICHAEL JOHNSON, Ph.D., Commissioner
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Gave the DEED perspective on SB 79.

JERRY COVEY, Ph.D., representing himself
Anchorage, Alaska

POSITION STATEMENT: Gave his perspective on SB 79.

DEENA BISHOP, Ph.D., Superintendent
Anchorage School District
Anchorage, Alaska

POSITION STATEMENT: Gave her perspective on SB 79.

DEBORAH RIDDLE, Division Operations Manager
Student Learning Division
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Reviewed the fiscal note for SB 79.

ACTION NARRATIVE

[8:08:23 AM](#)

CHAIR GARY STEVENS called the Senate Education Standing Committee meeting to order at [8]:08 a.m. Present at the call to order were Senators Hughes, Birch, and Chair Stevens.

SB 79-VIRTUAL ED/TEACHER EXAM./COURSE EXAM.

[8:08:46 AM](#)

CHAIR STEVENS announced the consideration of SB 79. He stated his intention to introduce and discuss the bill and hold it for further review.

[8:09:31 AM](#)

SENATOR SHELLEY HUGHES, speaking as sponsor, said SB 79 does three things. It expands opportunities for students through access to courses and teachers they wouldn't otherwise have access to; it tries to improve the quality of teachers; and it

provides opportunities for administrative efficiencies. She said dollars in the classroom correlates with higher academic achievement so finding efficiencies will free up dollars to use where needed to help students.

SENATOR HUGHES said everyone has been concerned about achievement gaps. Certainly there are pockets of excellence in the state, but in other areas the students are not getting to the finish line. She said her concern with this situation has led to the work on this bill over the last two years. The idea is to put Alaska students in a position to do the best they can in the 21st century so that they can compete and be successful on a global basis.

[8:12:24 AM](#)

SHEILA MORRISON, Intern, Senator Shelley Hughes, Alaska State Legislature, Juneau, Alaska, said the short title of the bill is Virtual Education/Teacher Exam/Course Exam, but she will refer to it as the Education Transformation Act. She explained that it creates a virtual education consortium to allow students to take virtual classes offered by other school districts. Teachers will be able to access professional development courses as well. The bill increases the school district fund balance cap from 10 percent of operating costs to 25 percent. It increases the Praxis scores to be a certified teacher over time. Another portion of the bill allows students to receive credit for gym, art, and music classes for similar activities outside of school, including cultural activities. The Professional Teaching Practices Commission will be required to use administrative support services provided by the Department of Education and Early Development (DEED) to eliminate some duplication. The bill also addresses the requirement for school districts to report on ratios between administrative employees and teachers and students.

MS. MORRISON presented the sectional:

Section 1 - Page 1, Line 8

Creates uncodified law for legislative findings regarding virtual education, education spending, quality teachers, and classroom instruction.

Section 2 - AS 14.03.073(a) - Page 2, Lines 11

Makes technical amendments to add references to specific subsections within these sections due to a new subsection added in Section 4 of this bill.

Section 3 - AS 14.03.073(b) - Page 2, Line 18

Makes technical amendments to add references to specific subsections within these sections due to a new subsection added in Section 4 of this bill.

Section 4 - AS 14.03.073 - Page 2, Line 25

Adds new subsection (e), requiring school districts to allow course credit for career and technical education, physical education, music, or art classes for an activity, including a cultural activity, outside of school hours that meets the educational or [professional] activity requirements of the course.

Section 5 - AS 14.03.078(a) - Page 3, Line 2

Is amended to add a requirement that the Department of Education and Early Development (DEED) submit the annual report that they provide to the legislature to the school districts as well. The DEED report will need to include a summary of categories of administrative employees for each school district which includes the ratio of the administrative employees in each category compared to the number of teachers and to the number of students in the district, and the ratio of the number of teachers to the number of students.

Section 6 - AS 14.03.078 - Page 4, Lines 5

Is amended to add new subsections, requiring each school district to post the portion of the report that pertains to the school district for the public on the district's or community's website or through another easily accessible method. Defines the term "administrative employee".

Section 7 - AS 14.17.505(a) - Page 4, Lines 13

Is amended to increase the limit that a school district is allowed to retain in its unreserved fund balance from 10% to 25% of district expenditures. This section also allows for savings realized from a cooperative grant under AS 14.14.115 to not count towards the 25% limit.

Section 8 - AS 14.20.020(i) - Page 4, Line 21

Is amended to require the State School Board to periodically adjust the minimum score needed to pass the Praxis exam so that Alaska has the highest testing

standards for teacher certification among the 50 states.

Section 9 - AS 14.20.380 - Page 5, Line 6

Adds a new subsection to require DEED to provide administrative support services to the Professional Teaching Practices Commission (PTPC).

Section 10 - AS 14.20.460 - Page 5, Line 9

Is amended to require the PTPC to use administrative support services provided by DEED.

[8:17:29 AM](#)

Section 11 - AS 14.30 - Page 5, Line 23

Creates a new section titled "Virtual Education Consortium" which also creates a new article titled "Article 15. Virtual Education". The subsections of which AS 14.30.760 consists are the following:

- Subsection (a) establishes the virtual education consortium under DEED. The consortium will have a database of virtual education courses available to all districts for students in grades 6-12. The consortium will also provide training for teachers instructing in virtual settings and professional development for all teachers in the state. A school district or third-party vendor may offer courses on the database if it is approved by DEED.
- Subsection (b) will require DEED to review each course to ensure it meets state standards and is appropriate for students in grades 6-12. This subsection also requires that each course has the following information: the title, subject, and description of the course, the district providing the course, method of virtual education delivery, samples of the curriculum, a video introduction by the instructor, and if a synchronous course, a video of the instructor teaching.
- Subsection (c) requires the consortium to provide training for teachers before they are allowed to teach a course that is included in the database. A waiver may be granted if the consortium finds that the teacher has the experience and skills necessary to teach in a virtual setting.
- Subsection (d) requires that the consortium provide professional development courses for all

teachers in the state. Any district that has adequate broadband access to participate in the trainings shall require its teachers to participate in any necessary trainings. The consortium may also require participating districts to adopt the same in-service days for training.

- Subsection (e) sets a fee structure for students that take a course offered virtually by a school district that is not the student's home district. The student's district shall calculate the fee by multiplying the base student allocation by the proportion of classes that the student is taking in the district offering the virtual course. The student's district shall pay this fee to the district offering the course.
- In subsection (f), the consortium is allowed to charge a fee to any school district that offers a course in the database under (b) of this section. DEED will be able to set the fee in regulation and can adjust it as necessary annually. The fees must be set in such a manner that by June 30, 2020, the fees paid by districts will approximately equal any administrative costs of the consortium.
- Subsection (g) allows the consortium to require districts that provide courses or have students taking courses through the consortium to adopt a shared calendar and a shared bell schedule for at least a portion of the school day.
- Subsection (h) creates definitions for the terms: "asynchronous", "base student allocation", "blended", "host district", "synchronous", and "virtual education" or "virtual instruction".

Section 12 - Page 8, Lines 2

Creates uncodified law by adding a new section regarding: Virtual Education Availability Deadline of this Act on or before July 1, 2020.

Section 13 - Page 8, Line 7

Provides for an effective date for Sections 5-12 of this Act take effect immediately under AS 01.10.070(c).

Section 14 - Page 8, Line 8

Provides for an effective date, except as provided in sec. 13 of this Act, this Act take effect July 1, 2020.

8:21:57 AM

CHAIR STEVENS noted that the description in Section 4 reads "outside of school hours that meets the educational or physical activity requirements of the course." He asked if it should read "professional" instead of "physical."

MS. MORRISON said yes.

CHAIR STEVENS said the committee would make that change.

SENATOR HUGHES said that persons giving invited testimony were already suggesting ideas for improvement. She said that a working group to develop ideas about how the consortium would work would be a good idea so that school districts could weigh in and craft something that would work for their students.

SENATOR HUGHES noted the handout on the Praxis scores. She said that is just one aspect of determining the quality of teachers. is important and. There are multiple ways to make sure they have good teachers ready to go in the classroom, but they realized their scores in a number of content areas lagged considerably when compared to other states, as shown in the handout.

8:24:10 AM

MICHAEL JOHNSON, Ph.D., Commissioner, Department of Education and Early Development (DEED), Juneau, Alaska, said he believes that SB 79 includes important policy considerations that have the potential of providing support for students, educators, and school districts. It can serve as another component of the Alaska Education Challenge priority areas of equity and closing the achievement gap. He read from the bill, "Access to quality classroom instruction whether through virtual education or traditional deliver modes is important to the success of every student in the state." He said he is a particular fan of using technology to extend the benefit of great teachers to more students in the state. One way to do that is with a virtual academy. He said he appreciates that the sponsor is willing to work with stakeholders and he looks forward to seeing how this and other education bills develop over this session and the next.

CHAIR STEVENS asked if he was comfortable with the sponsor working with stakeholders on the consortium.

COMMISSIONER JOHNSON answered absolutely.

8:27:11 AM

JERRY COVEY, Ph.D., representing himself, Anchorage, Alaska, said that he is an education consultant based in Anchorage and the sponsor asked him to share his insights on SB 79. He said, overall, he strongly supports SB 79. It contains good ideas. He said he would touch upon a few highlights. He said Section 4, which adds credit options for career and technical education courses and music and art, is appropriate. It recognizes that not all good education occurs within the confines of the classroom. He noted that some districts are moving in that direction already. He referenced Section 5 on reporting and offered his understanding that there is movement in that direction as well. He said the provision in Section 8 to provide more transparency for stakeholders is appropriate, with the acknowledgement that local districts deploy their resources as they see most advantageous to their students. He said he was not sure the information is a valuable comparison district-to-district because each school district has unique circumstances and needs.

DR. COVEY said he smiled when he read about increasing the fund balance in Section 7. That is long overdue and most appropriate.

DR. COVEY said recent research on the Praxis test shows that 46 percent of test takers pass it the first time. The reason for not passing has more to do with the work the prospective teacher did before entering the education program than anything else. He said it is appropriate to look at increasing the scores on the Praxis, but it also appropriate to work closely with the university and high schools to ensure that the content areas that the Praxis covers are well addressed. According to recent research, a lot of the coursework that the Praxis covers could be covered in the first two years of the university program and that would increase the test takers' chance of passing the first time. He offered to share the insightful report which came out a month ago.

DR. COVEY said the virtual education consortium component is a great idea. It is a very dynamic field. He said the best experts are the superintendents in the districts so engaging them in a taskforce or workgroup would be appropriate and provide the best results.

CHAIR STEVENS asked him to share the report on the Praxis and he would distribute it to the members.

SENATOR HUGHES noted the requirement for the State School Board to periodically adjust the minimum score needed to pass the Praxis exam and asked what interval he would recommend.

DR. COVEY replied that every three to five years would allow time for universities and high schools to incorporate changes to address the causes or reasons students are not passing the first time. He suggested that superintendents on the working group could provide expert input on that as well.

SENATOR HUGHES expressed appreciation for the input saying the word "periodically" was definitely open to interpretation. It would improve the bill to pin that down.

CHAIR STEVENS asked what ROE means in the Praxis scores report.

DR. COVEY replied that he did not know.

CHAIR STEVENS commented that perhaps someone from DEED could answer the question.

[8:34:10 AM](#)

DEENA BISHOP, Ph.D., Superintendent, Anchorage School District, Anchorage, Alaska, said she and the Anchorage School Board agree with the first sentence in the sponsor statement that says, "Every Alaska student matters and deserves a high-quality education." because it speaks to their students' future. She said fundamental skills are paramount and will help students learn to learn throughout school and life.

[8:35:33 AM](#)

SENATOR BEGICH joined the committee.

DR. BISHOP said 13 years of K-12 education that provides content on constructs will not last anyone a lifetime but eLearning enables every person to access knowledge and understanding for a lifetime. She said virtual learning can be a powerful tool and Alaskan districts have become more knowledgeable about it in the last 10 years. She encouraged the committee to establish a virtual learning working group to gather expertise from around the state and get input from those with boots on the ground to come up with recommendations for policy decisions.

DR. BISHOP said the statement she likes most [in the sponsor statement] is that the consortium will provide professional development in support of teaching virtually. The skills in the classroom can easily transfer to virtual learning. However, virtual learning must not be utilized in the context of a Carnegie unit or the parameters of the traditional classroom learner to gain credit. Online learning is about the anywhere, anytime, any pace, and is not bound by time and a seat. Whether virtual learning is synchronous, asynchronous, and/or blended, all these practices speak to individual learning, which is key to 21st century skills. Students can meet their dreams with the influence of virtual learning. SB 79 also asks for Alaskans in both rural and urban towns to work together for all Alaska's children through a consortium. This will bring school districts closer together, providing equity for students through the availability of effective teachers. 21st century success is built around utilizing technology to complement and accelerate learning and opportunity.

CHAIR STEVENS asked the sponsor if she was comfortable with the idea of a working group.

SENATOR HUGHES answered yes; the excellent idea of a working group came from the Anchorage School District. The Anchorage and Mat-Su School Districts have been pioneers in this area and their expertise will lend itself to DEED's development of the consortium.

[8:38:57 AM](#)

DEBORAH RIDDLE, Division Operations Manager, Student Learning Division, Department of Education and Early Development (DEED), Juneau, Alaska, said the fiscal note for SB 79 is primarily related to the consortium. The personnel services cost to vet and organize the proposed seven member consortium is \$806,400 each year and the associated costs are \$67,200, all of which would come from general funds.

SENATOR HUGHES asked Commissioner Johnson if he thought this investment that would return better learning for students.

COMMISSIONER JOHNSON replied that he is a fan of using technology to extend the benefit of great teachers to more students around the state so any investment to do so is worthwhile. That is one of the wonderful privileges of living in 2019. The department has already started discussions and is more than willing to participate and help lead those working groups to discuss how this develops. He said it may be that there are

ways to do this more efficiently than the current proposal, without letting go of the commitment to extend the benefit of great teaching to as many kids as possible.

SENATOR HUGHES asked if he thought SB 79 could tie into the middle college concept so students could choose a university course.

[8:42:44 AM](#)

COMMISSIONER JOHNSON replied he sees that as a possibility because some districts already provide students with opportunities for Advanced Placement courses online through dual credit career and technical education. It is reality for postsecondary, but technology has great opportunities to be beneficial on other levels as well. He reminded the committee that technology doesn't replace a teacher. Rather, it extends the benefit of great teaching to more kids, pre-K through college. He suggested that making the middle college idea as robust as possible will include the use of technology.

SENATOR HUGHES asked if he thought it would be a good idea to specifically include classroom teachers in the ratio of administrators to students and teachers that districts provide for the annual report that DEED assembles.

COMMISSIONER JOHNSON replied he would need time to think through exactly what that reporting would be, but he does think it is important for every school to prioritize the classroom. He said he agreed that the ratio is important but the line between administration and classroom teachers is not always clear. Principals are very important to the classroom and if the distinction is too stark it may hurt the classroom. He said it is imperative that families, communities, legislators, stakeholders, and school boards have information about their school so they can compare it to other schools and consider alternate ways of doing something.

SENATOR HUGHES noted that the two education committees heard yesterday from a principal who was filling in and teaching a music class. She said that is the type of situation that a district could explain in their report.

CHAIR STEVENS asked the commissioner whether a person who helps students who have hearing issues is a teacher or an administrator.

COMMISSIONER JOHNSON responded that he would describe that as a teacher, but it's more nuanced for school bus drivers who teach students every day to be respectful and sit on the bus. He opined that almost everyone involved in public education has the opportunity to teach students.

CHAIR STEVENS related a story about a long-time school bus driver in Kodiak that illustrates that point.

[8:48:44 AM](#)

SENATOR BIRCH said the fiscal note says the bill amends AS 14.17.505 by increasing the limit that a school district is allowed to retain in its unreserved fund balance from 10 percent to 25 percent of district expenditures. He asked the commissioner if he had a sense of how large the unreserved fund balance is statewide; how much is currently retained; what is characterized as the unreserved fund balance; and the purpose of allowing the increase in the fund balance.

COMMISSIONER JOHNSON said he would follow up with information about the amount each district has in reserve. He suggested the sponsor speak to the reason for the increasing the reserves.

SENATOR BIRCH said the amount school districts have in reserves would be good information.

SENATOR HUGHES said the idea of raising the cap is two-fold. It increases flexibility and it encourages efficiencies.

[8:51:51 AM](#)

CHAIR STEVENS held SB 79 in committee.

[8:52:12 AM](#)

There being no further business to come before the committee, Chair Stevens adjourned the Senate Education Standing Committee at 8:52 a.m.