

**ALASKA STATE LEGISLATURE  
HOUSE EDUCATION STANDING COMMITTEE**

May 5, 2021

8:04 a.m.

**MEMBERS PRESENT**

Representative Harriet Drummond, Co-Chair  
Representative Andi Story, Co-Chair  
Representative Tiffany Zulkosky  
Representative Mike Prax  
Representative Mike Cronk  
Representative Ronald Gillham

**MEMBERS ABSENT**

Representative Grier Hopkins

**OTHER LEGISLATORS PRESENT**

Senator Tom Begich

**COMMITTEE CALENDAR**

CS FOR SENATE BILL NO. 32(FIN)

"An Act establishing the Alaska middle college program for public school students; relating to the powers of the University of Alaska; and providing for an effective date."

- MOVED CSSB 32(FIN) OUT OF COMMITTEE

HOUSE BILL NO. 164

"An Act relating to early education programs provided by school districts; relating to school age eligibility; relating to early education programs; establishing a parents as teachers program; relating to the duties of the Department of Education and Early Development; relating to certification of teachers; establishing a reading intervention program for public school students enrolled in grades kindergarten through three; establishing a reading program in the Department of Education and Early Development; relating to a virtual education consortium; and providing for an effective date."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 32

SHORT TITLE: COLLEGE CREDIT FOR HIGH SCHOOL STUDENTS

SPONSOR(s): SENATOR(s) STEVENS

01/25/21 (S) PREFILE RELEASED 1/8/21  
01/25/21 (S) READ THE FIRST TIME - REFERRALS  
01/25/21 (S) EDC, FIN  
03/08/21 (S) EDC AT 9:00 AM BUTROVICH 205  
03/08/21 (S) Heard & Held  
03/08/21 (S) MINUTE(EDC)  
03/17/21 (S) EDC AT 9:00 AM BUTROVICH 205  
03/17/21 (S) Moved SB 32 Out of Committee  
03/17/21 (S) MINUTE(EDC)  
03/19/21 (S) EDC RPT 5DP  
03/19/21 (S) DP: HOLLAND, HUGHES, STEVENS, MICCICHE,  
BEGICH  
03/22/21 (S) FIN AT 9:00 AM SENATE FINANCE 532  
03/22/21 (S) Heard & Held  
03/22/21 (S) MINUTE(FIN)  
03/29/21 (S) FIN RPT CS 4DP NEW TITLE  
03/29/21 (S) DP: STEDMAN, BISHOP, WILSON,  
WIELECHOWSKI  
03/29/21 (S) FIN AT 9:00 AM SENATE FINANCE 532  
03/29/21 (S) Moved CSSB 32(FIN) Out of Committee  
03/29/21 (S) MINUTE(FIN)  
04/07/21 (S) TRANSMITTED TO (H)  
04/07/21 (S) VERSION: CSSB 32(FIN)  
04/09/21 (H) READ THE FIRST TIME - REFERRALS  
04/09/21 (H) EDC, STA  
04/19/21 (H) EDC AT 8:00 AM DAVIS 106  
04/19/21 (H) Heard & Held  
04/19/21 (H) MINUTE(EDC)  
05/05/21 (H) EDC AT 8:00 AM DAVIS 106

BILL: HB 164

SHORT TITLE: EARLY ED PROGRAMS; READING; VIRTUAL ED

SPONSOR(s): REPRESENTATIVE(s) TUCK

04/07/21 (H) READ THE FIRST TIME - REFERRALS  
04/07/21 (H) EDC, FIN  
04/21/21 (H) EDC AT 8:00 AM DAVIS 106  
04/21/21 (H) <Bill Hearing Canceled>  
04/23/21 (H) EDC AT 8:00 AM DAVIS 106  
04/23/21 (H) Heard & Held  
04/23/21 (H) MINUTE(EDC)  
04/26/21 (H) EDC AT 8:00 AM DAVIS 106  
04/26/21 (H) Heard & Held

04/26/21 (H) MINUTE (EDC)  
04/30/21 (H) EDC AT 8:00 AM DAVIS 106  
04/30/21 (H) Heard & Held  
04/30/21 (H) MINUTE (EDC)  
05/03/21 (H) EDC AT 8:00 AM DAVIS 106  
05/03/21 (H) Heard & Held  
05/03/21 (H) MINUTE (EDC)  
05/05/21 (H) EDC AT 8:00 AM DAVIS 106

**WITNESS REGISTER**

TIM LAMKIN, Staff  
Senator Gary Stevens  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented SB 32 on behalf of Senator Stevens, prime sponsor.

REPRESENTATIVE CHRIS TUCK  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** As prime sponsor, presented HB 164.

KAREN MELIN, Deputy Commissioner  
Department of Education and Early Development  
Fairbanks, Alaska

**POSITION STATEMENT:** Provided information and answered questions during the hearing on HB 164.

MIKE MASON, Staff  
Representative Chris Tuck  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided information on HB 164 on behalf of Representative Tuck, prime sponsor.

LÖKI TOBIN, Staff  
Senator Tom Begich  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided information during the presentation on HB 164 on behalf of the Senate Education Standing Committee, prime sponsor of companion bill SB 111.

SENATOR TOM BEGICH  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided information during the hearing on HB 164 on behalf of the Senate Education Standing Committee, prime sponsor of companion bill SB 111.

**ACTION NARRATIVE**

[8:04:08 AM](#)

**CO-CHAIR ANDI STORY** called the House Education Standing Committee meeting to order at 8:04 a.m. Representatives Gillham, Zulkosky, Drummond, and Story were present at the call to order. Representatives Prax and Cronk arrived as the meeting was in progress.

**SB 32-COLLEGE CREDIT FOR HIGH SCHOOL STUDENTS**

[8:05:19 AM](#)

CO-CHAIR STORY announced that the first order of business would be CS FOR SENATE BILL NO. 32(FIN), "An Act establishing the Alaska middle college program for public school students; relating to the powers of the University of Alaska; and providing for an effective date."

[8:06:02 AM](#)

TIM LAMKIN, Staff, Senator Gary Stevens, Alaska State Legislature, presented CSSB 32(FIN) on behalf of Senator Stevens, prime sponsor. He shared that SB 32 would set up the framework to improve middle college programs.

[8:06:53 AM](#)

CO-CHAIR STORY said the House Education Standing Committee first heard the proposed legislation on April 19, 2021, and has received two fiscal notes and no amendments.

[8:07:29 AM](#)

REPRESENTATIVE DRUMMOND moved to report SB 32, Version 32-LS0307\I, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSB 32(FIN) was reported out of the House Education Standing Committee.

[8:08:17 AM](#)

The committee took an at-ease from 8:08 a.m. to 8:11 a.m.

**HB 164-EARLY ED PROGRAMS; READING; VIRTUAL ED**

8:11:16 AM

CO-CHAIR STORY announced that the final order of business would be HOUSE BILL NO. 164, "An Act relating to early education programs provided by school districts; relating to school age eligibility; relating to early education programs; establishing a parents as teachers program; relating to the duties of the Department of Education and Early Development; relating to certification of teachers; establishing a reading intervention program for public school students enrolled in grades kindergarten through three; establishing a reading program in the Department of Education and Early Development; relating to a virtual education consortium; and providing for an effective date."

[Before the committee, adopted as a working document during the 4/23/21 House Education Standing Committee meeting, was the proposed committee substitute (CS) for HB 164, Version 32-LS0731\I, Klein, 4/20/21, ("Version I").]

8:13:03 AM

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, as prime sponsor, provided information on HB 164. He shared that he first discovered the Parents As Teachers program in 2009, which focuses on ages 0-5 and is an evidence-based program that recognizes parents as the most important teachers in a child's life. He explained that the program educates parents on how to take advantage of their child's rapid brain development in their early childhood years, which is when children learn more, and at a faster pace, than any other time in their lives. The program also assists parent educators, in a home setting, in identifying any developmental problems for early intervention. In the late 1990s and early 2000s, he said, the Parents As Teachers program had a very strong operation through utilization of federal grants; funds became less available after the Obama Administration, he said, but the program still existed until the 2019 government shutdown, when many services were cut.

8:18:21 AM

REPRESENTATIVE TUCK explained that within the Parents As Teachers program there exists the Heroes At Home program for

military families. He said the U.S. Department of Defense (DoD) focuses funding for the Parents As Teachers program on bases and communities with higher rates of deployment, as the program also serves as a de facto support group for the families of deployed military personnel; children with social and interpersonal connections tend to have better success in education, he said. He then discussed Section 14 of HB 164, which would establish a statewide Parents As Teacher program, following national guidelines. He characterized the program as a valuable tool that tribal or religious communities could use, due to its focus on educating parents and its flexibility is customization.

[8:24:23 AM](#)

REPRESENTATIVE DRUMMOND noted that both the Department of Health & Social Services (DHSS) and the Department of Education and Early Development (DEED) have jurisdiction of the Parents As Teachers program. She asked whether there was remote delivery of the program during the COVID-19 pandemic, and if so, how it worked.

REPRESENTATIVE TUCK said that while Parents As Teachers is an early learning program, there are components of the program that aim to discover health problems early on, since health is intertwined in brain development. He emphasized that the best investment in ensuring high-quality and cost-effective public education is investing in early education. He said retired generals have written about the importance of early education as it relates to national security, as the United States is not investing in early education in such a way that would enable high school graduates to enter the military.

REPRESENTATIVE DRUMMOND asked how the Parents As Teachers program was delivered during the COVID-19 pandemic.

[8:28:45 AM](#)

KAREN MELIN, Deputy Commissioner, Department of Education and Early Development, said she would inquire about the delivery of Parents As Teachers.

[8:28:46 AM](#)

REPRESENTATIVE PRAX asked Representative Drummond to state the specific question Ms. Melin should research.

REPRESENTATIVE DRUMMOND said, "I'm interested to know how ... Parents As Teachers has been delivered during the pandemic, and what has been the impact on the program in terms of success or not."

[8:30:51 AM](#)

REPRESENTATIVE PRAX said he's interested in the history of the program, and in information regarding the cost per parent over the life of the program.

[8:32:32 AM](#)

REPRESENTATIVE TUCK recommended calculating cost per family instead of per parent, as sometimes it's a grandparent or other relation, or a daycare teacher who participates in the program. He said the grants are administered through the State of Alaska, which is the only manner in which the state is involved; communities may take advantage of the funding, or not, as their needs dictate. He pointed out that Section 7 of HB 164 would require DEED to include information about the Parents As Teachers program in annual reports to the legislature. He then read a statement from a DoD website, which read as follows [original punctuation provided]:

... children who have participated in Parents as Teachers programs are significantly more advanced in language, social development, problem solving and other cognitive abilities and score higher on kindergarten readiness tests compared to children not in the programs.

REPRESENTATIVE TUCK discussed the differences between Hoonah, which had 70 percent participation in the Parents As Teachers program, and Angoon, which did not participate. He said both communities were identical in geography, industry, and population density, and the assessment scores were of "night and day" difference.

[8:35:26 AM](#)

REPRESENTATIVE DRUMMOND commented that there were some curious statistics regarding the number of participant families in different communities.

[8:35:57 AM](#)

MIKE MASON, Staff, Representative Chris Tuck, Alaska State Legislature, on behalf of Representative Tuck, prime sponsor of HB 164, added that the proposed legislation would allow DEED the flexibility to enter into local partnerships to implement the Parents As Teachers program.

[8:36:18 AM](#)

CO-CHAIR STORY discussed importance of having a relationship with the teacher, which is the top in-school factor for child success, while the relationship with the parent is the main factor outside of school. She expressed that parental support is a necessary part of the program, and that she can see why the military has embraced the program.

[8:37:30 AM](#)

REPRESENTATIVE PRAX discussed the informal support his parents received from the church and community when he was a child, and he asked whether there exists a way to measure such support.

MS. MELIN asked Representative Prax whether he was talking about already existing community support for families and children.

REPRESENTATIVE PRAX replied that was correct. He then asked whether DEED has the number of students entering kindergarten or first grade who are deemed "prepared" for school.

CO-CHAIR STORY commented that the kindergarten readiness profile might be of use in this discussion.

MS. MELIN said she would send the Alaska Development Profile (ADP) data.

REPRESENTATIVE PRAX asked for data at the district level.

MS. MELIN agreed.

CO-CHAIR STORY discussed Juneau's Parents As Teachers program, which also acts as a child abuse and neglect prevention program. She said parental participation is voluntary, and agencies may refer parents in need of extra support to the program.

[8:42:42 AM](#)

LÖKI TOBIN, Staff, Senator Tom Begich, Alaska State Legislature, on behalf of the Senate Education Standing Committee, prime

sponsor of SB 111, companion legislation to HB 164, directed attention to the DEED Early Childhood Programs 2021 Early Learning Coordination report [included in the committee packet]. She said the report includes information on Head Start, Parents As Teachers, and Best Beginnings, as well as the Alaska Developmental Profile information with reports that discuss school readiness resulting from early education programs.

[8:44:10 AM](#)

REPRESENTATIVE TUCK observed that everyone seems to recognize the importance of parental involvement, and he emphasized that Parents As Teachers has existed for over 40 years and in over 50 different countries.

Date: May 4, 2021 To: Members of the House Education Committee  
From: Löki Gale Tobin, Office of Senator Tom Begich RE: Notes for the early education components of CS HB 164

[8:46:19 AM](#)

MS. TOBIN drew attention to a memorandum [dated May 4, 2021, included in the committee packet, written to the House Education Standing Committee from Löki Tobin], titled "Notes for the early education components of CS HB 164." She described it as the beginning of the clarifying changes needed to ensure the early education program is both effective and established in statute. She read the memorandum, which read as follows [original punctuation provided]:

**(Page 2, Line 4) Section 2.** Amends AS 14.03.040, Day in session to clarify that a day in session for grades 4 through 12 is at least 5 hours, while a day in session for grades 1- 3 is at least 4 hours. This section is not repealed.

**Section 3.** Amends AS 14.03.060 to permit the Department of Early Education and Development (DEED) the ability to approve and supervise a district early education program.

**Section 4.** Repeals DEED's ability to approve an early education program on June 30, 2034. This is part of the overall sunset clauses included in this legislation as DEED will no longer be able to approve a pre-K program for inclusion in a school district's ADM counts.

**(Page 3, line 23) Sections 7 - 9.** Amend AS 14.03.078 directing DEED to report on early education grant programs, Parent as Teachers, and DEED supported Reading Intervention programs in their annual report to the Alaska State Legislature. Section 9 directs school districts to display administrative employee statistics in a prominent place and on their website and provides a definition of administrative employee.

[8:48:34 AM](#)

CO-CHAIR STORY asked the reason for the repeal date of June 30, 2034.

MS. TOBIN replied that the repeal date is to ensure the program efficacy. She referred to page 39, line 21, which proposes a comprehensive report to the Thirty-Eighth Alaska State Legislature to discuss the program's success, as well as any other relevant metrics, and evaluate whether the sunset repeals should continue.

[8:49:47 AM](#)

SENATOR TOM BEGICH, Alaska State Legislature, on behalf of the Senate Education Standing Committee, prime sponsor of companion bill SB 111, elaborated on the repeal clause. He said if a termination date was set in statute, it may create a barrier to school districts being interested in participating in the program, as there would be a date by which either taxes would have to cover continuation of the program, or the program would end. He said the robust reporting process would ensure regular updates on efficacy, but the alternative would be to simply establish sunset dates on all elements of the proposed legislation.

[8:52:51 AM](#)

REPRESENTATIVE PRAX asked for further discussion on the reporting elements of the proposed legislation, as well as the sunset dates.

SENATOR BEGICH stated that, if the program is working at the 10-year mark, there would be no reason to have a sunset clause; that's the reason for the robust reporting requirement. He said it would be very important to report during the two years, when programs start being implemented, and that results in early

learning evaluations could be observed by the third year. He said the reports with the most import would take place when students are in third and eighth grades. He said it's a voluntary choice to adapt an early education program, and any program needs to demonstrate results if the district hopes to engage parents. He said he would encourage future legislatures to end the program if it wasn't effective.

[8:56:42 AM](#)

REPRESENTATIVE PRAX mentioned the audit of the Alaska Regional Development Organizations (ARDORs), and he said the auditor's comment was that the reporting requirements weren't specific enough to give meaningful information. He wondered whether the specific reporting requirements in HB 164 should be included in statute.

SENATOR BEGICH replied that the metrics are included in the proposed legislation, and that the state has assessed the differences in children who take part in early education versus those who don't for several years. He said that over the past decade, roughly \$2 million in grants have been provided for early education, with yearly progress assessments. In the four districts that have been measured - Lower Kuskokwim, Anchorage, Mat-Su, and Nome School Districts - several types of early education programs have been utilized. Gains have been retained not just by third grade, he said, but by eighth grade, with the most common factors being strong early education programs and strong reading programs with the same components as those which are proposed in HB 164. He said that with 10 years' worth of evidence, it's time to bring those concepts to the rest of the state, which is what the proposed legislation is attempting.

[8:59:14 AM](#)

REPRESENTATIVE PRAX expressed that he understood the need to identify the schools and districts in which the program will take place, as well as the need to identify the extent to which the program works.

SENATOR BEGICH expressed his agreement, and said assessment of the extent to which the program works is the reason for the strong reporting section of the proposed legislation, which goes beyond the reporting already mandated by DEED. He then read from the text of the proposed legislation, page 34, lines 18-22, which read as follows:

(10) annually convene, either in person or electronically, a panel made up of teachers of grades kindergarten through three, school administrators, and parents of students in grades kindergarten through three to review and provide commentary on the effectiveness of the reading intervention programs established under AS 14.30.760-14.30.775.

SENATOR BEGICH stressed that the provision is in addition to what is already in law. He said Senator Shelly Hughes added a number of provisions for public access of assessment information collected by school districts.

[9:01:54 AM](#)

CO-CHAIR STORY noted that there are opportunities for amendments.

[9:02:15 AM](#)

REPRESENTATIVE DRUMMOND pointed out the report from the Kodiak Island Borough School District, which said their pre-K grant program showed "tremendous" improvement in kindergarten readiness compared to statewide figures. She expressed frustration that the grant program only spends a couple of years in one district before moving to another, because there is no ability to study long-term results in one district.

[9:03:27 AM](#)

SENATOR BEGICH said the four school districts focused on when writing HB 164/SB111 were the districts with the longest consistency with the grant program, thus showing the most evidence. He identified Sections 7, 13, 21, and 43 of the proposed legislation as the sections containing the reporting proposals, explaining that the different sections require reporting by school districts to DEED, with Section 43 as the comprehensive reporting proposal. He said, "What we haven't done with education policy for years is have accountability. This bill provides accountability."

CO-CHAIR STORY commented that reporting would allow the state to identify gaps in education.

[9:05:43 AM](#)

MS. TOBIN resumed her presentation of the early education components, which read as follows [original punctuation provided]:

**(Page 6, line 22) Sections 10-12.** Amend AS 14.03.080 to allow children who are at least four to attend publicly provided early education programs. The current statute directs school districts to set minimum standards for school entry. Instead of establishing a minimum age, changes to Section 10 acknowledge not all students may be ready for early education programs at age 4.

The changes made in Section 10 will replace current statute AS 14.03.080 subsection (d), which permits a child who is at least five years of age as of Sept 1st to attend public kindergarten. AS 14.03.080 subsection (d) is repealed in Section 39 of this legislation, and on June 30, 2034, Section 10 is repealed and replaced with Section 11 and Section 12, which reinstates the current date of school start.

REPRESENTATIVE DRUMMOND asked Ms. Tobin why the current school start date would need to be reinstated.

MS. TOBIN clarified that AS 14.03.080(d) would be repealed by HB 164/SB 111, which means there would be no start date for a student who isn't applying to an early education program. Section 10 would establish AS 14.030.080(c), which would permit a school district to evaluate a potential student for an early education program if the student is at least four years old. As the provisions are repealed on June 30, 2034, she said, the current statute would be reinstated; repealing AS 14.03.080(d), she said, means that new subsection, AS 14.03.080(g), would establish that a student at least five years old as of September 1 would be permitted to attend kindergarten.

REPRESENTATIVE DRUMMOND asked whether this assumes the program is repealed in 2034. She then expressed the supposition that these sections are discussing future possibilities in the case of the program being repealed after 10 years of "robust" reporting.

[9:09:26 AM](#)

CO-CHAIR STORY asked for the rationale regarding the age requirements.

MS. TOBIN replied that the Senate Education Standing Committee recognized that not all four-year-olds may be ready for an early education program, so AS 14.03.080 was amended to permit districts to extend their already-approved discretion around standards for mental, physical, and emotional capacity to students who are at least four years old when entering early education programs is being considered. Mandatory school start date is age seven, she said, so prior to that age, school districts have flexibility in determining whether a student is ready to start an early education program.

[9:10:40 AM](#)

REPRESENTATIVE CRONK asked why the flexibility needs to be in statute.

MS. TOBIN explained that the proposed legislation would extend the flexibility to a child at least four years old, which was not previously clarified in statute.

[9:12:02 AM](#)

REPRESENTATIVE ZULKOSKY asked how many requirements outlined in Section 13 are already in alignment between school districts and DEED.

MS. TOBIN deferred to Ms. Melin.

MS. MELIN offered to research Representative Zulkosky's question.

REPRESENTATIVE ZULKOSKY commended that it would be helpful to compare processes already in place with those that would be added by the proposed legislation.

MS. MELIN agreed.

[9:13:33 AM](#)

MS. TOBIN resumed her presentation of the early education components, which read as follows [original punctuation provided]:

**(Page 8, line 17) Section 14.** Adds a new section under AS 14.03, Article 4. Early Education Programs.

**(Page 8) Section 14.** Directs DEED to provide training and assistance to school districts that do not have or need to improve their high-quality, locally designed, culturally responsive early education program. Districts must meet program standards to receive DEED approval of their early education program.

**(Page 8 through page 9)** DEED is directed to also provide financial aid to school districts through three-year early education grants, with additional support years possible if a district cannot get approval for their program after three years.

Based on performance rankings established under AS 14.03.123, DEED will prioritize grants to school districts that have an insufficient number of children enrolled in other types of high-quality, locally designed, culturally responsive early education programs.

Unless the legislature chooses to appropriate a different amount, grants awarded to school districts may not exceed \$3,000,000 each fiscal year.

Districts that already have a high-quality, locally designed, culturally responsive early education program that meets the requirements established under AS 14.07.165 may have their early education program approved by DEED, which will allow their early education students to be included in their Average Daily Membership (ADM) counts.

Please note ADM counts determine foundation formula funding.

Approved early education programs may be reviewed by DEED to ensure compliance with the standards established under AS 14.07.165. DEED is directed to establish a statewide program to support a parent/guardian in evidence-based early education for children under five years of age.

[9:16:28 AM](#)

REPRESENTATIVE ZULKOSKY asked about distinction between early education programs established through the proposed legislation and existing federal tribal head start programs.

MS. TOBIN deferred to Ms. Melin.

MS. MELIN explained that Head Start programs are administered through the federal government, which sets requirements and provides technical assistance and professional development, and which has different reporting requirements for the different types of programs. A pre-K program administered through the state is designed by the school district, with the state monitoring and tracking progress through its own assessment tools.

REPRESENTATIVE ZULKOSKY asked how the programs would work when there may not be enough children to participate in both Head Start and state-administered pre-K.

MS. TOBIN referred to page 9, lines 6-14, of the proposed legislation, which she said would direct a school district to work with existing programs to establish whether there exists capacity to add an additional program or to close an existing program. She stressed that all programs would need to meet the standards, which would be set in statute, of high-quality, locally designed, culturally responsive education.

REPRESENTATIVE ZULKOSKY asked whether existing Head Start programs that want to partner with school districts would have to meet the education requirements as outlined on page 17 in AS 14.03.0125, which would be amended by the proposed legislation.

MS. TOBIN responded that the standards in the proposed legislation are designed to ensure that every student has access to a high-quality, locally designed, culturally responsive early education program. She said Head Start programs have gone on record as saying they would be willing to meet the standards.

[9:23:07 AM](#)

REPRESENTATIVE ZULKOSKY asked whether the teacher requirements for early education would have to be met in order for a district with a Head Start program, but an insufficient number of children for an additional pre-K program, to receive a grant from DEED.

MS. TOBIN clarified that page 17, line 14, states that the requirement would be for a teacher in charge of the program, not for every classroom teacher.

REPRESENTATIVE ZULKOSKY asked whether the standards proposed on page 17 would be for the individual responsible for the program at the district level.

MS. TOBIN replied, "Correct."

9:25:00 AM

CO-CHAIR STORY noted that the adaptation was made with consideration for the skilled classroom paraprofessionals. She commented that the Juneau School District has partnered with the Head Start program, and the early childhood education partners have all worked together to meet the needs of the community.

9:26:21 AM

REPRESENTATIVE PRAX referred to the provision that, unless the legislature chooses to appropriate a different amount, grants awarded to school districts may not exceed \$3 million each fiscal year. He opined that the amount may not be an appropriate grant amount for school districts of varied sizes.

MS. TOBIN replied that the fiscal notes dealing with early education established that approximately \$17 million would be needed to establish universal, voluntary pre-K across Alaska, with a six-year cycle of funding support for school districts to establish pre-K programs and build on them to achieve universal, voluntary pre-K. The proposed legislation would remove the grant cycles and the provisions regarding district eligibility, she said, and replaces them with a cap that the Senate Education Standing Committee found was an acceptable amount. She pointed out that the House Education Standing Committee approved a \$5 million allocation for pre-K grants for this year, and she said the bill's sponsor would be amenable to discussion regarding the exact figure.

CO-CHAIR STORY added that the House Finance Subcommittee on Education and Early Development approved \$2.5 million each year for next two years.

9:29:17 AM

REPRESENTATIVE ZULKOSKY expressed the understanding that Head Start programs currently receive both federal and state funding. She asked whether passage of HB 164 would change the ability of Head Start to continue receiving state funds.

MS. MELIN responded that she doesn't foresee any changes in the Head Start funding formula, so as long as the formula stays intact, Head Start's funding would not be impacted by the proposed legislation.

[9:30:37 AM](#)

MS. TOBIN resumed her presentation of the early education components, which read as follows [original punctuation provided]:

Please note that nothing in this section prohibits a district from using its own funds. Participation in the grant program is not required. School districts are asked to work with existing early education programs before applying for a grant.

REPRESENTATIVE ZULKOSKY asked about the difference between the funding assistance as described beginning on page 8, line 19, and the funding assistance as described beginning on page 8, line 27.

MS. TOBIN responded that the funding is from the same grant program.

[9:32:06 AM](#)

MS. TOBIN resumed her presentation of the early education components, which read as follows [original punctuation provided]:

**Page 10, line 31) Section 15.** amends AS 14.07.020 and directs DEED to supervise all early education programs and approve those early education programs established under AS 14.03.410. This section also directs DEED to establish a new reading program under AS 14.07.065 and offer reading intervention programs to participating schools AS 14.30.770.

**Section 16** repeals all the changes described to Section 15 on June 30, 2034.

**(Page 16, line 2) Section 17.** Aligns terminology for an early education program that a local school district will operate.

(Page 16, starting on line 29) Section 18. Directs the state board of education to establish regulations for a locally designed, evidence-based, culturally responsive early education program that meets any and all federal requirements for early education programs. Section 18 [20] also directs the state board to establish the developmentally appropriate length of the school day for kindergarten students. This section is repealed under Section 40 on June 30, 2034.

[9:36:08 AM](#)

REPRESENTATIVE ZULKOSKY asked Ms. Melin whether DEED has a sense of how many Head Start programs currently have teachers that meet the proposed qualifications.

MS. MELIN answered that the state does not collect that data on Head Start, though it may be available through the federal reporting process.

REPRESENTATIVE ZULKOSKY asked whether the bill sponsor has a sense of existing Head Start programs' ability to meet the proposed qualifications.

MS. TOBIN replied, "We do not."

[9:37:10 AM](#)

CO-CHAIR STORY opined that page 17, line 10, of the proposed legislation, should include "**culturally responsive**" in the program's description.

MS. TOBIN referred Co-Chair Story to page 17, line 27, which proposed that the content of an early education program be culturally responsive to local communities. She stated that she would defer to the expertise of Legislative Legal Services with regards to drafting.

CO-CHAIR STORY expressed her understanding.

[9:38:26 AM](#)

REPRESENTATIVE ZULKOSKY said the Lower Kuskokwim School District has spent decades developing culturally-relevant curriculum. She asked how HB 164 would work in terms of continued utilization of the existing curriculum.

MS. MELIN responded that once the proposed legislation is passed, DEED would have a better understanding of how to work with school districts.

REPRESENTATIVE ZULKOSKY asked whether passage of the proposed legislation would require DEED approval of school districts' continued utilization of locally-developed curricula.

MS. MELIN replied that it depends on what the final legislation is.

REPRESENTATIVE ZULKOSKY expressed concern that the proposed legislation could put years of investment by school districts at risk, and that locally-developed, culturally relevant curricula must be protected.

[9:43:09 AM](#)

CO-CHAIR STORY suggested looking at what other states have done in similar situations. She then read page 17, lines 29-30, which read, "**(D) accommodation for the needs of all early education children and their families regardless of socioeconomic circumstances;**". She asked whether that means transportation would be provided.

MS. TOBIN explained that the subparagraph is included to ensure the existence of early education programs for every student in the community. She pointed out that federal Head Start is based on income limitations.

CO-CHAIR STORY asked for a specific "accommodation."

MS. TOBIN replied that she doesn't know whether school districts offer transportation, but that the subparagraph is to ensure early education available to all students regardless of income.

[9:45:08 AM](#)

REPRESENTATIVE PRAX commented about the possibility of lawsuits.

MS. MELIN expressed that various scenarios are possible.

REPRESENTATIVE PRAX asked whether there is a way to evaluate the risk of lawsuits over the language of "accessibility" and "culturally appropriate."

[9:48:38 AM](#)

REPRESENTATIVE DRUMMOND stated that Salcha, as a remote community, has its own elementary school, but in Anchorage, as the student population has declined, classroom space in neighborhood schools has been made available for preschool and Head Start programs. She suggested the possibility of adding such programs to the space in Salcha's elementary school instead of bussing kids to Fairbanks, which is 30 miles away.

CO-CHAIR STORY commented that the essence of public education is making sure that all services are available to all students.

[9:49:42 AM](#)

MR. MASON pointed out that the section under discussion calls for DEED to develop regulations, and that many issues could be addressed in a format that would include input from stakeholders.

REPRESENTATIVE PRAX discussed possible constitutional issues.

CO-CHAIR STORY agreed.

MS. TOBIN stated that Legislative Legal Services could address any questions.

REPRESENTATIVE ZULKOSKY opined that Version I of HB 164 has been drafted to mitigate legal risk based on previous lawsuits. She said the state has already been challenged on its constitutional responsibility to accommodate all students, and that there is consistent case law acknowledging the state's shortcoming in that area.

[9:53:46 AM](#)

MS. TOBIN resumed her presentation of the early education components, which read as follows [original punctuation provided]:

**(Page 19, starting on line 25) Section 25.** Adds a new subsection under AS 14.17.500 to establish that a student of an early education program as approved by DEED under AS 14.07.020(a)(8) counts as  $\frac{1}{2}$  an ADM and that programs that receive other state or federal funds cannot receive additional funding under this section.

**(Page 20) Section 25.** States that DEED cannot approve early education programs with the intent that those students count toward a district's ADM if those students would increase the state's allocation for approved early education programs over \$3,00,000 in that fiscal year. This section also permits DEED to partially approve a district's early education program.

**Section 26.** Repeals changes made in Section 25 regarding counting students in a district's ADM on June 30, 2034.

**(Page 21, starting on line 9) Section 29.** Permits schools to count early education program students in their ADM counts. Section 30 repeals these changes on June 30, 2034.

**(Page 39) Section 43.** Describes a comprehensive report due to the 38th Alaska State Legislature on the effectiveness of early education and reading programs described in Section 35.

**(Page 40) Section 44.** Provides transition language stating that DEED may not approve early education programs if that approval results in more than \$3,000,000 in fiscal year 2022. In subsequent fiscal years, DEED may approve up to \$3,000,000 in new early education programs, resulting in a compounding effect.

**Section 45.** Permits DEED to begin adopting regulations prior to the effective date of this act.

MS. TOBIN pointed out that the regulatory process is clear and provides opportunities for stakeholder and community engagement, along with a public comment period.

[9:57:04 AM](#)

REPRESENTATIVE CRONK referred to Section 27, subsection (a), of the proposed legislation, and he asked whether the year-end fund balance would be changed from 25 percent to 10 percent.

MS. TOBIN replied that is correct.

[9:57:35 AM](#)

CO-CHAIR STORY announced that HB 164 was held over.

[9:59:39 AM](#)

**ADJOURNMENT**

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 10:00 a.m.