

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

May 12, 2021

8:14 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

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: 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 |
| 05/05/21 | (H) | Heard & Held |
| 05/05/21 | (H) | MINUTE (EDC) |
| 05/06/21 | (H) | EDC AT 6:30 PM DAVIS 106 |
| 05/06/21 | (H) | Heard & Held |
| 05/06/21 | (H) | MINUTE (EDC) |
| 05/07/21 | (H) | EDC AT 8:00 AM DAVIS 106 |
| 05/07/21 | (H) | Heard & Held |
| 05/07/21 | (H) | MINUTE (EDC) |
| 05/08/21 | (H) | EDC AT 9:00 AM DAVIS 106 |
| 05/08/21 | (H) | Heard & Held |
| 05/08/21 | (H) | MINUTE (EDC) |
| 05/12/21 | (H) | EDC AT 8:00 AM DAVIS 106 |

WITNESS REGISTER

HEIDI TESHNER, Director
 Finance and Support Services Division
 Department of Education and Early Development
 Juneau, Alaska

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

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

POSITION STATEMENT: Provided information during the hearing on HB 164.

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

POSITION STATEMENT: Provided information and answered questions on behalf of the Senate Education Standing Committee, sponsor of companion bill SB 111.

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

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

ACTION NARRATIVE

[8:14:59 AM](#)

CO-CHAIR HARRIET DRUMMOND called the House Education Standing Committee meeting to order at 8:14 a.m. Representatives Story, Gillham, Prax, Zulkosky, Hopkins, Cronk, and Drummond were present at the call to order.

HB 164-EARLY ED PROGRAMS; READING; VIRTUAL ED

[Contains discussion of companion bill SB 111.]

[8:15:55 AM](#)

CO-CHAIR DRUMMOND announced that the only 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").]

[8:16:43 AM](#)

HEIDI TESHNER, Director, Finance and Support Services Division, Department of Education and Early Development (DEED), reminded the committee that she previously detailed the fiscal note (FN) for early learning coordination.

[8:18:11 AM](#)

MS. TESHNER reviewed Office of Management & Budget (OMB) component 3028, FN 2, for pre-kindergarten grants. Page 3 of the fiscal note provides a funding breakdown by fiscal year for the three-year grant program, she said, with a four-year cohort of 10,000 students per grade; DEED looks at the number of preschool grant participants within Alaska and tries to determine how many additional students could be served by striving for an 88 percent participation rate. The process determined that 3,675 students could be served by the proposed legislation.

[8:21:02 AM](#)

CO-CHAIR DRUMMOND observed that it's important to note the 1,580 current Head Start students, 3,590 current preschool students, and 3,675 other students that would be served by the proposed legislation.

MS. TESHNER clarified that 3,675 was the number of students under the previous version of HB 164, and that the updated number is 5,616. The maximum number of eligible students, based on the annual grant amount of \$3 million, totals 624.

CO-CHAIR DRUMMOND surmised that 624 students, along with \$3 million, would be added each year, on top of the \$3 million that was added the previous year.

MS. TESHNER said that according to the text of the proposed legislation, a maximum of \$3 million per year may be spent on the grant, and there can be only 624 participating students per year.

CO-CHAIR DRUMMOND said, "That doesn't work for me." She expressed understanding that only 624 4-year-olds can be served each year, and when those children enter kindergarten the following year, another 624 4-year-olds can be served. She said, "You never get beyond that, and there are thousands of them to be served. I'm having a hard time understanding why this cannot expand."

MS. TESHNER responded that it's the way the proposed legislation is written.

CO-CHAIR DRUMMOND expressed the desire to work on expansion.

[8:24:35 AM](#)

REPRESENTATIVE PRAX asked whether the expectation is that the school districts would continue the program under another funding source.

MS. TESHNER replied that the first cohort, in FY 2023, would receive a three-year grant, applicable to FYs 2023, 2024, and 2025. After FY 2025, if the program has been determined to have met the high quality standards of an early learning program at the district level, the students may be accounted for under the foundation formula and would begin receiving foundation funding instead of a grant.

[8:26:34 AM](#)

REPRESENTATIVE STORY asked whether school districts already deemed to be offering high-quality early learning programs would fall under the foundation formula, and where the accounting for those students is.

MS. TESHNER replied that such existing programs may seek DEED approval to be eligible for foundation funding, which would be addressed on the public education fund and foundation program fiscal notes.

REPRESENTATIVE STORY asked whether the 624 students would be in the grant program for the lowest-performing schools.

MS. TESHNER responded yes.

[8:27:49 AM](#)

REPRESENTATIVE PRAX asked whether a school may increase the base student allocation if it has met the criteria in the proposed legislation.

MS. TESHNER clarified that the base student allocation is set in statute, so it cannot be increased, but a school may increase its student count, which would provide additional foundation funding for pre-k students.

REPRESENTATIVE PRAX stated his assumption that schools currently providing "the program" are providing it at no extra cost to the state.

MS. TESHNER replied that is correct.

REPRESENTATIVE PRAX asked whether a school district not in the lowest-performing group would be able to fund a program on its own, and the student count would increase for state accounting purposes if the program is deemed "high-quality."

MS. TESHNER responded that there is nothing that would prohibit a school district from starting its own program.

[8:29:41 AM](#)

MS. TESHNER explained that Table 3 of the fiscal note shows the number of students that may be served each year with the maximum of \$3 million per year, with FY 2033 being the last year of the three-year grant program, for a total cost of approximately \$32.9 million. She said Table 4 shows number of students that would transition to the foundation program after completion of the three-year grant program; a student starting the program in FY 2023 would transition to the foundation program in FY 2026. She clarified that the figures reflect the maximum number of students who could participate in the voluntary three-year grant program, and that DEED would make an annual adjustment to the figures upon implementation.

[8:32:00 AM](#)

REPRESENTATIVE HOPKINS, referring to Table 3, asked whether District Cohort 1 would be composed of the lowest-performing districts.

MS. TESHNER replied yes.

REPRESENTATIVE HOPKINS surmised that only 624 students across the lowest-performing districts would be eligible for the program.

MS. TESHNER responded that DEED would attempt to address the lowest of the lowest-performing school districts, and that if the grant didn't go through the first cohort because it didn't have enough funding for the maximum number of students that could be served, the students would be moved to the second cohort, to benefit from funding in the second year.

REPRESENTATIVE HOPKINS asked whether lifting the \$3 million cap would mean the entirety of the funding for the first cohort would be funded in the first year.

MS. TESHNER replied that, without a cap on the funding level, the maximum number of students could be served within the specified range of lowest-performing school districts. Hypothetically, she said, if the five lowest-performing districts had 1,000 students, all of the students could be served.

CO-CHAIR DRUMMOND noted approximately 3,600 students across 26 districts, with 1,580 Head Start students, leaving 3,675 to be served by the proposed legislation. She said the possible voluntary pre-k funding from the federal government has not yet been considered.

[8:34:48 AM](#)

MS. TESHNER directed committee members' attention to Office of Management & Budget component number 2804, FN 1 [included in the committee packet for proposed companion legislation SB 111]. She explained the final FY 2021 entitlement of approximately \$1.2 billion, divided by the total FY 2021 average daily membership of 127,015.3, calculated to an average cost per student of \$9,605; the bill would fund students at 50 percent of the average cost, or \$4,803 per student, as addressed in the fiscal note previously discussed.

[8:37:03 AM](#)

REPRESENTATIVE PRAX asked whether the table on the fiscal note shows that the cost to the state would increase by approximately \$3 million per year, assuming that only the lowest-performing districts enter the program each year, but not considering the possibility that the existing programs would then qualify for additional funding.

MS. TESHNER replied no, because the \$3 million is the funding that would be available to any district with a high-quality program that already meets the standards that would be developed, so it could roll directly into the foundation funding upon approval.

REPRESENTATIVE PRAX asked whether the grant funding would increase by \$3 million per year.

MS. TESHNER responded that under the early education grant, there would be a \$3 million annual cap; for programs that roll over to foundation funding, there would be a \$3 million cap in the first year, and subsequent years' funding can't exceed more

than \$3 million over the prior year. She pointed out that the table on page 1 of the fiscal note shows \$3 million in the first year, \$6 million in the second, and \$9 million in the third.

[8:40:06 AM](#)

MS. TESHNER explained that there would be nine cohorts of students going through the early education grant program. The first cohort would transition to the foundation program in FY 2026, and the fiscal note assumes that all programs developed in the first cohort would be approved to transition to the foundation program at the end of the three-year grant. For cost projection purposes, she said, the same assumption is applied to each of the other cohorts. She stressed that if a school district already has an early education program and obtains DEED approval for the program, the district would bypass the three-year grant and roll directly into the foundation program. For this reason, she said, the number of districts seeking approval each year is unknown; in order to manage increases in the foundation program, the proposed legislation included language that the amount calculated for approved programs cannot exceed \$3 million over the previous fiscal year, starting in FY 2023. The cost in FY 2024 would be \$6 million, she said, and \$9 million in FY 2025; when the first cohort transitions into the foundation program in FY 2026, the total cost would be \$11.9 million, and \$14.9 in FY 2027. The foundation formula costs would continue to increase through FY 2034, when all nine cohorts will have fully transitioned from the grant program to the foundation program, and the average daily membership funding is repealed; once all students have transitioned and are included in the average daily membership count, total state aid would increase by \$26.9 million over the life of the program.

[8:42:51 AM](#)

REPRESENTATIVE HOPKINS, referencing page 2 of the fiscal note, asked whether all of the funding numbers are cumulative.

MS. TESHNER replied that is correct.

[8:44:03 AM](#)

REPRESENTATIVE STORY offered her understanding that currently there are districts that would qualify and asked how the districts that come online are being calculated. She asked whether there is an estimate of how many school districts would qualify.

MS. TESHNER responded there is no estimate of how many districts would want to seek approval right away, and that the assumption is districts would qualify for the entire \$3 million in additional foundation funding. She said DEED would only be able to approve programs in the first year up to the \$3 million cap.

REPRESENTATIVE STORY asked for the location of the calculation in the fiscal notes.

MS. TESHNER clarified that the first fiscal note for SB 111, companion bill to HB 164, shows a \$3 million cost for FY 2023 for the districts that receive DEED approval.

[8:45:54 AM](#)

REPRESENTATIVE ZULKOSKY asked whether her understanding is correct that there is one \$3 million cap for districts to develop evidence-based early learning programs, and another \$3 million for the programs that have already been established and are now receiving foundational funding.

MS. TESHNER confirmed Representative Zulkosky's understanding.

[8:46:49 AM](#)

MS. TESHNER directed committee members' attention to Office of Management & Budget component number 141, fiscal note number 4 [included in the committee packet for proposed companion legislation SB 111], which addresses the foundation program. She said this is a zero fiscal note, as the funding mechanism is a general fund transfer to the public education fund instead of to the foundation program funding component.

CO-CHAIR DRUMMOND asked whether the page 2 of fiscal note 4 is the same as page 2 of fiscal note 1.

MS. TESHNER replied yes.

[8:48:03 AM](#)

MS. TESHNER directed committee members' attention to Office of Management & Budget component number 2796, fiscal note number 5 [included in the committee packet for proposed companion legislation SB 111], which addresses student and school achievement. She said this fiscal note reflects the costs associated with the comprehensive reading intervention program,

the school improvement reading program, and the virtual education consortium. She said read from the analysis of the fiscal note, which read as follows [original punctuation provided]:

Comprehensive Reading Intervention Program

The comprehensive reading intervention program is created under AS 14.30.765. To manage and operate this program, provide coursework, training, and testing opportunities related to evidence-based reading instruction, annually solicit and convene stakeholders to receive feedback on program implementation, establish a recognition program, and provide direct support and training for all K-3 teachers on the use of the statewide screening or assessment tool results and on evidence-based reading, DEED would need 1 Education Administrator II Range 22, Step C/D at \$125.8, and 2 Education Specialist II positions at a Range 21, Step C/D, at \$118.8 each (\$363.4 total). In addition, department chargebacks of \$10.8 per position would be needed (\$32.4 total), plus a one-time increment of \$5.0 per position for supplies and equipment (\$15.0 total). The program is repealed on June 30, 2034 (FY2034).

The Education Administrator II will be required to participate and present at statewide professional development conferences. DEED expects virtual participation at conferences and has therefore budgeted for in-person travel to only one conference per year. At \$1.0 per trip X 1 trips X 1 position, total travel each year is \$1.0.

In addition, the comprehensive reading intervention program requires the adoption and administration of a statewide screening or assessment tool to identify students in K-3 with reading deficiencies, and establishment of a waiver process for districts. DEED expects virtual participation by districts to attend the statewide screening or assessment tool training. There are approximately 40,000 students in K-3 in Alaska schools. A statewide screener would cost approximately eight dollars per student. This would result in an annual cost of \$320.0 beginning in FY2023.

[8:51:11 AM](#)

REPRESENTATIVE STORY asked whether the assessment tool would be a statewide screener or a screener of the school district's choice.

MS. TESHNER replied that both screeners would be allowed, but the cost reflected in the fiscal note is for a statewide screener.

REPRESENTATIVE STORY stated her understanding that a local screener could be substituted for the statewide screener.

MS. TESHNER responded that DEED would pay for the statewide screener at the cost of \$320,000 per year, and a school district may choose to use a different screener, but DEED would not pay for it.

REPRESENTATIVE STORY asked Ms. Melin for confirmation.

[8:53:04 AM](#)

KAREN MELIN, Deputy Commissioner, Department of Education and Early Development, confirmed that, while a school district may use a screener of its choice, the state would be paying only for the statewide screener.

REPRESENTATIVE STORY opined that the state should pay for any evidence-based screener.

[8:54:35 AM](#)

REPRESENTATIVE ZULKOSKY asked whether the comprehensive reading intervention program is part of the section of HB 164 that would require in-classroom assessments of student reading proficiency.

MS. TESHNER responded that the section would be under the school improvement reading program.

REPRESENTATIVE ZULKOSKY asked for a review of the comprehensive reading intervention program in HB 164.

[8:55:51 AM](#)

LÖKI TOBIN, Staff, Senator Tom Begich, on behalf of the Senate Education Standing Committee, sponsor of companion bill SB 111, explained that the comprehensive reading intervention program is outlined in Section 35.

REPRESENTATIVE ZULKOSKY expressed concern about the in-classroom requirements for teachers and districts, and she expressed that having only three additional positions at DEED seems "imbalanced" when considering the volume of assessments.

CO-CHAIR DRUMMOND stated her agreement.

MS. TOBIN referred to page 25, lines 3-9, of the proposed legislation, which read as follows:

(D) providing additional assistance as determined by the department; (3) provide training to school district staff related to using the results of the statewide screening or assessment tool and understanding evidence-based reading interventions, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension;

MS. TOBIN expressed that this subparagraph is in alignment with how DEED currently supports educators and school districts. She pointed out that, based on testimony from educators and superintendents, many provisions outlined in HB 164 are already occurring in school districts; teachers regularly assess their students' proficiencies to ensure that tools and curricula are working. She clarified that many stakeholders have stated on the record that HB 164 would codify what is already common practice.

REPRESENTATIVE ZULKOSKY recalled testimony that expressed concern about classroom time and management. She said the Alaska affiliate of the National education Association, NEA-Alaska, has indicated that classroom aides and reading tutors are helpful, and she said she doesn't see those resources reflected in the language of the proposed legislation.

[9:01:14 AM](#)

REPRESENTATIVE HOPKINS asked Ms. Teshner to describe how the reading intervention services in fiscal note 5 fit in with the DEED reading program found on page 32, beginning on line 29 of the proposed legislation.

MS. TOBIN deferred to Ms. Melin.

REPRESENTATIVE HOPKINS clarified that he was looking for the department impact in the fiscal note.

MS. MELIN said the section of fiscal note 5 covered by Ms. Teshner is for department staff, not school or district staff. She explained that DEED staff outlined in the fiscal note would be doing the work as outlined in Sec. 14.30.770(a).

[9:03:32 AM](#)

MS. TESHNER resumed her analysis of OMB component number 2796, FN 5 [included in the committee packet for proposed companion legislation SB 111], which addresses student and school achievement. She said the last cost associated with the comprehensive reading education program is a one-time increment of \$18,000 in FY2022 for legal services costs associated with producing new regulations to implement the program, which would be repealed June 30, 2034. She then read the analysis of the school improvement reading program, which read as follows [original punctuation provided]:

School Improvement Reading Program

The school improvement reading program, created under AS 14.30.770, is established in the Department of Education and Early Development (DEED) to provide direct support and intervention in district and school reading programs serving students in grades K-3 and to provide reading support to districts throughout Alaska. The program is repealed on June 30, 2034 (FY2034).

Each year, not more than 5 schools identified from the lowest performing 25 percent of schools, would each be served directly by Reading Specialists employed by DEED. One Reading Specialist would be assigned to each school. DEED anticipates employing from 1 to 5 Reading Specialists in year one and 5 Reading Specialists in the subsequent years. For purposes of estimating fiscal impact, the maximum number of positions has been reflected in the first year. These estimates will be updated in out years as the program is implemented.

Reading Specialists are budgeted as Education Specialist II positions at a Range 21, Step C/D, \$118.8 each (\$594.0 total). In addition, department chargebacks of \$10.8 per position would be needed

annually (\$54.0 total). A one-time increment of \$5.0 per position for supplies and equipment would be needed in the first year the position is budgeted. Reading Specialists would be located in communities across the state and would need to be provided a geographic cost differential, which is not included in this estimate. Each Reading Specialist would be required to participate and present at statewide professional development conferences. DEED expects virtual participation at conferences and has therefore budgeted for in-person travel to only one conference per year. At \$1.0 per trip X 1 trips X 5 positions, total travel for year one is \$5.0.

Under the school improvement reading program, DEED would purchase supplemental reading textbooks and materials for school districts in connection with reading intervention services. The cost per student when adopting a new reading curriculum is two hundred and fifty dollars (\$.25). With approximately 10,000 students per grade level in Alaska schools, there are a total of 40,000 student in kindergarten to third grade (K-3). During the 2019-2020 school year, 391 schools served K-3 students. $40,000 \text{ students} / 391 \text{ schools} = 102 \text{ K-3 students per school on average}$. Beginning in FY2023, for each year of the reading program, $5 \text{ schools} \times 102 \text{ K-3 students/school} \times \$0.25/\text{student} = \$127.5$.

An annual contract fee of \$50.0 is included beginning in FY2022 for an independent contractor to establish and collect the baseline data needed in order to conduct the data analysis of the program's effectiveness for the final report due by the 30th day of the First Regular Session of the 38th Legislature to the legislative committees having jurisdiction over education.

In FY2022, a one-time increment of \$12.0 is included for legal services costs associated with producing new regulations.

[9:08:14 AM](#)

REPRESENTATIVE STORY said that it does not seem that DEED is considering that some school districts already have evidence-based reading curriculum and textbooks already in use.

MS. TESHNER responded that this fiscal note is for materials that are not already in use.

CO-CHAIR DRUMMOND asked about the annual contract of \$50,000. She referred to the 30th day of the First Regular Session of the [Thirty-Eight Alaska State] Legislature, and she asked what year that would be in.

MS. TESHNER replied that it would be in 2033.

[9:09:36 AM](#)

MS. TOBIN said the report's presentation is at the beginning of the session, so there would be time for discussion regarding continuing the program in perpetuity. She said the report would be due in 2033, in the first session of the Thirty-Eight Alaska State Legislature.

CO-CHAIR DRUMMOND summarized her understanding of the annual contract of the dates. She then asked whether the data could be collected by DEED instead of by a contractor.

MS. TESHNER replied that it would be good to have outside expertise as well as internal work over the life of the program.

[9:11:43 AM](#)

REPRESENTATIVE ZULKOSKY asked for any data available on areas or regions that utilized the virtual education resources made available by DEED during the COVID-19 pandemic, saying she is curious to see the volume of statewide reach and how it could reflect community capacity for technology and expense.

MS. TESHNER agreed to provide whatever data is available.

[9:13:07 AM](#)

MS. TESHNER resumed her presentation of FN 5, which read as follows [original punctuation provided]:

Virtual Education Consortium

The virtual education consortium, created under AS 14.30.800, is established in DEED in cooperation with school districts, for the purpose of making virtual education and professional development resources available to students and teachers in the state. To manage and operate this statewide virtual education learning management system (LMS), review all courses and professional development, and provide virtual instruction training, DEED would need 2 Education Specialist II positions at a Range 21, Step B/C, at \$115.6 each (\$231.2 total). In addition, department chargebacks of \$10.8 per position would be needed (\$21.6 total). The program is repealed on June 30, 2034 (FY2034).

A Reading Specialist position is established to provide intensive reading intervention services to districts participating in the virtual education consortium. This position is budgeted as an Education Specialist II position at a Range 21, Step C/D, \$118.8. In addition, department chargebacks of \$10.8 for the position would be needed.

DEED established a statewide virtual education LMS license for districts, teachers, and students in FY2021 in response to the COVID-19 pandemic and plans to continue the license through FY2023 using federal COVID-19 relief funds at a cost of \$1,060.6 annually. The 2 PFT positions needed to manage the LMS, review coursework and professional development, and provide virtual instruction training as outlined in this bill, and the 1 FTE Reading Specialist position, could also be funded through FY2023 with federal COVID-19 relief funding. Starting in FY2024, state funds are needed to support the LMS license (\$1,060.6) and associated positions (\$350.0).

[9:15:33 AM](#)

CO-CHAIR DRUMMOND noted that the fiscal note approximately doubles in 2024 because COVID-19 relief funding may no longer be available.

MS. TESHNER replied that is correct. She resumed her presentation of the analysis of FN 5, which read as follows [original punctuation provided]:

In FY2022, a one-time increment of \$12.0 is included for legal services costs associated with producing new regulations.

An additional \$200.0 would be needed in FY2032 for an independent contractor to assist DEED program staff in compiling and evaluating the required multi-year data analysis, including assessment, survey, and interview data, of the effectiveness of the early education program, Parents as Teachers program, comprehensive reading intervention program, and virtual education consortium. The multi-year analysis will be used by DEED to complete the final program recommendations report due not later than the thirtieth day of the First Regular Session of the 38th Legislature (February 2033).

The effective date of this bill is July 1, 2022 (FY2023).

MS. TESHNER, referring to page 4 of FN5, concluded that an estimated cost of \$1,181,800 in FY2022 would be required to begin the process of implementation of all three programs; \$1,547,300 in FY2023 and \$2,990,300 would be the estimated cost beginning in FY2024 and each fiscal year thereafter through the life of the program.

[9:18:10 AM](#)

CO-CHAIR DRUMMOND asked whether Canvas is the learning management system (LMS) referred to in the section titled "Virtual Education Consortium."

MS. TESHNER replied that it is.

CO-CHAIR DRUMMOND asked whether Canvas is currently in statewide use through COVID-19 funding.

MS. TESHNER replied yes.

CO-CHAIR DRUMMOND commented that the additional \$200,000 for the independent contractor to assist DEED in compiling and evaluating the multi-year data analysis would be required in 2032, and that it would be in addition to the annual \$50,000 contract referred to earlier.

MS. TESHNER replied that is correct.

[9:19:34 AM](#)

REPRESENTATIVE PRAX asked whether adding up all five fiscal notes would give the total cost of the program under the proposed legislation.

MS. TESHNER responded that she could provide a one-page summary showing the cost of each individual program.

REPRESENTATIVE PRAX explained the value of having a short presentation.

[9:21:26 AM](#)

The committee took an at-ease from 9:21 a.m. to 9:26 a.m.

[9:26:58 AM](#)

CO-CHAIR DRUMMOND announced that 63 amendments had been submitted. She said the amendments are numbered in order; however, some amendments may be "rolled to the bottom for consideration toward the end of our deliberation." She noted those available for questions. She said she wanted to take up Amendment 4 first.

[9:28:29 AM](#)

REPRESENTATIVE STORY moved to adopt Amendment 4 to HB 164, Version I, labeled 32-LS0731\I.56, Klein, 5/11/21, which read as follows:

Page 2, lines 24 - 28:
Delete all material.

Renumber the following bill sections accordingly.

Page 3, lines 11 - 22:
Delete all material.

Renumber the following bill sections accordingly.

Page 5, line 3, through page 6, line 13:
Delete all material.

Renumber the following bill sections accordingly.

Page 6, lines 23 - 24:

Delete "who is at least four years of age at the beginning of the school year may be admitted to a public school"

Insert "may be admitted to a public school and a child who is at least four years of age at the beginning of the school year may be admitted to an early education program"

Page 7, lines 2 - 17:

Delete all material.

Reorder the following bill sections accordingly.

Page 13, line 16, through page 16, line 1:

Delete all material.

Reorder the following bill sections accordingly.

Page 16, lines 17 - 28:

Delete all material.

Reorder the following bill sections accordingly.

Page 18, line 21, through page 19, line 6:

Delete all material.

Reorder the following bill sections accordingly.

Page 20, lines 12 - 17:

Delete all material.

Reorder the following bill sections accordingly.

Page 21, line 26, through page 22, line 12:

Delete all material.

Reorder the following bill sections accordingly.

Page 22, line 24, through page 23, line 5:

Delete all material.

Reorder the following bill sections accordingly.

Page 39, lines 3 - 5:

Delete all material.

Renumber the following bill sections accordingly.

Page 39, line 10:
Delete "sec. 36"
Insert "sec. 25"

Page 39, line 13:
Delete "Section 34"
Insert "Section 23"

Page 39, line 14:
Delete "sec. 34"
Insert "sec. 23"

Page 39, line 15:
Delete "sec. 34"
Insert "sec. 23"

Page 39, line 18:
Delete "sec. 34"
Insert "sec. 23"

Page 40, lines 23 - 24:
Delete all material.

Renumber the following bill section accordingly.

Page 40, line 25:
Delete "Except as provided in sec. 46 of this
Act, this"
Insert "This"

REPRESENTATIVE CRONK objected.

CO-CHAIR DRUMMOND said she would refer to Amendment 4 as the "repealer amendment." She pointed out that HB 164 is full of repealers that refer to the Alaska State Legislature that will meet in 2033, which will assess the success of the program. She expressed that the Alaska State Legislature in 2023 should be able to assess the program at the end of its effective date, so Amendment 4 is a "move to repeal the repealers."

[9:30:03 AM](#)

MS. TOBIN said Amendment 4 outlines repealing the sections of the proposed legislation which are incorporated in Section 46 on page 40 of the text, which outlines all of the Sections that

would take effect in 2034 if the repealers remain in the bill. She said two actions relating to repealers were brought forth during hearings in the Senate Education Standing Committee on companion bill SB 111. The first was a comprehensive report to the legislature to discuss program efficacy, implementation, possible adjustments, or amendments needed to the overall legislation; this provision is included in the text of the proposed legislation as Section 43 on page 39, beginning on line 19. Other sections of HB 164/SB 111 would provide for annual reports to the Alaska State Legislature, which are outlined in Sections 7 and 23. The legislature would have ample opportunity, both before and during the first session of the Thirty-Eighth Alaska State Legislature, to discuss the program; if the program is deemed ineffective, she said, there would be an automatic repeal date. She said Senator Begich would like to remove the repealers, preferring instead to institute education policy and continuously evaluate it for effectiveness. She stressed that the proposed legislation needs to ensure that children who are not yet seven years old are able to attend public schools, so Amendment 4, on page 1, beginning on line 16, would provide that a child who is at least four years old at the beginning of the school year may be admitted to either kindergarten or preschool. She said this would allow the school district the flexibility to determine which program the child is ready for.

[9:32:58 AM](#)

CO-CHAIR DRUMMOND expressed confusion about the significance of age 7.

MS. TOBIN clarified that school attendance is mandated from ages 7-16; anything outside of those ages is voluntary.

CO-CHAIR DRUMMOND noted that deleting the repealers would not change the fiscal notes, as most of them don't go beyond 2027.

[9:35:09 AM](#)

REPRESENTATIVE STORY discussed the importance of educating children, and said she was comfortable removing the repealers.

[9:36:18 AM](#)

REPRESENTATIVE PRAX expressed that in 10 years, enough schools should have the early education programs in place and would

therefore be funded through the base student allocation, that the program would be repealed naturally.

MS. TOBIN agreed that the grant program itself would be repealed as part of the proposed legislation, as it's meant to ensure that every school has the opportunity to develop a high-quality, locally-designed, culturally-relevant early education program. Rolling into the foundation funding would allow those programs to continue in perpetuity; however, she said, the repealers in the proposed legislation can remove the foundation funding support, so the districts would no longer receive state funding to ensure the existence of a publicly available early education program. She stressed that some of the repealers do prohibit a school district from continuing a high-quality early education program after the year 2034 without finding additional funding sources, which is the current, unstable situation.

REPRESENTATIVE PRAX said he believes he supports Amendment 4 because the legislature can "repeal it whenever they want."

CO-CHAIR DRUMMOND affirmed Representative Prax's statement and pointed out the existence of an annual report in addition to the repealer in the year 2033. She discussed the improvement in the Kodiak Island Borough School District as a result of the preschool grants currently in place, and she expressed belief in the program outlined in the proposed legislation.

[9:40:22 AM](#)

REPRESENTATIVE CRONK noted the size of the amendment packet and expressed the inability to work through the amendments before session adjournment.

[9:41:42 AM](#)

REPRESENTATIVE ZULKOSKY expressed appreciation of the discussion about the details of achieving improved education outcomes, and she mentioned continuing work on HB 164 during interim. She expressed that legislation passed by this legislature shouldn't "bind the hands" of future legislatures.

CO-CHAIR DRUMMOND pointed out that amendments cannot be adopted during interim.

[9:45:19 AM](#)

REPRESENTATIVE CRONK removed his objection to the motion to adopt Amendment 4 to HB 164, Version I. There being no further objection, Amendment 4 was adopted.

[9:45:53 AM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 1 to HB 164, Version I, as amended, labeled 32-LS0731\I.21, Klein, 5/10/21, which read as follows:

Page 1, line 10:
Delete "**consortium**"
Insert "**library**"

Page 18, line 18:
Delete "**consortium**"
Insert "**library**"

Page 18, line 19:
Delete "**consortium**"
Insert "**library**"

Page 19, line 4:
Delete "CONSORTIUM"
Insert "LIBRARY"

Page 19, line 5:
Delete "CONSORTIUM"
Insert "LIBRARY"

Page 37, line 8:
Delete "**consortium**"
Insert "**library**"

Page 37, line 9:
Delete "consortium"
Insert "library"

Page 37, line 12:
Delete the first occurrence of "consortium"
Insert "library"
Delete "consortium shall create and maintain a database of"
Insert "department shall establish and maintain a library created by teachers, educators, education professionals, and school districts in the state, the

University of Alaska, and other education resources, including"

Page 37, line 16:

Delete "that participate in the consortium"

Insert ", teachers, and recognized correspondence programs in the state"

Page 37, lines 17 - 26:

Delete all material and insert:

"(b) For teachers delivering or facilitating virtual coursework to students through the library database, the department shall provide training and professional development on virtual instruction methods and the differences between virtual instruction and instruction offered in a classroom."

Page 37, line 27:

Delete "consortium shall employ a reading specialist"

Insert "department shall provide reading specialists"

Page 37, line 28:

Delete "the"

Insert "a"

Page 38, line 6, following "teams":

Insert "consisting of school staff who volunteer to participate"

Page 38, lines 8 - 20:

Delete all material.

Reletter the following subsection accordingly.

Page 39, line 24:

Delete "consortium"

Insert "library"

REPRESENTATIVE STORY objected for discussion purposes.

REPRESENTATIVE HOPKINS explained that Amendment 1 would affect Section 36, beginning on page 37, line 6 of the proposed legislation. He said the intent of the amendment is to have DEED create an online library or database of virtual education programs, curriculum, lessons, lesson plans, and various other

resources that have been developed over the past 12 months. Because the consortium would no longer exist, he said, its ability to determine whether an educator is qualified to teach online would no longer be relevant. He pointed out that teachers have been teaching virtually for some time now, with no arbitrating from a consortium. He said DEED would still provide professional training for educators in virtual instruction, to foster continuous improvement, and rather than one reading specialist employed by the consortium, there would be multiple reading specialists, based on need, employed by DEED. He said Amendment 1 would delete lines 8-20 on page 38 of the proposed legislation, which is where DEED would be charging school districts to access the consortium, as well as allowing school districts to charge others a fee for using it. He stated that, instead of a consortium with mandatory paid membership, there should be a free database with open access for stakeholders.

[9:50:49 AM](#)

REPRESENTATIVE PRAX stated his agreement with replacing "consortium" with "library," and he said he likes the idea of charging a fee, so the cost is more "readily apparent" to school districts.

[9:51:58 AM](#)

REPRESENTATIVE ZULKOSKY said she appreciates the intent of Amendment 1, and she discussed possible administrative costs and challenges.

REPRESENTATIVE HOPKINS responded that he doesn't believe access to a library of resources should be charged for.

CO-CHAIR DRUMMOND noted that FN 5 would establish the costs for the consortium.

[9:54:33 AM](#)

REPRESENTATIVE CRONK asked how Amendment 1 would change FN 5.

REPRESENTATIVE HOPKINS replied that he has no idea. He said it would be an online database which would have to be maintained by DEED within its existing website, and that there may need to be a nominal fee to maintain it.

CO-CHAIR DRUMMOND referred to a paragraph in the virtual education consortium section of FN 5, on page 3, which read as follows [original punctuation provided]:

DEED established a statewide virtual education LMS license for districts, teachers, and students in FY2021 in response to the COVID-19 pandemic and plans to continue the license through FY2023 using federal COVID-19 relief funds at a cost of \$1,060.6 annually.

CO-CHAIR DRUMMOND said the changes reflected in Amendment 1 are already established in FN5.

[9:56:21 AM](#)

REPRESENTATIVE PRAX discussed possible definitions of the word "nominal."

REPRESENTATIVE HOPKINS agreed that the costs would be low.

CO-CHAIR DRUMMOND commented on the low cost.

[9:57:52 AM](#)

REPRESENTATIVE STORY asked whether the terms "establish" and "create" reflect the same ideas as they relate to the consortium or library.

REPRESENTATIVE HOPKINS replied yes.

REPRESENTATIVE STORY expressed that Amendment 1 would remove "virtual education courses," and she asked whether there is a reason why those "descriptors" would be removed.

REPRESENTATIVE HOPKINS clarified that the text in question would remain.

[10:00:39 AM](#)

MICHAEL MASON, Staff, Representative Chris Tuck, on behalf of Representative Tuck, prime sponsor of HB 164, stated his belief that Representative Tuck would view Amendment 1 as a friendly amendment.

REPRESENTATIVE PRAX asked for input from DEED on Amendment 1.

[10:01:07 AM](#)

MS. MELIN said she has nothing to add until she has time to discuss Amendment 1 with the commissioner.

10:01:56 AM

CO-CHAIR DRUMMOND announced that HB 164, Version I, as amended, was held over with the motion to adopt Amendment 1 left pending.

10:02:31 AM

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 10:02 a.m.