

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

May 14, 2021
8:07 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
05/12/21	(H)	Heard & Held
05/12/21	(H)	MINUTE (EDC)
05/14/21	(H)	EDC AT 8:00 AM DAVIS 106

WITNESS REGISTER

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

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

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.

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

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

MIKE 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

[8:07:52 AM](#)

CO-CHAIR Harriet Drummond called the House Education Standing Committee meeting to order at 8:07 a.m. Representatives Story, Gillham, Prax, Hopkins, and Drummond were present at the call to order. Representatives Cronk and Zulkosky arrived as the meeting was in progress.

HB 164-EARLY ED PROGRAMS; READING; VIRTUAL ED

[8:08:36 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").]

[A motion to adopt Amendment 1 had been left pending at the end of the 5/12/21 House Education Standing Committee meeting.]

[8:09:38 AM](#)

REPRESENTATIVE HOPKINS reminded committee members that Amendment 1 would replace the consortium with an online library or database within DEED, which would be available to educators, parents, and students, at no charge. He expressed that an open, online library would be more beneficial to all stakeholders than an online consortium with a fee.

[8:10:20 AM](#)

REPRESENTATIVE STORY discussed online resources being shared between districts for a fee, which she said school districts might use to pay for services.

REPRESENTATIVE HOPKINS clarified that page 3 of Amendment 1 contained material which would delete all material on page 38, lines 8-20, or the proposed legislation, which would require fees for consortium membership.

REPRESENTATIVE STORY said her concern stemmed from page 38, lines 14-16, which read as follows:

(e) A school district that provides a course included in the database may charge a fee to the school district in which a student who takes the course is enrolled. The department shall establish the fee in regulation.

REPRESENTATIVE STORY said she support Amendment 1 but would like to remove lines 5-6 on page 3 from the amendment.

[8:15:01 AM](#)

REPRESENTATIVE ZULKOSKY commented on the importance of smaller school districts' participation in the online library, and she expressed that there shouldn't necessarily be a fee involved. She asked whether the intention of Amendment 1 is to ensure equitable access to resources in the online library, and whether Representative Hopkins would consider removing lines 14-16 on page 38 of the proposed legislation from the section of the amendment described on page 3, lines 5-6.

CO-CHAIR DRUMMOND asked Representative Zulkosky to clarify her suggestion.

REPRESENTATIVE ZULKOSKY repeated her suggestion to remove lines 14-16 on page 38 of the proposed legislation from the test that would be affected by Amendment 1.

REPRESENTATIVE HOPKINS said Representative Zulkosky's suggestion is closer to the original intent of the amendment, and he stressed that he does not support charging a fee for access to an online library hosted by DEED.

[8:20:05 AM](#)

REPRESENTATIVE PRAX discussed school districts developing their own problems and being penalized by not having an associated fee. He said culturally relevant coursework needs to be developed within the districts.

REPRESENTATIVE HOPKINS explained that many school districts share work in curricula and staff development through the Alaska Staff Development Network and other cooperative programs. He said individual teachers would be able to submit work to the online library as well.

REPRESENTATIVE PRAX asked, "So it would be done ... informally, rather than formally?"

REPRESENTATIVE HOPKINS said he doesn't know how "informal" or "formal" would be defined in this situation, but the online library would be where stakeholders could put their work into a domain for utilization by others.

[8:24:37 AM](#)

REPRESENTATIVE ZULKOSKY asked whether removing subsection (e) from being affected by Amendment 1 would still accomplish the intent of the amendment.

CO-CHAIR DRUMMOND shared her understanding that Representative Zulkosky agrees with deleting subsection (d), comprising lines 8-13 on page 38 of the proposed legislation, as well as subsection (f), comprising lines 17-20 on the same page.

REPRESENTATIVE HOPKINS said he agrees that such a change would constitute a friendly amendment.

[8:26:00 AM](#)

REPRESENTATIVE ZULKOSKY moved to adopt Conceptual Amendment 1 to Amendment 1, which would affect page 3 of Amendment 1, lines 5-6. She said it would change "Page 38, lines 8-20" to "Page 38, lines 8-13, 17-20."

[8:27:07 AM](#)

REPRESENTATIVE HOPKINS said he had no objection to Conceptual Amendment 1. There being no other objection, Conceptual Amendment 1 to Amendment 1 adopted.

[8:27:40 AM](#)

REPRESENTATIVE STORY removed her objection to the adoption of Amendment 1 to HB 164, Version I. There being no further objection, Amendment 1, as amended, as adopted.

[8:27:58 AM](#)

REPRESENTATIVE STORY moved to adopt Amendment 2 to HB 164, Version I, as amended, labeled 32-LS0731\I.31, Klein, 5/10/21, which read as follows:

Page 2, lines 2 - 3:

Delete "Academic Improvement and Modernization Act"
Insert "Reads Act"

[There being no objection, Amendment 2 was adopted to HB 164, Version I, as amended.]

[8:28:11 AM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 3 to HB 164, Version I, as amended, labeled 32-LS0731\I.1, Klein, 5/8/21, which read as follows:

Page 2, line 30:

Delete "Each"
Insert "**At the first parent-teacher conference of the school year, each** [EACH]"
Delete "annually"
Insert "[ANNUALLY]"

Page 3, line 9, following "**of**":

Insert "**online and geographically accessible**"

[8:28:20 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE HOPKINS explained that Amendment 3 arose from discussions with Fairbanks-area reading teachers, which work with remote districts around the state in their reading efforts. He suggested that moving the discussion about the importance of early literacy to the first parent-teacher conference, when discussion of a student's aptitude is already under discussion, would give parents time to acclimate having a school-aged child. Regarding lines 7-8 of Amendment 3, he explained that adults in remote regions don't necessarily need to know what resources for adult literacy are available in Anchorage, so Amendment 3 would keep adult literacy information geographically relevant.

[8:30:50 AM](#)

REPRESENTATIVE STORY suggested a friendly amendment to Amendment 3, which would change "At the first..." to "By the first..." on line 3 of Amendment 3.

REPRESENTATIVE HOPKINS said he would be amenable to "By or at ..." or "By the conclusion of the first ...".

REPRESENTATIVE STORY agreed.

[8:32:21 AM](#)

REPRESENTATIVE PRAX asked whether the intent of the amendment is to establish an annual deadline by which parents will be made aware of the importance of early literacy.

REPRESENTATIVE HOPKINS stated his agreement.

REPRESENTATIVE PRAX said, "It's always good to establish a deadline." He stated his support for Amendment 3.

CO-CHAIR DRUMMOND summed up the friendly amendment, which would change "At" to "By" on line 3 of Amendment 3.

REPRESENTATIVE STORY clarified that the friendly amendment would insert "By or" before "At the first ...".

REPRESENTATIVE HOPKINS stated that he does not object to the friendly amendment to Amendment 3. There being no further objection, the friendly amendment was adopted to Amendment 3.

8:35:05 AM

REPRESENTATIVE STORY withdrew her objection to Amendment 3, as amended. There being no further objection, Amendment 3, as amended, was adopted to HB 164, Version I.

8:35:20 AM

REPRESENTATIVE ZULKOSKY moved to adopt Amendment 5 to HB 164, Version I, as amended, labeled 32-LS0731\I.57, Klein, 5/11/21, which read as follows:

Page 2, following line 3:

Insert a new bill section to read:

"* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE INTENT. The Alaska State Legislature recognizes and affirms the right of students to learn to read in multiple languages and recognizes that locally designed, culturally responsive reading curricula nurture a student's unique cultural strengths to promote academic achievement and a sense of well-being about the student's place in the world. Nothing in this Act limits a school district's ability to offer or focus on literacy education in multiple languages."

Renumber the following bill sections accordingly.

Page 2, line 24:

Delete "sec. 3"

Insert "sec. 4"

Page 3, line 11:

Delete "sec. 5"

Insert "sec. 6"

Page 5, line 3:

Delete "sec. 7"

Insert "sec. 8"

Page 7, line 2:

Delete "sec. 10"

Insert "sec. 11"

Page 13, line 16:

Delete "sec. 15"
Insert "sec. 16"

Page 16, line 17:
Delete "sec. 18"
Insert "sec. 19"

Page 18, line 21:
Delete "sec. 21"
Insert "sec. 22"

Page 20, line 12:
Delete "sec. 25"
Insert "sec. 26"

Page 21, line 26:
Delete "sec. 29"
Insert "sec. 30"

Page 22, line 24:
Delete "sec. 31"
Insert "sec. 32"

Page 39, line 10:
Delete "sec. 36"
Insert "sec. 37"

Page 39, line 13:
Delete "Section 34"
Insert "Section 35"

Page 39, line 14:
Delete "sec. 34"
Insert "sec. 35"

Page 39, line 15:
Delete "sec. 34"
Insert "sec. 35"

Page 39, line 18:
Delete "sec. 34"
Insert "sec. 35"

Page 40, line 23:
Delete "Sections 4, 6, 8, 11, 12, 16, 19, 22, 26,
30, 32, and 40"

Insert "Sections 5, 7, 9, 12, 13, 17, 20, 23, 27,
31, 33, and 41"

Page 40, line 25:
Delete "sec. 46"
Insert "sec. 47"

[8:35:36 AM](#)

REPRESENTATIVE PRAX objected for the purpose of discussion.

REPRESENTATIVE ZULKOSKY discussed the importance of allowing a school district to focus on literacy in multiple languages, saying that the importance of culture shouldn't be sacrificed.

REPRESENTATIVE PRAX asked to hear an opinion from DEED.

REPRESENTATIVE ZULKOSKY pointed out that nothing in Amendment 5 would commit the state to any additional resources with respect to indigenous language immersion programs, but that it would protect school districts that already exercise the ability to offer such programs.

REPRESENTATIVE PRAX expressed agreement with the intent of Amendment 5. He then suggested that a court could have a different interpretation of the amendment in 10 years.

[8:40:54 AM](#)

KAREN MELIN, Deputy Commissioner, Department of Education and Early Development (DEED), said the department's goal is proficiency in whatever language a student is studying, and that there be a manner in which proficiency may be assessed.

CO-CHAIR DRUMMOND expressed that lines 9-10 of Amendment 5, which state, "Nothing in this Act limits a school district's ability to offer or focus on literacy education in multiple languages.", make the intent clear. She asked Representative Prax to keep his comments relevant to the text of the amendment.

REPRESENTATIVE PRAX listed several unnamed communities in Alaska where people, he said, "have emigrated from Ukraine or Russia or wherever," and he expressed that Amendment 5 would obligate the state to "address" those languages, or even more "extreme" languages such as French or German.

[8:44:28 AM](#)

REPRESENTATIVE ZULKOSKY reminded committee members that the language in the amendment is already the status quo in school districts across Alaska, and she stressed that Amendment 5 would not obligate the state but would protect ongoing literacy work within the school districts.

CO-CHAIR DRUMMOND commented that Legislative Legal Services could be engaged with regard to Representative Prax's concerns about amendments.

REPRESENTATIVE PRAX maintained his objection.

[8:47:06 AM](#)

A roll call vote was taken. Representatives Zulkosky, Hopkins, Drummond, and Story voted in favor of adopting Amendment 5 to HB 164, Version I. Representatives Gillham and Prax voted against it. Therefore, Amendment 5 to HB 164, Version I, was adopted by a vote of 4-2.

REPRESENTATIVE ZULKOSKY stated that she would not be offering Amendment 6.

[8:48:18 AM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 7 to HB 164, Version I, as amended, labeled 32-LS0731\I.2, Klein, 5/8/21, which read as follows:

Page 3, line 10, following "literacy":

Insert ";

(6) the role of social and emotional learning in a child's development and lifelong success"

Page 3, line 22, following "literacy":

Insert ";

(6) the role of social and emotional learning in a child's development and lifelong success"

[8:48:28 AM](#)

REPRESENTATIVE PRAX objected.

REPRESENTATIVE HOPKINS explained that Amendment 7 would add the requirement for school districts to provide to parents and

guardians of K-3 students in a public school information on the role of social and emotional learning in a child's development and lifelong success. He recalled discussions in which some committee members voiced the opinion that addressing social and emotional learning would "usurp parents' rights," so Amendment 7 would allow parents autonomy to address social and emotional learning as they see fit. He pointed out that social and emotional learning helps develop skills such as self-motivation, diligence, teamwork, and emotional moderation.

REPRESENTATIVE PRAX expressed agreement with the provisions in Amendment 7.

CO-CHAIR DRUMMOND announced there being no further objection, Amendment 7 was adopted to HB 164, Version I, as amended. She then pointed out that lines 6-9 of Amendment 7 amended the repealer section of the proposed legislation, which was removed upon the adoption of Amendment 4 during the meeting of the House Education Standing Committee on May 12, 2021.

[8:51:33 AM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 8 to HB 164, Version I, as amended, labeled 32-LS0713\I.66, Klein, 5/11/21, which read as follows:

Page 3, line 24, following "shall":
Insert "employ a data analyst and"

[8:51:37 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE HOPKINS noted that DEED would be required to perform extensive reporting under the proposed legislation, and he explained that Amendment 8 would add one data analyst to ensure timely and consistent reporting.

REPRESENTATIVE STORY noted that two data analysts were recently removed from DEED's budget, and that she supports Amendment 8.

[8:53:27 AM](#)

REPRESENTATIVE PRAX asked for an opinion from a DEED representative.

[8:53:59 AM](#)

MS. MELIN responded that, with the substantial amount of data reporting under the proposed legislation, it would be advantageous to have the extra support in the form of a data analyst.

REPRESENTATIVE PRAX asked whether DEED would want the legislature to specify a position, or whether DEED would prefer to request a position in the budget.

MS. MELIN replied that the department's commitment is to implement any passed legislation.

CO-CHAIR DRUMMOND noted that an additional position would change the fiscal note.

[8:56:07 AM](#)

REPRESENTATIVE ZULKOSKY stated her support for Amendment 8.

[8:56:58 AM](#)

REPRESENTATIVE STORY withdrew her objection to Amendment 8.

[8:57:16 AM](#)

REPRESENTATIVE CRONK objected, expressing concern about adding costs to the fiscal notes.

[8:57:59 AM](#)

REPRESENTATIVE HOPKINS expressed agreement with Representative Cronk's concern regarding the cost of the proposed legislation, and he noted that HB 164 is an attempt to accomplish "a lot," particularly with the education of children.

[8:58:44 AM](#)

REPRESENTATIVE CRONK maintained his objection.

[8:58:54 AM](#)

A roll call vote was taken. Representatives Zulkosky, Hopkins, Story, and Drummond voted in favor of adopting Amendment 8 to HB 164, Version I, as amended. Representatives Prax, Cronk, and Gillham voted against it. Therefore, Amendment 8 was adopted by a vote of 4-3.

[8:59:39 AM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 9 to HB 164, Version I, as amended, labeled 32-LS0731\I.4, Klein, 5/8/21, which read as follows:

Page 4, lines 13 - 25:
Delete all material.

Renumber the following paragraphs accordingly.

Page 5, line 21, following "standards;":
Insert "and"

Page 5, line 23:
Delete "; and"
Insert "[";

Page 5, line 24, through page 6, line 21:
Delete all material and insert:

"(8) THE PROGRESS MADE TO IMPLEMENT THE READING INTERVENTION PROGRAMS ESTABLISHED UNDER AS 14.30.760 - 14.30.775, INCLUDING DATA ON HOW SCHOOL DISTRICTS ARE USING IN-SERVICE DAYS FOR CULTURALLY RESPONSIVE PROFESSIONAL DEVELOPMENT IN READING INSTRUCTION; AND

(9) THE EFFECTIVENESS AND PARTICIPATION RATES OF THE PARENTS AS TEACHERS PROGRAM ESTABLISHED UNDER AS 14.03.420, INCLUDING MEASURES OF EFFICIENCY AND EFFECTIVENESS THAT DEMONSTRATE THE EFFECTS OF THE PROGRAM ON SCHOOL READINESS]."

Renumber the following bill sections accordingly.

Page 7, line 2:
Delete "sec. 10"
Insert "sec. 9"

Page 13, line 16:
Delete "sec. 15"
Insert "sec. 14"

Page 16, line 17:
Delete "sec. 18"
Insert "sec. 17"

Page 18, line 21:

Delete "sec. 21"
Insert "sec. 20"

Page 20, line 12:
Delete "sec. 25"
Insert "sec. 24"

Page 21, line 26:
Delete "sec. 29"
Insert "sec. 28"

Page 22, line 24:
Delete "sec. 31"
Insert "sec. 30"

Page 39, line 10:
Delete "sec. 36"
Insert "sec. 35"

Page 39, line 13:
Delete "Section 34"
Insert "Section 33"

Page 39, line 14:
Delete "sec. 34"
Insert "sec. 33"

Page 39, line 15:
Delete "sec. 34"
Insert "sec. 33"

Page 39, line 18:
Delete "sec. 34"
Insert "sec. 33"

Page 40, line 23:
Delete "11, 12, 16, 19, 22, 26, 30, 32, and 40"
Insert "10, 11, 15, 18, 21, 25, 29, 31, and 39"

Page 40, line 25:
Delete "sec. 46"
Insert "sec. 45"

[8:59:47 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE HOPKINS explained that Amendment 9 would delete the material on page 4, lines 13-25 of the proposed legislation, expressing that the paragraph and subparagraphs under consideration are not "in his book" for teaching students to read, but a requirement for school districts to show that they're not wasting money. He opined that the requirements for reporting student assessments and reading statistics are appropriate to include in the proposed legislation, but the information proposed in the paragraph and subparagraphs under consideration is already publicly available, therefore inappropriate to include.

[9:01:49 AM](#)

REPRESENTATIVE STORY stated her support for Amendment 9.

[9:03:22 AM](#)

REPRESENTATIVE PRAX said he agrees with the concern regarding putting administrative burden on schools, and he said, "I was disappointed that there wasn't enough discussion about clear, measurable results during ... our budget review." He suggested departments receive instruction to report results, and he asked for comments from DEED regarding Amendment 9.

CO-CHAIR DRUMMOND noted that page 1, line 6, through page 2, line 1 of Amendment 9, affected passages that had been removed by Amendment 4 during the House Education Standing Committee meeting on May 12, 2021. She stressed that only the first four lines of Amendment 9, along with the necessary renumbering, are the only lines of the amendment under consideration. She added that she believes spending 75% of the available funding on instruction has been removed as a requirement, and she asked Ms. Teshner to comment.

[9:05:18 AM](#)

HEIDI TESHNER, Director, Finance and Support Services Division, Department of Education and Early Development, explained that it was previously mandated that 70 percent of a school district's operating fund be spent on instruction, which was repealed approximately five years ago. She said DEED reviews district budgets on an annual basis, and the reviews show that even with no requirement, school districts still budget approximately 70 percent of the operating fund to instruction.

CO-CHAIR DRUMMOND asked whether the provisions on page 4, lines 13-25, have to do with data that school districts already provide to DEED.

MS. TESHNER replied yes.

[9:08:29 AM](#)

REPRESENTATIVE CRONK asked Ms. Teshner to provide a report about administrative costs per district.

MS. TESHNER said she would provide the information.

[9:08:59 AM](#)

REPRESENTATIVE STORY removed her objection. There being no further objection, Amendment 9 was adopted to HB 164, Version I, as amended.

[9:09:12 AM](#)

The committee took a brief at-ease.

[9:09:40 AM](#)

REPRESENTATIVE STORY said she would not be offering Amendments 10 or 11.

[9:10:39 AM](#)

REPRESENTATIVE STORY moved to adopt Amendment 12 to HB 164, Version I, as amended, labeled 32-LS0731\I.34, Klein, 5/10/21, which read as follows:

Page 4, line 31, through page 5, line 2:

Delete "**, including measures of efficiency and effectiveness that demonstrate the effects of the program on school readiness**"

Page 6, lines 11 - 13:

Delete ", INCLUDING MEASURES OF EFFICIENCY AND EFFECTIVENESS THAT DEMONSTRATE THE EFFECTS OF THE PROGRAM ON SCHOOL READINESS"

[9:10:42 AM](#)

REPRESENTATIVE CRONK objected.

REPRESENTATIVE STORY explained that Amendment 12 would remove redundant language the proposed legislation.

[9:11:26 AM](#)

REPRESENTATIVE CRONK removed his objection.

[9:11:34 AM](#)

REPRESENTATIVE PRAX objected.

REPRESENTATIVE STORY explained the location of the redundant language.

[9:11:57 AM](#)

REPRESENTATIVE PRAX removed his objection. There being no further objection, Amendment 12 was adopted to HB 164, Version I, as amended.

[9:12:24 AM](#)

The committee took an at-ease from 9:12 a.m. to 9:23 a.m.

[9:23:42 AM](#)

REPRESENTATIVE STORY moved to adopt Amendment 13 to HB 164, Version I, as amended, labeled 32-LS0731\I.65, Klein, 5/11/21, which read as follows:

Page 4, line 27:
Delete "14.30.775"
Insert "14.30.780"

Page 6, line 5:
Delete "14.30.775"
Insert "14.30.780"

Page 34, line 22:
Delete "14.30.775"
Insert "14.30.780"

Page 36, following line 25:
Insert a new section to read:
"Sec. 14.30.775. Support for reading improvement plans. The state shall provide to a school district,

for each student in grades kindergarten through three who is determined to have a reading deficiency based on the statewide screening or assessment tool, \$1,000 to provide the support, intervention, and services the student needs for the student's reading improvement plan, including teacher and paraprofessional career development."

Page 36, line 26:

Delete "14.30.775"

Insert "14.30.780"

Delete "14.30.775"

Insert "14.30.780"

Page 39, line 5, following "14.30.775,":

Insert "14.30.780,"

[9:23:49 AM](#)

REPRESENTATIVE PRAX objected.

REPRESENTATIVE STORY explained that Amendment 13 would add a new section for support for reading improvement plans; under the new section, she said, the state would allocate, for each student in grades K-3 who has been determined to have a reading deficiency, \$1,000 to the school district to provide support, intervention, and any services the student needs for the reading improvement plan, including teacher and paraprofessional career development. She expressed educators need support in the reading improvement plans, and that without recognizing the extra time and effort expended by teachers, the proposed legislation would be an unfunded mandate. She said DEED reports that 63 percent of students are not reading at grade level, and educators would be drastically overwhelmed by extra work upon the passage of HB 164. She pointed out that Colorado has a stipend of \$800 per student, for use in a manner similar to that proposed by Amendment 13, and that DEED will be receiving funds from the American Rescue Plan Act of 2021 (ARPA), which may be utilized in a manner as described in Amendment 13.

REPRESENTATIVE PRAX asked for clarification on the statute number.

CO-CHAIR DRUMMOND noted that lines 5-7 of Amendment 13 are already covered by Amendment 4, adopted to HB 164, Version I, as amended, during the meeting of the House Education Standing Committee on May 12, 2021.

REPRESENTATIVE STORY deferred to Ms. Tobin.

[9:28:24 AM](#)

LOKI TOBIN, Staff, Senator Tom Begich, Alaska State Legislature, on behalf of the Senate Education Standing Committee, sponsor of companion bill SB 111, explained that page 1, lines 1-11 and 22-23, and page 2, lines 1-6, reflect conforming changes that would renumber the sections accordingly.

REPRESENTATIVE PRAX expressed difficulty in understanding the conforming changes.

[9:29:45 AM](#)

The committee took an at-ease from 9:29 a.m. to 9:30 a.m.

[9:30:21 AM](#)

REPRESENTATIVE STORY explained to Representative Prax that the drafters of HB 164 would be redrafting and renaming the sections.

REPRESENTATIVE PRAX expressed concerns about enshrining stipends in statute instead of including them in the budget.

REPRESENTATIVE STORY explained that providing stipends to the school districts would allow the money to be spent in a way that makes the most sense for the district.

REPRESENTATIVE PRAX opined that putting a stipend in statute doesn't seem practical because it's not known how much it would actually cost to support a student in the manner outlined in Amendment 13.

[9:33:26 AM](#)

REPRESENTATIVE HOPKINS offered the perspective that \$1,000 per student is a "decent place to start" at getting funding support into the schools and districts, and he stated his support for Amendment 13. He then offered a friendly amendment to Amendment 13, which would change page 1, line 17, by replacing "the statewide" with "an approved".

REPRESENTATIVE STORY expressed agreement with Representative Hopkins' proposed friendly amendment to Amendment 13.

CO-CHAIR DRUMMOND announced that there being no objection, the amendment to Amendment 13 was adopted.

[9:36:00 AM](#)

REPRESENTATIVE ZULKOSKY expressed the viewpoint that Amendment 13 would provide resources that districts could use in order to determine what resources would best work in the classroom environment. She pointed out that Amendment 13 would ensure that the state doesn't dictate how classroom activities occur, leaving such decisions to the local school districts.

[9:37:23 AM](#)

REPRESENTATIVE CRONK asked for clarification on Amendment 13.

[9:37:51 AM](#)

REPRESENTATIVE PRAX maintained his objection to Amendment 13, as amended.

[9:37:53 AM](#)

A roll call vote was taken. Representatives Hopkins, Story, Zulkosky, and Drummond voted in favor of adopting Amendment 13, as amended, to HB 164, Version I. Representatives Prax, Cronk, and Gillham voted against it. Therefore, Amendment 13, as amended, was adopted by a vote of 4-3.

[9:38:39 AM](#)

REPRESENTATIVE ZULKOSKY moved to adopt Amendment 14 to HB 164, Version I, as amended, labeled 32-LS0731\I.29, Klein, 5/11/21, which read as follows:

Page 4, line 27:
Delete "14.30.775"
Insert "14.30.780"

Page 6, line 5:
Delete "14.30.775"
Insert "14.30.780"

Page 34, line 22:
Delete "14.30.775"
Insert "14.30.780"

Page 36, following line 25:

Insert a new section to read:

"Sec. 14.30.775. Nonapplication. The provisions of AS 14.30.760 - 14.30.780 do not apply to an Alaska Native language immersion program offered by a district or school or a student participating in an Alaska Native language immersion program. In this section, "Alaska Native language immersion program" means an educational program that is taught in an Alaska Native language for at least four hours each school day."

Page 36, line 26:

Delete "14.30.775"

Insert "14.30.780"

Delete "14.30.775"

Insert "14.30.780"

Page 39, line 5, following "14.30.775,":

Insert "14.30.780,"

[9:38:45 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE ZULKOSKY said the intention of Amendment 14 is to address Alaska Native language immersion programs, and she said she would like for indigenous language teachers to speak to the committee about indicators of indigenous language proficiency.

[9:41:55 AM](#)

The committee took an at-ease from 9:42 a.m. to 9:43 a.m.

[9:43:29 AM](#)

REPRESENTATIVE ZULKOSKY moved to adopt Conceptual Amendment 1 to Amendment 14, which would alter page 1, line 20 of Amendment 14 to add, "however, through regulation and in collaboration with the appropriate programs, DEED can provide assistance to an Alaska Native language immersion program to assist in developing K through third grade reading proficiency."

CO-CHAIR DRUMMOND clarified that the conceptual amendment would amend Representative Zulkosky's own amendment.

REPRESENTATIVE ZULKOSKY agreed, and she said she would offer authority to Legislative Legal Services with regards to technical and conforming changes.

[9:44:35 AM](#)

CO-CHAIR DRUMMOND stated that, there being no objection, the conceptual amendment to Amendment 14 was adopted.

[9:44:45 AM](#)

REPRESENTATIVE ZULKOSKY restated the intention of Amendment 14, which is to acknowledge that Alaska Native languages do not necessarily follow the same benchmarks for proficiency as English.

[9:45:35 AM](#)

REPRESENTATIVE PRAX asked whether his understanding that DEED would not be evaluating proficiency in indigenous languages was correct.

REPRESENTATIVE ZULKOSKY responded that, with respect to the measures of proficiency as currently stated in the bill, indigenous language instructors have not been able to provide relevant metrics for indigenous language proficiency. She said the intention is to exempt indigenous language programs from the metrics in the bill until there exists a better understanding of proficiency in an indigenous language.

REPRESENTATIVE PRAX wondered whether the definition of "Alaska Native language immersion program" is "overly prescriptive."

REPRESENTATIVE ZULKOSKY deferred to Ms. Tobin.

[9:48:27 AM](#)

MS. TOBIN clarified that page 2 of the proposed legislation mandates that a day in session in every school shall be at least four hours long for first, second, and third grades.

REPRESENTATIVE ZULKOSKY noted that some immersion programs are full days of speaking only the indigenous language. She said the intention is to capture both shorter programs as well as full-day programs.

REPRESENTATIVE PRAX said, "So the intention is, however long the day is, it's to be all day long in the native language."

REPRESENTATIVE ZULKOSKY replied, "Correct."

[9:49:56 AM](#)

REPRESENTATIVE HOPKINS affirmed previous statements on indigenous language programs, noting that Alaska has many different immersion programs. He pointed to the number of academic studies that say learning a second language at an early age is much easier after achieving proficiency in a first language. He declared his support for Amendment 14, as amended.

[9:51:27 AM](#)

REPRESENTATIVE STORY withdrew her objection.

[9:51:35 AM](#)

REPRESENTATIVE PRAX objected, saying he didn't understand Amendment 14 well enough to be able to support it.

REPRESENTATIVE CRONK said that he also did not understand Amendment 14.

REPRESENTATIVE ZULKOSKY noted the different perspectives and said she would be happy to work collaboratively to ensure understanding.

[9:53:29 AM](#)

A roll call vote was taken. Representatives Hopkins, Story, Drummond, and Zulkosky voted in favor of adopting Amendment 14, as amended, to HB 164, Version I, as amended. Representatives Prax, Cronk, and Gillham voted against it. Therefore, Amendment 14, as amended, was adopted by a vote of 4-3.

[9:54:10 AM](#)

The committee took an at-ease from 9:54 a.m. to 9:55 a.m.

[9:55:21 AM](#)

REPRESENTATIVE STORY moved to adopt Amendment 16 to HB 164, Version I, as amended, labeled 32-LS0731\I.35, Klein, 5/10/21, which read as follows:

Page 6, line 20:
Delete "classroom"

[9:55:38 AM](#)

REPRESENTATIVE CRONK objected for the purpose of discussion.

REPRESENTATIVE STORY explained that Amendment 16 would remove the word "classroom" from page 6, line 20 of the proposed legislation, in order to allow for flexibility at the school. She said some administrative employees in rural school districts provide classroom instruction.

[9:56:26 AM](#)

The committee took an at-ease from 9:56 a.m. to 9:58 a.m.

[9:57:58 AM](#)

REPRESENTATIVE STORY withdrew her motion to adopt Amendment 16 to HB 164, Version I.

[9:58:25 AM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 18 to HB 164, Version I, as amended, labeled 32-LS0731\I.7, Klein, 5/8/21, which read as follows:

Page 8, line 31, through page 9, line 1:
Delete "Unless the legislature appropriates another amount, total grant funding awarded to districts under this subsection may not exceed \$3,000,000 in a fiscal year."

Page 19, line 26:
Delete "and (f)"

Page 20, lines 1 - 11:
Delete all material.

Page 20, line 14:
Delete "AND (f)"

Page 39, line 4:
Delete "AS 14.17.500(e), 14.17.500(f);"
Insert "AS 14.17.500(e);"

Page 40, lines 8 - 15:
Delete all material.

Renumber the following bill sections accordingly.

Page 40, line 25:
Delete "sec. 46"
Insert "sec. 45"

[9:58:26 AM](#)

REPRESENTATIVE PRAX objected.

[9:58:46 AM](#)

The committee took an at-ease from 9:58 a.m. to 9:59 a.m.

[9:59:45 AM](#)

[The committee recessed at 10:00 a.m. with the motion to adopt Amendment 18 left pending.]

[3:33:55 PM](#)

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

[3:34:30 PM](#)

REPRESENTATIVE HOPKINS reviewed Amendment 18, which would eliminate the \$3 million cap as specified on page 8, line 31 though page 9, line 1; page 20, lines 1-11; and page 40, lines 8-15 of the proposed legislation.

[3:38:45 PM](#)

MS. TOBIN said according to the fiscal notes, there exist approximately 10,000 eligible pre-elementary students; the fiscal notes estimate that about 80 percent of the students would enroll in a pre-elementary program at a cost of approximately \$17.9 million per year in either grant funding or foundation formula. The grant program is more robust in that districts may build up a high-quality, locally designed, culturally relevant program; once the programs are established

and approved by DEED, she said, the programs will be rolled into foundation formula funding. If every district applied to have a pre-kindergarten program developed, she said, the maximum amount of state funding would be a little over \$17.9 million.

[3:40:24 PM](#)

REPRESENTATIVE PRAX summed up his understanding that \$17.9 million per year would be the cost to the state.

[3:41:17 PM](#)

REPRESENTATIVE CRONK asked, "So you're saying there's ... about 10,000 kindergarten kids?"

MS. TOBIN replied that it's estimated that there are approximately 10,000 students per grade in Alaska.

REPRESENTATIVE CRONK said, "And about 80 percent would fall into this category?"

MS. TOBIN explained that the fiscal notes use a basis of 80 percent, but the actual number is difficult to ascertain.

REPRESENTATIVE CRONK said, "So what we're saying is we're going to add millions of dollars to kindergarten programs that are already funded."

REPRESENTATIVE HOPKINS explained to Representative Cronk that the funding under discussion would be for pre-k programs not currently funded, not for kindergarten programs. He said that as the grants cycle out, the costs are rolled into the foundation formula.

REPRESENTATIVE CRONK expressed the desire to keep costs low.

[3:44:30 PM](#)

CO-CHAIR DRUMMOND asked Ms. Tobin what funding sources comprise \$17.9 million.

MS. TOBIN replied that fiscal notes 1 and 4 talk about the foundation funding component, while fiscal note 2 is relevant to the grants. She deferred to Ms. Teshner for more information.

[3:45:17 PM](#)

MS. TESHNER explained that, under the proposed legislation, there would be a \$3 million cap in state aid for early education programs above the previous fiscal year; without the cap, she said, there would be a certain number of programs approved each year for the three-year grant, and once the three-year grant is over, the costs would roll into the foundation formula. Over the life of the program, she said, the cost to the state should increase by \$17.9 million per year.

CO-CHAIR DRUMMOND discussed the \$3 million grant and suggested that the \$3 million grants would be "overlapping," with a new one starting each year.

MS. TESHNER replied that, under the previous versions of HB 164, there were limits on the number of school districts that could be approved each year, and that once the three-year grant program was over, the school districts would roll into the foundation program. She said it would be difficult to estimate the costs of removing the \$3 million cap without additional analysis.

[3:48:55 PM](#)

REPRESENTATIVE HOPKINS asked whether the \$17.9 million cost would incur entirely under the Average Daily Membership (ADM) formula. He clarified that the cost would be incurred after all grant programs would have cycled out, every school district in the state would have an early education program, and 80 percent of the 10,000 students per grade would be funded through the ADM formula.

MS. TESHNER replied yes.

[3:49:51 PM](#)

REPRESENTATIVE STORY expressed appreciation for Amendment 18. She noted that it says "Delete "Unless the legislature appropriates another amount," and she discussed appropriating federal funds to scale up the early learning program. She expressed uncertainty in supporting Amendment 18.

[3:51:26 PM](#)

REPRESENTATIVE GILLHAM said he was confused, and he asked whether pre-k is voluntary. He then asked whether a voluntary program would be funded at a sum of \$17 million.

REPRESENTATIVE HOPKINS explained that all public education in the state is voluntary and is funded through the foundation formula and operating budget, utilizing different sources of funding. He clarified that, while there are age ranges in which children are required to attend some type of education, such as private school, enrollment or attendance at publicly-funded schools is not mandatory. The purpose of the bill is to provide early education programs, he said, not mandate them.

[3:53:07 PM](#)

REPRESENTATIVE PRAX suggested different semantics for thinking about the proposed legislation. He then suggested that even if the money was available, school districts would not be able to spend it due to there not existing a "surplus of teachers." He asked whether DEED has taken into consideration the logistics of implementing the program, and how much money could possibly be spent in any given year.

[3:55:23 PM](#)

REPRESENTATIVE HOPKINS deferred to Ms. Tobin.

[3:55:30 PM](#)

MS. TOBIN explained to Representative Prax that the estimated maximum amount that could be spent would be a little over \$17.9 million. She noted that the proposed legislation does consider other early education programs that a school district might also offer, such as Head Start, so the number may not necessarily be accurate, but it's what the fiscal notes project as a conservative estimate.

REPRESENTATIVE PRAX expressed the concern that there may not be enough teachers available. He said a school district might receive \$3 million, then take two years to recruit enough teachers to be able to spend the money, so the school district would have the funds "sitting in their account."

REPRESENTATIVE HOPKINS explained to Representative Prax that school districts would not get a "blank check" to create a program but must have DEED-approved programs to fund.

REPRESENTATIVE PRAX asked a hypothetical about flexibility.

CO-CHAIR DRUMMOND affirmed that, in the case of one school not being able to take advantage of the grant, the grant would go to another school.

[3:58:08 PM](#)

REPRESENTATIVE ZULKOSKY stated her support of Amendment 18, saying that she struggles with the idea of basing student achievement on test scores since it's not always the best practice. She said evidence has shown that meaningful investing in early education correlates to cost savings in later education.

[4:00:07 PM](#)

REPRESENTATIVE HOPKINS noted Representative Story's comments about federal funding, which would be realized well before passage of HB 164. He suggested that the actual federal funding amount might determine the structure of the early education programs, and he said the maximum amount of flexibility needs to exist within the proposed legislation, which is why he didn't want a cap on the grant amount. He expressed that eliminating the cap would not limit the state's ability to accept federal funds, and that it would ensure the flexibility needed to effectively implement early education programs in school districts across the state.

[4:01:55 PM](#)

REPRESENTATIVE STORY asked for clarification regarding page 8, lines 19-26 of the proposed legislation.

REPRESENTATIVE HOPKINS explained that the goal of Amendment 18 would ensure application availability for all school districts.

REPRESENTATIVE STORY asked how much funding is currently available for early education.

REPRESENTATIVE HOPKINS responded that the amount of funding is based on the number of districts applying.

[4:04:42 PM](#)

MIKE MASON, Staff, Representative Chris Tuck, Alaska State Legislature, on behalf of Representative Tuck, prime sponsor of HB 164, noted that President Joe Biden's American Families Plan calls for a \$200 billion investment to fund a national

partnership with states to offer free, high-quality, accessible, inclusive preschool for three- and four-year-olds.

[4:05:30 PM](#)

MS. TESHNER agreed with Representative Hopkins's earlier statement that the exact number of 3-year grants would be unknown in the first year, because the state doesn't know how many school districts would apply. She then clarified that there are two different \$3 million caps in Amendment 18. The first, she said, would be a \$3 million per-year cap in the grant program, and the second would be a \$3 million per-year cap for the foundation program for districts that bypass the grant program, seek DEED approval, and roll directly into the foundation formula. Removing the second cap, she said, would eliminate funding in the foundation program for districts that bypass the three-year grant program.

[4:06:39 PM](#)

CO-CHAIR DRUMMOND said the first cap is described in the proposed legislation on page 8, line 31, and page 9, line 1. She asked where in the text of the proposed legislation the second cap is described.

REPRESENTATIVE HOPKINS replied that the second cap is described on page 20, lines 1-11.

MS. TESHNER confirmed the location of the second \$3 million cap in the text of the proposed legislation, and she added that the second cap is addressed on pages 39-40.

[4:07:29 PM](#)

The committee took an at-ease from 4:07 p.m. to 4:08 p.m.

[4:08:52 PM](#)

CO-CHAIR DRUMMOND, at the request of Representative Hopkins, [tabled] discussion of Amendment 18. [The motion to adopt Amendment 18 was treated as withdrawn.]

[4:09:10 PM](#)

REPRESENTATIVE STORY moved to adopt Amendment 19 to HB 164, Version I, as amended, labeled 32-LS0731\I.44, Klein, 5/10/21, which read as follows:

Page 8, line 15:

Delete "or"

Insert ", "

Page 8, line 16:

Delete "AS 14.30.756(h) "

Insert "AS 14.30.765(h) (1) - (4), or a superintendent's best interest determination under AS 14.30.765(h) (5) "

Page 30, line 23:

Delete "or"

Page 30, line 25, following "program":

Insert "; or

(5) a student whose best interest, as determined by the professional judgment of the superintendent or superintendent's designee, will be served by progressing to the next grade"

[4:09:15 PM](#)

REPRESENTATIVE ZULKOSKY objected for the purpose of discussion.

REPRESENTATIVE STORY directed committee members' attention to page 8 of the proposed legislation, and she explained that her intention with Amendment 19 is to give the superintendent of a school district the discretion to make a best interest determination regarding whether a child should advance to the next grade level. She said the superintendent could look at "the whole child" and make the appropriate determination.

[4:10:52 PM](#)

CO-CHAIR DRUMMOND asked for clarification on how the amendment would change lines 15-16 on page 8.

REPRESENTATIVE ZULKOSKY offered the viewpoint that there are already two waiver options in the text of the proposed legislation, so lines 1-8 of Amendment 19 would insert a third.

MS. TOBIN confirmed Representative Zulkosky's interpretation of Amendment 19 but clarified that the lines under discussion contain the legislative reporting requirement under Section 13, subsection (h). Section 35, which would amend AS 14.30, would be amended by Amendment 19 to add the text in Amendment 19,

lines 15-17, regarding allowing the superintendent or designee to determine student progression.

[4:13:09 PM](#)

REPRESENTATIVE ZULKOSKY stated that she does not support the inclusion of retention language in the proposed education, since testimony and evidence has shown that retention is not a good educational strategy. She said specific students in rural districts with unique needs would not be supported by the retention language.

REPRESENTATIVE STORY expressed agreement. She requested to roll Amendment 19 to the bottom of the amendment for further consideration.

[4:16:21 PM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 20 to HB 164, Version I, as amended, labeled 32-LS0731\I.9, Klein, 5/8/21, which read as follows:

Page 10, line 10, following "parents":
Insert "or guardians"

Page 10, line 16, following "parent":
Insert "or guardian"

Page 10, line 23, following "parental":
Insert "or guardian"

[4:16:29 PM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE HOPKINS explained that Amendment 20 would ensure that a non-parent guardian of a student would receive the same support parents receive.

[4:17:11 PM](#)

REPRESENTATIVE STORY removed her objection. There being no further objection, Amendment 20 was adopted to HB 164, Version I, as amended.

[4:18:15 PM](#)

The committee took an at-ease from 4:18 p.m. to 4:19 p.m.

[4:19:00 PM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 22 to HB 164, Version I, as amended, labeled 32-LS0731\I.11, Klein, 5/8/21, which read as follows:

Page 10, following line 30:

Insert a new subsection to read:

"(d) In this section, "parent" includes a natural, adoptive, and foster parent, stepparent, legal guardian, relative, and other adult person with whom a student has resided and who has acted as a parent in providing for the student or has been responsible for the student's welfare for a continuous period."

[4:19:07 PM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE HOPKINS said Amendment 22 would provide the new definition of parents and guardians.

[4:19:39 PM](#)

REPRESENTATIVE STORY withdrew her objection.

[4:19:43 PM](#)

REPRESENTATIVE PRAX objected, citing semantics in Amendments 20 and 22.

REPRESENTATIVE HOPKINS expressed that including definitions for both parents and guardians should be fine.

[4:20:31 PM](#)

REPRESENTATIVE PRAX withdrew his objection. There being no further objection, Amendment 22 was adopted to HB 164, Version I, as amended.

[4:20:46 PM](#)

REPRESENTATIVE ZULKOSKY moved to adopt Amendment 22A to HB 164, Version I, as amended, labeled 32-LS0731\I.71, Klein, 5/11/21, which read as follows:

Page 16, line 14, following "department":

Insert ", in consultation with tribes and school districts to ensure textbooks are culturally relevant,"

Page 16, line 25, following "DEPARTMENT":

Insert ", IN CONSULTATION WITH TRIBES AND SCHOOL DISTRICTS TO ENSURE TEXTBOOKS ARE CULTURALLY RELEVANT,"

[4:20:57 PM](#)

REPRESENTATIVE PRAX objected for the purpose of discussion.

REPRESENTATIVE ZULKOSKY said that DEED does not always have perspective of the local level with regards to culture, and she said Amendment 22A would ensure that those who are closest to the communities and schools would have the opportunity to provide feedback to DEED on whether material is culturally relevant.

[4:23:33 PM](#)

REPRESENTATIVE PRAX said tribes are dependent on membership, rather than geographical boundaries, whereas school districts are bound by geography. He then mused about the possibility of creating a conflict.

REPRESENTATIVE ZULKOSKY replied that nothing in Amendment 22A would mandate that a tribe in Anchorage be consulted regarding supplementary material for a German-language immersion program.

CO-CHAIR DRUMMOND explained to Representative Prax that there are a number of school districts that work to provide culturally relevant materials for their own communities, and that if DEED is to decide on materials, it should do so in consultation with the district.

REPRESENTATIVE ZULKOSKY clarified that the intention of Amendment 22A is that school districts in Anchorage that may be providing immersion programs in world languages be consulted on resource utilization.

REPRESENTATIVE PRAX said he doesn't know how tribes are set up.

CO-CHAIR DRUMMOND said she doesn't think the composition of tribes are relevant to the discussion at hand.

REPRESENTATIVE PRAX asked, "Do 75 percent of the members of the tribe that is headquartered in Bethel, live in Bethel, or is there a significant enough number that the school districts would have to talk to somebody in Anchorage?"

[4:27:01 PM](#)

REPRESENTATIVE STORY expressed that Amendment 22A reflects a "best practice" that DEED is already striving for, and that it's important to work with the local community.

REPRESENTATIVE ZULKOSKY offered that tribes are often already "intimately connected" with school districts in the implementation of immersion programs. She then stressed that the intention of the amendment is to include local input on decision making, and to complement amendment made with respect to the virtual library, since many school districts have developed language immersion resources that could benefit other schools and districts.

REPRESENTATIVE PRAX expressed the belief that if such language wasn't included, Representative Zulkosky's intention with the amendment would probably happen naturally. He then said, "If you say something, then you create an expectation. Ten years down the road, they weren't talking to us, somebody files a lawsuit, and it's interpreted, perhaps, differently."

[4:30:28 PM](#)

CO-CHAIR DRUMMOND noted that lines 5-7 of Amendment 22A are included in existing repeal language on page 16.

REPRESENTATIVE ZULKOSKY expressed the desire to see a clean version of HB 164, with its associated amendments embedded, for consideration.

REPRESENTATIVE PRAX removed his objection. There being no further objection, Amendment 22A was adopted to HB 164, Version I, as amended.

[4:31:50 PM](#)

The committee took an at-ease from 4:31 p.m. to 4:35 p.m.

[4:35:54 PM](#)

REPRESENTATIVE ZULKOSKY moved to adopt Amendment 22B to HB 164, Version I, as amended, labeled 32-LS0731\I.60, Klein, 5/11/21, which read as follows:

Page 16, line 5, following "educational":

Insert **"; "early education program" does not include a program operated as a head start program under 42 U.S.C. 9831 - 9852c"**

[4:36:01 PM](#)

REPRESENTATIVE CRONK objected for the purpose of discussion.

REPRESENTATIVE ZULKOSKY said Amendment 22B would exempt existing Head Start programs from meeting the evidence-based standards as outlined under the proposed legislation. She said federal Head Start teachers are not required to have teaching certificates issued by the state, so she doesn't want to see the unintended consequence of holding Head Start programs to the other standards under HB 164. She said the programs are often offered by tribes in some of the most remote villages and often include immersion programs, work with children with special needs, and medical checkups.

[4:39:58 PM](#)

REPRESENTATIVE CRONK asked whether the intent of the amendment is to keep Head Start separate from the provisions under HB 164.

REPRESENTATIVE ZULKOSKY affirmed Representative Cronk's question, and she stressed that Head Start programs are federally funded and include many areas of service outside the scope of early education.

REPRESENTATIVE CRONK envisioned a scenario in which a community with an existing Head Start program would also have an early education intervention program under HB 164.

REPRESENTATIVE ZULKOSKY pointed out that Head Start serves children from birth to age five, while the provisions under the proposed legislation serve children beginning at age four. Head start programs may have the opportunity to bridge to early education programs, she said. She reiterated that her attention

with Amendment 22B is to hold harmless Head Start programs until such a bridge mechanism exists.

[4:42:20 PM](#)

REPRESENTATIVE PRAX asked whether Head Start receives state funding.

[4:42:55 PM](#)

MS. TESHNER explained that approximately \$6.8 million is appropriated to early learning coordination, serving as funding to the Head Start programs as the federal match requirement.

CO-CHAIR DRUMMOND asked whether that figure generates \$48 million in federal funds.

[4:43:55 PM](#)

MS. MELIN offered to find the information.

REPRESENTATIVE PRAX expressed that as long as Head Start programs met the objective of the program as described in the proposed legislation, Head Start programs should be supplemented with "whatever money is needed to meet the state goals."

REPRESENTATIVE ZULKOSKY deferred to Ms. Tobin.

MS. TOBIN directed attention to pages 8-9, Section 14, subsections (b) and (c), which discuss ways to supplement existing programs. She pointed out that Head Start has income limit guidelines, which exclude some children, and that school districts may determine the best structure for early education before they apply for the grant.

[4:46:40 PM](#)

REPRESENTATIVE STORY noted that Head Start is a federal program, with states receiving a substantial funding match of \$40 million on a \$6 million state investment. She then described ways in which families may utilize school district as well as Head Start resources.

REPRESENTATIVE ZULKOSKY noted that early education and Head Start programs share several goals but are distinct programs and are not always congruent as far as developmental

appropriateness. She then reiterated that the intent of Amendment 22B is to retain flexibility for Head Start programs.

REPRESENTATIVE PRAX mentioned resource utilization.

[4:50:29 PM](#)

REPRESENTATIVE CRONK acknowledged the intent of the amendment and expressed that there still exists an "issue" regarding various early education programs.

CO-CHAIR DRUMMOND noted that Head Start serves children birth to age five, and the early education program proposed in HB 164 would be relevant to four-year-olds.

REPRESENTATIVE CRONK withdrew his objection. There being no further objection, Amendment 22B was adopted to HB 164, Version I, as amended.

[4:52:23 PM](#)

REPRESENTATIVE STORY moved to adopt Amendment 23 to HB 164, Version I, as amended, labeled 32-LS0731\I.36, Klein, 5/10/21, which read as follows:

Page 17, line 18:
Delete "one year"
Insert "two years"

[4:52:31 PM](#)

REPRESENTATIVE CRONK objected for the purpose of discussion.

REPRESENTATIVE STORY said she would like there to be ample opportunity for a teacher to complete the minimum of six credit hours in early childhood education.

REPRESENTATIVE CRONK expressed the viewpoint that one year is ample time to complete the required credit hours, and he maintained his objection.

[4:54:35 PM](#)

The committee took a brief at-ease.

[4:54:53 PM](#)

A roll call vote was taken. Representatives Zulkosky, Story, Drummond, and Hopkins voted in favor of Amendment 23 to HB 164, Version I, as amended. Representatives Cronk, Gillham, and Prax voted against it. Therefore, Amendment 23 was adopted by a vote of 4-3.

[4:55:41 PM](#)

REPRESENTATIVE HOPKINS moved to adopt Amendment 24 to HB 164, Version I, as amended, labeled 32-LS0731\I.13, Klein, 5/8/21, which read as follows:

Page 19, line 26:
Delete "and (f)"

Page 19, lines 29 - 31:
Delete all material.

Reletter the following subsection accordingly.

Page 20, line 14:
Insert "AND (f)"

Page 39, line 4:
Delete ", 14.17.500(f)"

[4:56:00 PM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE HOPKINS said Amendment 24 would ensure that students, school districts, and families are not punished for the timing of entering an early education program. He referred to Section 25, subsection (e), on page 19 of the proposed legislation, which read as follows:

(e) A school district may not include in a school's ADM students who are four and five years of age if the students are enrolled in an early education program that receives state or federal funding other than funding under this chapter.

REPRESENTATIVE HOPKINS clarified that "funding under this chapter" refers to the early education program, and he expressed the understanding that the school would not receive early education funding for a student enrolled in the early education program as well as a Head Start program. He said the way the

subsection is written would force parents to choose between a school district's early education program or a Head Start program.

[4:58:16 PM](#)

REPRESENTATIVE STORY withdrew her objection.

[4:58:27 PM](#)

REPRESENTATIVE PRAX objected and expressed the opinion that the proposed legislation would duplicate the service offered by Head Start.

[4:59:15 PM](#)

REPRESENTATIVE ZULKOSKY shared that she was advised by the sponsor's office of a forthcoming amendment to address the overlap in ages. She said she appreciated the adoption of the amendment to hold Head Start programs harmless, and she discussed the challenge of finding and retaining teachers in rural communities who could meet the guidelines within the proposed legislation. She said that it's her goal to not have overlapping services, and that she does not see Amendment 24 as containing changes that would create or exacerbate redundancies.

[5:01:10 PM](#)

CO-CHAIR DRUMMOND referred to a morning preschool program and afternoon Head Start program, and she said that by utilizing both programs, children are learning all day. She expressed the understanding that if both programs operate at the same time of day, it makes sense for the school district to not receive funding under the foundation formula if Head Start is also receiving funds.

REPRESENTATIVE HOPKINS expressed that a school district should be able to receive funding for a a child attending one program in the morning and a different program in the afternoon.

[5:02:54 PM](#)

MR. MASON expressed that there would be federal and state support for the Head Start program as well as state support for the early education program. He then deferred to Ms. Teshner.

[5:03:31 PM](#)

MS. TESHNER said that a school district would receive state funding for a student enrolled part-time in an early education program. She then clarified that being enrolled part-time in two different programs would count as "one" with respect to state funding.

[5:04:30 PM](#)

The committee took an at-ease from 5:04 p.m. to 5:06 p.m.

[5:06:44 PM](#)

REPRESENTATIVE HOPKINS referred to page 19, lines 29-31 of the proposed legislation, and he asked, "The way it is drafted, that ADM ... is a different count than the ADM that would be applied to the student in the early education program created under this bill, correct?"

MS. TESHNER replied, "If a student is already receiving funding through, say, the pre-k grants that already exist, or any other ... would not be eligible for ADM funding. So if we're funding them through another program, we can't also count them in the ADM."

REPRESENTATIVE HOPKINS pointed out that \$6 million in state funding is matched by \$48 million in federal funding. He then asked, "If a student is in Head Start - that is, from three- to five-year-olds - and then that student goes to an early education program that has cycled through its three years and is now the half-ADM created under the early education program in this bill, that student would still be able to receive funding for the Head Start program and for the half-ADM in that ... early education program, correct?"

MS. TESHNER responded that subsection (e) specifies a school district, and Head Start is not part of a school district, so what Representative Hopkins said sounds correct.

REPRESENTATIVE HOPKINS said that, as Head Start and early education funding could continue for the same student, he withdraws Amendment 24.

[5:10:02 PM](#)

REPRESENTATIVE HOPKINS said he would not be offering Amendment 25.

[5:10:38 PM](#)

REPRESENTATIVE STORY moved to adopt Amendment 26 to HB 164, Version I, as amended, labeled 32-LS0731\I.37, Klein, 5/10/21, which read as follows:

Page 19, lines 17 - 24:
Delete all material.

Renumber the following bill sections accordingly.

Page 20, line 12:
Delete "sec. 25"
Insert "sec. 24"

Page 21, line 26:
Delete "sec. 29"
Insert "sec. 28"

Page 22, line 24:
Delete "sec. 31"
Insert "sec. 30"

Page 39, line 10:
Delete "sec. 36"
Insert "sec. 35"

Page 39, line 13:
Delete "Section 34"
Insert "Section 33"

Page 39, line 14:
Delete "sec. 34"
Insert "sec. 33"

Page 39, line 15:
Delete "sec. 34"
Insert "sec. 33"

Page 39, line 18:
Delete "sec. 34"
Insert "sec. 33"

Page 40, line 23:
Delete "26, 30, 32, and 40"
Insert "25, 29, 31, and 39"

Page 40, line 25:
Delete "sec. 46"
Insert "sec. 45"

[5:10:40 PM](#)

REPRESENTATIVE PRAX objected.

REPRESENTATIVE STORY said language authorizing cooperative agreements, as outlined on page 19, lines 17-24 of the proposed legislation, is already enshrined in statute.

REPRESENTATIVE PRAX asked whether the section is already covered in the "statute book."

REPRESENTATIVE STORY referenced AS 14.14.115(a) and explained to Representative Prax that the bold, underlines sections are the areas that would be added by the proposed legislation.

REPRESENTATIVE PRAX asked why "cooperative arrangements between school districts and between school districts and private businesses, nonprofit organizations, or government agencies" shouldn't be encouraged.

REPRESENTATIVE STORY replied that such cooperate arrangements are already encouraged. She then deferred to Ms. Mason.

[5:13:10 PM](#)

MR. MASON said it's his understanding that such cooperative arrangements are already in statute.

REPRESENTATIVE PRAX said, "We don't need to double allow it. Okay."

MR. MASON clarified that school districts already have the freedom to make such arrangements with other entities.

CO-CHAIR DRUMMOND noted the language inside the repealer language already removed by Amendment 4.

REPRESENTATIVE PRAX withdrew his objection. There being no further objection, Amendment 26 to HB 164, Version I, as amended, was adopted.

[5:14:33 PM](#)

REPRESENTATIVE ZULKOSKY said that, based on the adoption of Amendment 26, she would not be offering Amendment 27.

[5:15:01 PM](#)

The committee took an at-ease from 5:15 p.m. to 5:17 p.m.

[5:17:17 PM](#)

REPRESENTATIVE ZULKOSKY moved to adopt Amendment 27A to HB 164, Version I, as amended, labeled 32-LS0731\I.70, Klein, 5/11/21, which read as follows:

Page 22, line 13, through page 23, line 5:
Delete all material.

Renumber the following bill sections accordingly.

Page 39, line 10:
Delete "sec. 36"
Insert "sec. 34"

Page 39, line 13:
Delete "Section 34"
Insert "Section 32"

Page 39, line 14:
Delete "sec. 34"
Insert "sec. 32"

Page 39, line 15:
Delete "sec. 34"
Insert "sec. 32"

Page 39, line 18:
Delete "sec. 34"
Insert "sec. 32"

Page 40, line 23:
Delete "32, and 40"
Insert "and 38"

Page 40, line 25:
Delete "sec. 46"
Insert "sec. 44"

[5:17:22 PM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE ZULKOSKY said Amendment 27A would remove language adding additional coursework, training, and testing requirements for new teachers. She said it's already a challenge to hire teachers for schools in remote areas, and adding additional requirements will likely make it even harder to attract teachers.

[5:19:22 PM](#)

CO-CHAIR DRUMMOND noted that Amendment 27A would be addressing only lines 13-23 of page 22 of the proposed legislation, as the other lines referred to in the amendment have already been removed by Amendment 4.

REPRESENTATIVE STORY noted that lines 16-17 specify that the requirements must be demonstrated "**before teaching students in grades kindergarten through three**".

[5:21:14 PM](#)

MR. MASON pointed out that the language in Section 31 is nearly identical to the language in Section 34.

[5:21:55 PM](#)

MS. MELIN said the intention of the section under discussion is to ensure quality instruction, and that the school district evaluates instructors. She said DEED would support school districts in whatever evaluation process they have in place and would help with professional development around quality reading instruction.

REPRESENTATIVE STORY asked whether a school district may hire a teacher who would receive training before instructing students.

MS. MELIN replied that DEED would support the policies passed under the proposed legislation.

REPRESENTATIVE STORY expressed concern with hiring limitations.

[5:25:07 PM](#)

REPRESENTATIVE ZULKOSKY discussed the many new hires in education that are from out of state and arrive just before the start of school. She expressed the possibility of a conceptual amendment to Amendment 27A to include deletion of material on page 24, lines 3-9, to maintain consistency in addressing hiring prerequisites.

[5:27:06 PM](#)

MR. MASON pointed out that Section 31 refers to teachers from out of state, while Section 34 applies to teachers already in Alaska. He offered that the conceptual amendment could be seen as an equal protection clause.

REPRESENTATIVE ZULKOSKY moved to adopt Conceptual Amendment 1 to Amendment 27A, which would delete all material from page 24, lines 2-9.

[5:29:31 PM](#)

REPRESENTATIVE PRAX objected, and he expressed that Conceptual Amendment 1 would equate to not requiring teachers have the needed skills.

[5:31:02 PM](#)

REPRESENTATIVE CRONK stated his agreement with Representative Prax, and he said there needs to be every opportunity to hire trained teachers.

[5:32:58 PM](#)

REPRESENTATIVE STORY agreed, and she stated the belief that the school districts intend to deliver such training. She expressed the need for language allowing a school district to hire a teacher, intending to train said teacher in the necessary prerequisites.

[5:34:01 PM](#)

REPRESENTATIVE HOPKINS asked Representative Cronk to offer language.

REPRESENTATIVE CRONK replied with the suggestion that school superintendents might have some insight.

REPRESENTATIVE HOPKINS proposed substituting language to read, "However, before teaching students in grades kindergarten through three, a teacher certified under this section must complete reading training."

CO-CHAIR DRUMMOND noted the five skills that children need to read proficiently: phonemic awareness, phonics, vocabulary, fluency, and comprehension. She suggested adjourning and taking the weekend to consider the five skills.

REPRESENTATIVE ZULKOSKY restated that Conceptual Amendment 1 is to clean up Amendment 27A and requested acting on the conceptual amendment.

[5:36:34 PM](#)

REPRESENTATIVE PRAX withdrew his objection to adopting Conceptual Amendment 1 to Amendment 27A.

REPRESENTATIVE ZULKOSKY emphasized the purpose of Amendment 27A.

CO-CHAIR DRUMMOND announced there being no further objection, Conceptual Amendment 1 to Amendment 27A was adopted.

CO-CHAIR DRUMMOND stated that Amendment 27A, as amended, would be left pending and addressed at a future meeting.

REPRESENTATIVE STORY commented on the possibility of requiring a teacher to complete the required coursework within their first year of teaching.

[HB 164 was held over.]

[5:40:02 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 5:40 p.m.