

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

January 28, 2022

8:03 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Representative Grier Hopkins
Representative Ronald Gillham

COMMITTEE CALENDAR

HOUSE BILL NO. 114

"An Act relating to the education loan program and Alaska supplemental education loan program; and providing for an effective date."

- MOVED HB 114 OUT OF COMMITTEE

HOUSE BILL NO. 164

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

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 114

SHORT TITLE: EDUCATION & SUPPLEMENTAL LOAN PROGRAMS

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

02/24/21 (H) READ THE FIRST TIME - REFERRALS
 02/24/21 (H) EDC
 04/23/21 (H) EDC AT 8:00 AM DAVIS 106
 04/23/21 (H) Heard & Held
 04/23/21 (H) MINUTE(EDC)
 05/10/21 (H) EDC AT 8:00 AM DAVIS 106
 05/10/21 (H) -- MEETING CANCELED --
 01/26/22 (H) EDC AT 8:00 AM DAVIS 106
 01/26/22 (H) Heard & Held
 01/26/22 (H) MINUTE(EDC)
 01/28/22 (H) EDC AT 8:00 AM DAVIS 106

BILL: HB 164

SHORT TITLE: EARLY ED PROGRAMS; READING; VIRTUAL ED
 SPONSOR(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
05/14/21	(H)	Heard & Held
05/14/21	(H)	MINUTE(EDC)
05/17/21	(H)	EDC AT 8:00 AM DAVIS 106
05/17/21	(H)	Heard & Held
05/17/21	(H)	MINUTE(EDC)
05/19/21	(H)	EDC AT 8:00 AM DAVIS 106
05/19/21	(H)	-- MEETING CANCELED --
01/21/22	(H)	EDC AT 8:00 AM DAVIS 106
01/21/22	(H)	<Bill Hearing Canceled>
01/28/22	(H)	EDC AT 8:00 AM DAVIS 106

WITNESS REGISTER

SANA EFIRD, Executive Director
 Alaska Commission on Postsecondary Education
 Department of Education and Early Development
 Juneau, Alaska

POSITION STATEMENT:

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

POSITION STATEMENT: Co-presented HB 164 on behalf of Representative Tuck, prime sponsor.

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

POSITION STATEMENT: Provided the summary of changes from HB 164 to a proposed committee substitute ["Version G"].

ACTION NARRATIVE

[8:03:32 AM](#)

CO-CHAIR HARRIET DRUMMOND called the House Education Standing Committee meeting to order at 8:03 a.m. Representatives Prax, Cronk, Story and Drummond were present at the call to order. Representative Zulkosky arrived as the meeting was in progress.

HB 114-EDUCATION & SUPPLEMENTAL LOAN PROGRAMS

[8:05:01 AM](#)

CO-CHAIR DRUMMOND announced that the first order of business would be HOUSE BILL NO. 114, "An Act relating to the education loan program and Alaska supplemental education loan program; and providing for an effective date."

CO-CHAIR DRUMMOND reminded members that the committee had heard HB 114 last year in April and again early this week. No amendments were submitted by the 5 p.m. deadline yesterday.

[8:05:30 AM](#)

CO-CHAIR STORY reminded members that she sits on the Alaska Commission on Postsecondary Education where this issue was considered. She said the commission supports HB 114. She noted there are differences regarding loans from the commission, as opposed to other sources, being that there is neither a loan initiation fee nor a penalty fee for paying off a loan early, and there is assurance that the amount borrowed is the true cost of tuition. She concluded, "So, I think there's some good protections ... on the bill."

[8:07:08 AM](#)

REPRESENTATIVE PRAX said he did not find any audits related to the Alaska Commission on Postsecondary Education or the [Alaska] Student Loan Corporation but did find a 2016 performance review report, which he observed was a favorable report that included a number of suggestions for improvement. He said he would give the report to Co-Chair Story, since she is a member of the commission. He said the commission indicated it would follow up on the report, but he had not been able to find the follow-up information.

[8:09:50 AM](#)

SANA EFIRD, Executive Director, Alaska Commission on Postsecondary Education, Department of Education and Early Development, proffered that the commission has been using that performance report to make the changes for more efficient operations. Currently the commission is working on an updated strategic plan to determine the progress being made on the list of suggestions. She told Representative Prax that there is an annual audit available on the commission's website; the most recent one posted shows no adverse findings.

[8:11:52 AM](#)

CO-CHAIR DRUMMOND noted Ms. Efird would be offering more detail during the budget subcommittee process.

[8:12:30 AM](#)

CO-CHAIR STORY moved to report HB [114] out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 114 was reported out of the House Education Standing Committee.

[8:12:59 AM](#)

The committee took an at-ease from 8:13 a.m. to 8:15 a.m.

HB 164-EARLY ED PROGRAMS; READING; VIRTUAL ED

[8:15:17 AM](#)

CO-CHAIR DRUMMOND announced that the final order of business would be HOUSE BILL NO. 164, "An Act relating to early education programs provided by school districts; relating to school age eligibility; relating to early education programs; establishing a parents as teachers program; relating to the duties of the Department of Education and Early Development; relating to certification of teachers; establishing a reading intervention program for public school students enrolled in grades kindergarten through three; establishing a reading program in the Department of Education and Early Development; relating to a virtual education consortium; and providing for an effective date." [Before the committee, adopted as a working document during the 4/23/21 House Education Standing Committee meeting, was the proposed committee substitute (CS) for HB 164, Version 32-LS0731\I, Klein, 4/20/21, ("Version I").]

[8:16:04 AM](#)

MIKE MASON, Staff, Representative Chris Tuck, Alaska State Legislature, presented HB 164 on behalf of Representative Tuck, prime sponsor. He stated that the aim of the proposed legislation is "to help children succeed." He said the Alaska Reads Act will help parents and teachers prepare children for educational success. He said the bill is the result of years of hard work to extend early education opportunities in Alaska. The overarching goal is to get children at reading level by the end of the third grade.

MR. MASON said the Alaska Reads Act must contain three components: universal voluntary pre-kindergarten ("pre-K"); state policy on evidence-based reading intervention; and increased Department of Education and Early Development (DEED) support for Alaska school districts.

MR. MASON said evidence clearly shows that high-quality early education programs are a great investment. He said the Alaska Reads Act is focused on evidence-based reading policy, including written instruction and practice, with reading being the key driver to academic success. The Act provides intensive reading services from kindergarten through third grade for students experiencing reading deficiencies, and the bill requires DEED to report to the legislature the progress made by each school toward implementing the reading intervention program. Mr. Mason emphasized that that accountability measure is important. He said teachers across the country are seeing an increasing number of students struggling to read. According to McKinsey & Company, students have lost an estimated half a school year of reading instruction.

MR. MASON said the Alaska Reads Act will result in over a \$160 million investment in the next 10 years. Currently the State of Alaska is spending \$2 million annually for pre-K early learning programs; Governor Mike Dunleavy vetoed \$2.5 million in pre-K grants from the fiscal year 2022 (FY 22) budget. He said early learning programs in Alaska reach only about 10 percent of four-year-old children.

MR. MASON suggested the most significant component of the proposed legislation is the pre-K component. He said there is growing consensus that a child's educational success is dependent on what and how they learn from pre-K through third grade. He related that the Alaska Council of School Administrators supports the definition of elementary education to include universal pre-K, thus ensuring equitable access to fully funded, sustainable birth-to-age-five learning programs and nutrition services.

MR. MASON said the Act will "build out pre-K" throughout the state by expanding the state's pre-elementary grants. He said the pre-K early education programs give many families access to high-quality early education. He informed the committee that currently 35 school districts in Alaska offer some form of pre-K.

[8:19:24 AM](#)

MR. MASON spoke about the "parents as teachers" component of HB 164, emphasizing parents as key to the academic success of their children. He said the Act would establish the Parents as Teachers program in state law and bring it under the direction of DEED, as evidenced under Section 14.

MR. MASON stated that the proposed legislation is "inclusive and culturally responsible." He indicated that the committee had passed an amendment regarding the recognition of the Alaska State Legislature of the right of students to learn to read in multiple languages, and that nothing in the Act is meant to suggest that a local school district should limit reading instruction in multiple languages. He acknowledged that the House Education Standing Committee had passed an amendment that protects Alaska's successful language immersion programs and allows for "alternative assessments."

MR. MASON said the Alaska Reads Act would help address the learning loss of young learners that has resulted from the COVID-19 pandemic. He shared that learning loss is more extreme for students of low- to moderate-income households.

MR. MASON relayed that "the original version of the bill" included the concept of a virtual education consortium, as envisioned in SB 42, with the goal of offering high-quality education courses through an online database. He said that had been modified by the House Education Standing Committee, "in many respects, perhaps for the better."

MR. MASON, in conclusion, advised that HB 164 is the companion bill to SB 111. He said Loki Tobin would now talk about the summary of changes, following which he would discuss the sectional analysis for HB 164.

[8:22:06 AM](#)

LÖKI TOBIN, Staff, Senator Tom Begich, Alaska State Legislature, Provided the summary of changes from HB 164 to a proposed committee substitute ["Version G"]. She began paraphrasing the summary of changes, which read as follows [original punctuation provided]:

Version G of House Bill 164 removes sections 4, 6, 8, 12, 16, 19, 22, 26, 30, 32, and 40. In version I of the bill these sections repealed the changes made by the bill on June 30, 2034. As a result of removing the

repealers, any changes described in version G pertaining to Sections 3, 5, 7, 10, 11, 15, 18, 21, 25, 29, 31, and 39 would be permanent.

Version G amends the title of the bill to align with changes made through the amendment process. (Page 1, lines 1-11)

Version G amends the short title to "The Alaska Reads Act." (Page 2, line 3)

Version G inserts legislative intent language affirming that this legislation does not promote English-only reading curricula and recognizes a student's right to learn to read through culturally responsive materials in multiple languages. (Page 2, lines 4-11)

Section 3 of version G aligns with section 2 of version I. (Page 2)

Section 4 of version G aligns with Section 3 of version I. (Page 2)

Version G removes section 4 of version I.

Section 5 of version G amends section 6 of version I to clarify when parents and guardians receive early reading information and inserts subsection 6 regarding the role of socio-emotional learning on developmental success. (Page 3, lines 1-15)

Version G removes section 6 of version I.

Section 6 of version G amends section 7 of version I by directing DEED to employ a data analyst. (Page 3, Line 17 and removing 8(a)(b)(c) from section 7 of v. I Page 4, Lines 6-11)

Version G removes sections 8 and 9 of version I.

Section 7 of version G. aligns with Section 10 of version I and clarifies that a child who is at least four years of age maybe be admitted to a public early education program. (Page 4)

Version G removes sections 11 and 12 of version I.

Section 8 of version G aligns with Section 13 of version I. However, reporting requirements under subsections (e) and (f) in version I are removed. This is because changes made to version I removed progression waivers and good causes exemptions. (Pages 4-5, Lines 24-18)

[8:27:56 AM](#)

MS. TOBIN, in response to various committee members, offered clarification as to where her spoken explanations lined up with the written document. She continued paraphrasing the document, which read as follows [original punctuation provided]:

Section 9 of version G aligns with section 14 of version I and inserts subsection (d) under AS 14.03.420 Parents as Teachers program, clarifying the term "parent," to include a broad and culturally responsive definition. (Page 8, Lines 2-5)

Section 10 of version G aligns with section 15 of version I. (Pages 8-9)

Version G removes section 16 of version I.

Section 11 of version G aligns with section 17 of version I and inserts clarifying language regarding the exclusion of head start from the definition of an early education program operated by a public school. (Page 10, Lines 25-26)

Section 12 of version G aligns with Section 18 of version I and directs DEED to consult schools and tribes when providing optional textbooks to school districts who request additional support while implementing reading intervention services provided under authorizing statutes in this Act. (Page 11, Lines 5-8)

Version G removes section 19 of version I.

Section 13 of version G aligns with section 20 of version I by amending subsection (5)(B)(i) to extend the allotted time an educator may complete minimum requirements in early education from one to two years. (Page 11, Lines 27-30)

Section 14 of version G aligns with Section 21 of version I. (Page 12)

Version G removes section 22 of version I.

Section 15 of version G aligns with section 23 of version I. (Page 13)

Version G removes section 24 of version I.

Section 16 of version G aligns with section 25 of version I. (Page 13)

Version G removes section 24 of version I.

Section 17 of version G aligns with section 27 of version I. (Pages 13-14)

Section 18 of version G aligns with section 28 of version I. (Page 14)

Section 19 of version G aligns with section 29 of version I. (Page 14)

Version G removes section 30 of version I.

[8:32:47 AM](#)

Section 20 of version G aligns with section 31 of version I by inserting a provision that requires any out-of-state preliminary teacher being certified under this section to teach in Alaska to also complete additional training through an Alaska Native lens and using Alaska Native cultural standards. (Page 15, Lines 16-19)

Version G removes sections 32 and 33 of version I.

Section 21 of version G aligns with section 34 of version I and inserts a new subsection (m) that requires any out-of-state preliminary teacher being certified under this section to teach in Alaska to also complete additional through an Alaska Native lens and using Alaska Native cultural standards. (Page 15, Lines 28-31)

Version G inserts a new section to AS 14.30 and authorizes DEED to collaborate with and provide technical and financial support to a school district to develop Alaska Native language immersion programs for kindergarten through grade three. (Page 16, Lines 2-7)

Section 23 of version G aligns with section 35 of version I and makes the following changes:

- Permits school districts to opt-out of offering individualized intensive reading services to students in grades kindergarten through three. (Page 18, Line 5)

- Permits school districts to opt-out of providing intensive reading services in addition to core reading instruction to all students. (Page 18, Line 8)

- Aligns AS 14.30.765 subsection (c)(7) with the removal of subsections (8) and (9) in version I by removing the provision that prohibits a struggling kindergarten through 3rd-grade reader from being retained more than once. (Page 20, Lines 19-20)

- Removes AS 14.30.765 subsections (8) and (9) that requires a school district to explain the waiver process to a parent or guardian.

- Amends AS 14.30.765 subsection (d) to require a parent or guardian to determine whether a struggling reader may progress to the next grade and removes any contingency provision if a parent or guardian is unavailable for consultation. (Pages 20 & 21, Lines 26-2)

[8:36:36 AM](#)

- Removes AS 14.30.765 subsection (g) which required DEED to develop a recognition program for districts that demonstrate intervention reading services success.

- Removes AS 14.30.765 subsection (h) which permitted a superintendent to exempt a student from grade retention and provided good cause exemptions for

students with disabilities, students who have previously received intensive reading services, or students who are English language learners.

- Removes AS 14.30.765 subsection (i) which permitted a parent or guardian to request a good cause exemption for their struggling reader.

- Removes AS 14.30.765 subsection (j) which outlined the process for notification of a parent or guardian when the superintendent retention contingency provision under version I AS 14.30.765 was enacted.

- Removes AS 14.30.765 subsection (m)(1) & (2), which outlined specific criteria school districts must consider when adopting a mid-year progression policy.

- Removes AS 14.30.765 subsection (o) which prohibited a struggling reader from being retained more than once.

[8:38:35 AM](#)

MS. TOBIN, in response to a question about possible policy changes under the proposed committee substitute, said she did not consider herself qualified to answer the question on that topic, since it would depend on whether the policy was the purview of the superintendent, the reading teacher, or the primary teacher. She explained, "We have not audited all school districts to know what their exact policies would be."

REPRESENTATIVE ZULKOSKY clarified that she wanted to know whether the proposed committee substitute would be establishing "any sort of progression or retention policies for schools."

MS. TOBIN offered her understanding that SB 34 does set a state policy "always at the purview of the parent" (indisc.).

[8:40:29 AM](#)

MS. TOBIN continued paraphrasing the summary of changes, which read as follows [original punctuation provided]:

- Amends AS 14.30.770 by removing the limiting percentage of low-performing schools served, frequency in which schools may be served, removing the application process, permitting schools to opt-out of

the program, increasing the number of participating schools to ten (10), requiring DEED to hire a reading specialist for at least a year or until every student requiring intervention has progressed, requiring a reading specialist to work directly with struggling readers and their primary teacher, inserting language requiring DEED to hire at least one reading specialist for every four (4) classes in which 25 percent of students require individual reading plans, broaden membership and participation in an annual convening of stakeholders regarding program efficacy and implementation, and authorizes equal consideration of the academic or professional experience in qualifying a candidate for a DEED-funded reading specialist position. (Pages 25-26)

- Inserts AS 14.30.775 and directs the state to appropriate \$1,000 for each K-3 grade struggling reader to a school district. (Page 26, Lines 19-24)

- Inserts AS 14.30.780 and exempts an Alaska Native language immersion program from AS 14.30.770. This section does permit DEED to assist in reading program strategies if requested. (Page 26 & 27, Lines 25-1)

[8:43:51 AM](#)

MS. TOBIN moved on in the summary, which read as follows [original punctuation provided]:

Section 24 of version G aligns with Section 36 of version I and makes the following changes:

- Amends all references of "consortium," to "library."

- Directs DEED to establish and maintain a library that is created by local educators, school districts, the University of Alaska, and other locally sourced resources. (Page 27, Lines 19-24)

- Removes a provision under subsection (b) and associated subsections (b)(1) and (2) that permitted virtual instruction.

- Substantially amends subsection (d) by removing the ability for DEED to charge a fee to school districts that participate in the consortium and instead permit a school district to charge a fee for a course included in the library. (Page 28, Lines 12-14)

- Removes subsections (e) and (f).

Section 25 of version G aligns with Section 37 of version I.

Section 26 of version G aligns with Section 38 of version I.

Version G removes Sections 39 & 40 of version I.

Section 27 of version G aligns with Section 41 of version I.

Section 28 of version G aligns with Section 42 of version I.

Section 29 of version G aligns with Section 43 of version I.

Section 30 of version G aligns with Section 44 of version I.

Section 31 of version G aligns with Section 45 of version I.

Version G removes section 46 of version I.

Section 32 of version G aligns with Section 47 of version I and removes reference to the above section as all the changes made in this Act will continue in perpetuity unless amended by future legislatures.

[8:45:45 AM](#)

CO-CHAIR DRUMMOND remarked that the summary explains how the proposed legislation was changed from 40 pages to 30 pages. She said the committee could adopt the proposed committee substitute, but expressed her preference to wait until the full committee was present next week. She stated her intent to hold the bill. In response to Co-Chair Story, she clarified that she would wait to open the period for questions.

[8:46:37 AM](#)

CO-CHAIR STORY described her process in preparing to consider HB 164.

CO-CHAIR DRUMMOND, in response to Co-Chair Story, explained that there were amendments that had been renumbered and redrafted to align with Version G. She talked about the complexity of the bill.

CO-CHAIR STORY encouraged the idea of submitting questions ahead of the next hearing.

[8:50:09 AM](#)

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

[8:50:40 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 8:51 a.m.