

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

April 20, 2022

8:03 a.m.

MEMBERS PRESENT

Representative Harriet Drummond, Co-Chair (via Teams)
Representative Andi Story, Co-Chair
Representative Tiffany Zulkosky
Representative Grier Hopkins
Representative Mike Cronk
Representative Ronald Gillham

MEMBERS ABSENT

Representative Mike Prax

COMMITTEE CALENDAR

HOUSE BILL NO. 413

"An Act relating to facilities constituting a school; and providing for an effective date."

- MOVED HB 413 OUT OF COMMITTEE

CS FOR SENATE BILL NO. 111(FIN) AM

"An Act relating to the duties of the Department of Education and Early Development; relating to public schools and school districts; relating to early education programs; relating to funding for early education programs; relating to school age eligibility; relating to reports by the Department of Education and Early Development; relating to reports by school districts; relating to certification and competency of teachers; relating to screening reading deficiencies and providing reading intervention services to public school students enrolled in grades kindergarten through three; relating to textbooks and materials for reading intervention services; establishing a reading program in the Department of Education and Early Development; relating to the definition of 'parent' in education statutes; relating to a virtual education consortium; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 413

SHORT TITLE: FACILITIES CONSTITUTING A SCHOOL

SPONSOR(s): EDUCATION

04/04/22	(H)	READ THE FIRST TIME - REFERRALS
04/04/22	(H)	EDC
04/06/22	(H)	EDC AT 8:00 AM DAVIS 106
04/06/22	(H)	Heard & Held
04/06/22	(H)	MINUTE(EDC)
04/13/22	(H)	EDC AT 8:00 AM DAVIS 106
04/13/22	(H)	Heard & Held
04/13/22	(H)	MINUTE(EDC)
04/20/22	(H)	EDC AT 8:00 AM DAVIS 106

BILL: SB 111

SHORT TITLE: EARLY EDUCATION; READING INTERVENTION

SPONSOR(s): EDUCATION

03/24/21	(S)	READ THE FIRST TIME - REFERRALS
03/24/21	(S)	EDC, FIN
03/26/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/26/21	(S)	Heard & Held
03/26/21	(S)	MINUTE(EDC)
03/29/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/29/21	(S)	Heard & Held
03/29/21	(S)	MINUTE(EDC)
03/31/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/31/21	(S)	Heard & Held
03/31/21	(S)	MINUTE(EDC)
04/07/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/07/21	(S)	-- MEETING CANCELED --
04/09/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/09/21	(S)	Heard & Held
04/09/21	(S)	MINUTE(EDC)
04/10/21	(S)	EDC AT 10:00 AM BUTROVICH 205
04/10/21	(S)	Heard & Held
04/10/21	(S)	MINUTE(EDC)
04/12/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/12/21	(S)	-- MEETING CANCELED --
04/14/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/14/21	(S)	Heard & Held
04/14/21	(S)	MINUTE(EDC)
04/16/21	(S)	EDC RPT CS FORTHCOMING 2DP 2NR 1AM
04/16/21	(S)	DP: HOLLAND, STEVENS
04/16/21	(S)	NR: HUGHES, MICCICHE
04/16/21	(S)	AM: BEGICH
04/16/21	(S)	EDC AT 9:00 AM BUTROVICH 205

04/16/21 (S) Moved CSSB 111(EDC) Out of Committee
 04/16/21 (S) MINUTE(EDC)
 04/19/21 (S) EDC CS RECEIVED NEW TITLE
 05/13/21 (S) FIN AT 9:00 AM SENATE FINANCE 532
 05/13/21 (S) -- MEETING CANCELED --
 01/25/22 (S) FIN AT 1:00 PM SENATE FINANCE 532
 01/25/22 (S) Heard & Held
 01/25/22 (S) MINUTE(FIN)
 01/26/22 (S) FIN AT 1:00 PM SENATE FINANCE 532
 01/26/22 (S) Heard & Held
 01/26/22 (S) MINUTE(FIN)
 02/10/22 (S) FIN AT 1:00 PM SENATE FINANCE 532
 02/10/22 (S) -- MEETING CANCELED --
 02/15/22 (S) FIN AT 9:00 AM SENATE FINANCE 532
 02/15/22 (S) Heard & Held
 02/15/22 (S) MINUTE(FIN)
 03/04/22 (S) FIN AT 9:00 AM SENATE FINANCE 532
 03/04/22 (S) Heard & Held
 03/04/22 (S) MINUTE(FIN)
 03/15/22 (S) FIN AT 9:00 AM SENATE FINANCE 532
 03/15/22 (S) Heard & Held
 03/15/22 (S) MINUTE(FIN)
 03/17/22 (S) FIN AT 1:00 PM SENATE FINANCE 532
 03/17/22 (S) -- MEETING CANCELED --
 04/11/22 (S) FIN AT 1:00 PM SENATE FINANCE 532
 04/11/22 (S) Moved CSSB 111(FIN) Out of Committee
 04/11/22 (S) MINUTE(FIN)
 04/12/22 (S) FIN RPT CS 3DP 2NR NEW TITLE
 04/12/22 (S) DP: BISHOP, WILSON, WIELECHOWSKI
 04/12/22 (S) NR: STEDMAN, HOFFMAN
 04/12/22 (S) RULES TO CALENDAR PENDING REFERRAL
 04/12/22 (S) TRANSMITTED TO (H)
 04/12/22 (S) VERSION: CSSB 111(FIN) AM
 04/13/22 (H) READ THE FIRST TIME - REFERRALS
 04/13/22 (H) EDC, FIN
 04/20/22 (H) EDC AT 8:00 AM DAVIS 106

WITNESS REGISTER

SENATOR ROGER HOLLAND
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Introduced CSSB 111(FIN) am, on behalf of
 the Senate Education Committee, sponsor, on which Senator
 Holland serves as chair.

SENATOR TOM BEGICH

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an introduction and responded to questions during the hearing on CSSB 111(FIN) am, on behalf of the Senate Education Committee, sponsor, on which Senator Begich serves as a member.

ED KING, Staff
Senator Roger Holland
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Co-presented a PowerPoint presentation, sectional analysis, and fiscal analysis and answered questions during the hearing on CSSB 111(FIN) am, sponsored by the Senate Education Committee, on which Senator Holland serves as chair.

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

POSITION STATEMENT: Co-presented a PowerPoint presentation, sectional analysis, and fiscal analysis and answered questions during the hearing on CSSB 111(FIN) am, sponsored by the Senate Education Committee, on which Senator Begich serves as a member.

HEIDI TESHNER, Acting Deputy Commissioner
Office of the Commissioner
Department of Education and Early Development
Juneau, Alaska

POSITION STATEMENT: Presented five fiscal notes and answered questions during the hearing on CSSB 111(FIN) am.

ACTION NARRATIVE

[8:03:55 AM](#)

CO-CHAIR ANDI STORY called the House Education Standing Committee meeting to order at 8:03 a.m. Representatives Cronk, Gillham, Zulkosky, Hopkins, Drummond (via Teams), and Story were present at the call to order.

HB 413-FACILITIES CONSTITUTING A SCHOOL

[8:05:39 AM](#)[8:04:54 AM](#)

CO-CHAIR DRUMMOND announced that the first order of business would be HOUSE BILL NO. 413, "An Act relating to facilities constituting a school; and providing for an effective date."

REPRESENTATIVE HOPKINS moved to report HB 413 out of committee with individual recommendations and the accompanying fiscal notes.

CO-CHAIR STORY objected for the purpose of discussion, then removed her objection. There being no further objection, HB 413 was reported out of the House Education Standing Committee.

[8:06:15 AM](#)

The committee took an at-ease from 8:06 a.m. to 8:08 a.m.

SB 111-EARLY EDUCATION; READING INTERVENTION

[8:08:14 AM](#)

CO-CHAIR STORY announced that the final order of business would be CS FOR SENATE BILL NO. 111(FIN) am, "An Act relating to the duties of the Department of Education and Early Development; relating to public schools and school districts; relating to early education programs; relating to funding for early education programs; relating to school age eligibility; relating to reports by the Department of Education and Early Development; relating to reports by school districts; relating to certification and competency of teachers; relating to screening reading deficiencies and providing reading intervention services to public school students enrolled in grades kindergarten through three; relating to textbooks and materials for reading intervention services; establishing a reading program in the Department of Education and Early Development; relating to the definition of 'parent' in education statutes; relating to a virtual education consortium; and providing for an effective date."

[8:08:40 AM](#)

SENATOR ROGER HOLLAND, Alaska State Legislature, introduced CSSB 111(FIN) am, sponsored by the Senate Education Committee, on which Senator Holland serves as chair. He explained that the proposed legislation is a bipartisan effort to improve reading skills through increased accountability, well-places resources, and modernization efforts. To accomplish these goals, he stated the legislation proposes multiple avenues: the Department of

Education and Early Development (DEED) would establish reading screening tools to identify students that are falling behind; school districts would provide intervention services to those students, as needed, utilizing the Read by Nine program; reading specialist positions would be added to DEED to work directly with statewide teachers to improve the quality of reading instruction in Alaska; the State Board of Education and Early Development would establish training and testing requirements in evidence-based reading instruction; access to professional development courses for Alaska's teachers would be modernized; and a virtual education consortium, managed by DEED, would be created. He stated that the consortium has been under consideration since before the 2020 [COVID-19] pandemic, but a timely effort would leverage recent investments in virtual learning. He expressed the belief that students who did well with remote learning could continue to do so.

[8:10:44 AM](#)

SENATOR TOM BEGICH, Alaska State Legislature, on behalf of the Senate Education Committee, sponsor, on which Senator Begich serves as a member, stated that one of the key components of CSSB 111(FIN) am is the early education component. This element would establish a financial incentive for districts by including the early education programs in the foundation formula. He stated that the bill would create a grant program for low-performing districts that need to develop or improve their early education programs. He added that the House Education Standing Committee's HB 164 would inform the final passage of [CSSB 111(FIN) am] by combining the effort with the involved committees. He stated that the proposed legislation unanimously passed in the Senate with only one amendment, and that amendment ensured the legislation would be named The Alaska Reads Act.

[8:12:43 AM](#)

ED KING, Staff, Senator Roger Holland, Alaska State Legislature, co-presented a PowerPoint presentation, sectional analysis, and fiscal analysis and answered questions during the hearing on CSSB 111(FIN) am, sponsored by the Senate Education Standing Committee, on which Senator Holland serves as chair. He began on slide 2 of the PowerPoint presentation [included in the committee packet] with a summary of the 2022 reading report from DEED that demonstrated there is an inconsistent approach with inadequate quality control measures for reading instruction across the state. He voiced the opinion that Alaska students need a comprehensive reading [program] grounded in science-based

reading instruction and intervention for pre-K through third grade. He stated that [a goal] of the proposed legislation would be to create a consistent statewide policy for students.

MR. KING highlighted [in slide 3] the current ways the state is investing in early education programs: a pre-elementary grant program, which services about 1,400 students with estimated funding of \$3 million per year; the Head Start program for early education, which provides services to an estimated 989 4-year-old students a year; and the Parents as Teachers program, which would be reinstated into statute.

MR. KING said that the proposed legislation is the product of significant debate between committee members and stakeholders. He stated that the ideas in the proposed legislation have been ongoing within the legislature since [2014]. To highlight what the bill would seek to accomplish, he listed the three main components [on slide 4]: the early education component, which would include 4-year-old students in pre-K programs; the evidence-based reading instruction component, which would provide intervention for students that need additional help; and the virtual consortium component, which would promote efficient professional development.

[8:16:02 AM](#)

LÖKI TOBIN, Staff, Senator Tom Begich, Alaska State Legislature, co-presented a PowerPoint presentation, sectional analysis, and fiscal analysis and answered questions during the hearing on CSSB 111(FIN) am, sponsored by the Senate Education Committee, on which Senator Begich serves as a member. [Discussing slides 5 and 6] she explained that stakeholders, such as rural legislators, advocates, and educators, met with the Senate Finance Standing Committee. From these meetings several amendments were adopted to the proposed legislation. She listed the intended results of the adopted amendments: strengthen the cultural components of the legislation by striking all references to assessments and high-stakes testing; strengthen the language in the reading screeners to ensure cultural responsiveness; create a stronger relationship between the districts and the Head Start early learning program; provide reading specialists to give additional training in Indigenous languages; and create a title-wide definition of parent and guardian, which would codify the Parent as Teacher program.

MS. TOBIN continued that the stakeholder group would review the implementation of the proposed legislation and the regulatory

process. She stated that, to reflect the settlement from Moore, et al. v. State of Alaska, 3AN-04-9756 CI, (2010), the proposed legislation would provide for the removal of the cap on the number of low-performance schools that could participate in the targeted reading intervention program. She related that one of the key pieces in the proposed Alaska Reads Act is the early education components. She indicated that the legislation would build on the locally successful programs recognized in the department's reading report. The pre-elementary grant program would be expanded to ensure every district would have access to training and support funds from the department to grow and improve pre-K programs. These programs would qualify to have their students count as one half in the average daily membership (ADM).

[8:19:05 AM](#)

MR. KING began [on slide 7] with the next major component of the proposed legislation. Reading intervention services would identify students in early grades who need additional help. He stated that the culturally responsive reading program would not be a test to determine whether students could advance to the next grade. Instead, it would ensure that students' learning needs were met. He explained that reading screeners would assess students up to three times [per year]. Only students who did not pass the first or second [screener] would have to take a third screener in the spring. He stated that the screening process would make sure the individual reading improvement plans are updated to meet students' needs. He offered that, reflected in the fiscal note, DEED would develop primary screening tools. Another component in the fiscal note would be the \$500,000 in funding for the development of screening tools in multiple languages. The districts would also have the ability to create their own screeners rather than use the screeners provided by the department. He reiterated that the important part of the reading plan would be to identify students who need help, so their plans could be tailored to their needs.

MR. KING continued [to slide 8], stating that the legislation would direct the department to hire reading specialists to train teachers. The reading specialists would use evidence-based materials to train teachers how to conduct interventions and teach using science-based reading instruction. He stated that the reading specialist positions would be state employees funded by DEED. These specialists would be responsible for building local capacity in communities, so this knowledge would stay in the districts and further invest in the students.

[8:22:01 AM](#)

MS. TOBIN, referencing [slide 9], stated that the bill also contains the codification of state support for virtual education. She related that the [COVID-19] pandemic demonstrated that educators and students should always have access to high-quality education; thus, the proposed bill would focus on leveraging gains and investments [made during the pandemic] to ensure the state would be prepared for whatever the future holds.

MS. TOBIN continued that the bill would affirm locally directed education and parent engagement and choice, [slide 10]. She stated that if a student is identified to have a reading issue, an individual reading plan would be provided. These interventions would be unique to each student in their individual reading trajectory, and the conversation would include the teacher, student, and parent or guardian. She stated that the legislation would provide an expanded definition of parent or guardian as an adult who is in charge of the student's academic career. She added that this parent or guardian does not have to be a biological parent, but the role could be associated with a stepparent, grandparent, foster parent, aunt or uncle, or another individual in the community. She stated that the legislation focuses on codifying Alaska Statute 14.03.016, which provides that a parent has complete control of the direction of his/her child's education. The parent would be able to opt the student out of any screener, assessment, classroom, or curriculum. She stated that the legislation reinforces the existing statute which provides that it is always the parent's choice. She stated that, before a decision is made on a student's trajectory, there would be multiple notifications and conversations taking place over the year, and, if a decision needs to be made, the parent would be at the forefront of the conversation. She maintained that the bill would be about early intervention, not retention.

[8:24:45 AM](#)

MR. KING stated that, to create accountability, almost everything in [CSSB 111(FIN) am] would have a sunset provision in 2034 [as seen on slide 11]. He stated that, because the programs would be new, the sunset provisions would make sure programs are working before the continuation of funding. The legislation would require annual reporting and analysis of programs. Before the sunset of the legislation, a large report,

culminated from the annual reports, would be submitted to the Thirty-Eighth Alaska State Legislature. From this review the functioning programs could be extended, while programs that have not been functioning would be revisited. He stated that [the sunset clauses] would provide accountability. For example, if a school district would like to continue a program, it would be required to meet expectations and provide evidence that the program is working. From this point the legislature would act accordingly.

MR. KING pointed out that the last two slides graphically represent the process of students being enrolled into the ADM over time, as the bill would have a \$3 million per year funding limit for ADM inclusion. He explained the red triangle on the left [of slide 12] represents the estimated 1,400 4-year-old students currently enrolled in a district pre-K program. He stated that the blue bar held at a constant through the years represents the Head Start program. He indicated that, because of restraints in the eligibility of the Head Start program, this constant is an assumption. He explained that the graph depicts two options for districts to fund their 4-year-old students. One option would be the program approved directly through DEED immediately include students in the ADM. For districts without a program, the option would be a three-year grant to begin a program and [gradually] roll their students into the ADM. He pointed out that the yellow area on the graph represents the gradual end of grant program in fiscal year 2032 (FY 32), when all districts would have had the opportunity to include their ADM into programs and universal pre-K would begin. He pointed out that the last slide depicts the legislation's education funding. The funding would escalate over time to spread out the budgetary impact. He explained that the rationale for the \$3 million per year funding limit is so the growth trajectory of the education funding could continue until all the students were included in the ADM.

[8:28:05 AM](#)

MS. TOBIN began the sectional analysis on CSSB 111(FIN) am, which read as follows [original punctuation provided]:

Sec. 1 Establishes this Act as the Alaska Reads Act.

Sec. 2 AS 14.03.040, relating to day-in-session requirements, is amended to address a gap in the current law. The change makes clear that kindergarten and early education programs are not subject to the

requirements. Section 20 clarifies that the state board of education should adopt regulations for those programs.

Sec. 3 AS 14.03.060(e), relating to the definition of an elementary school, is amended by:

- Changing the term "pre-elementary" to "early education" (defined in sections 14 and 17).
- Adding the term "approved by" to conform to the addition of AS 14.03.410(a)(2) (added by section 14).
- Making clearer the relationship between Head Start agencies and DEED.
- Removing the language regarding ADM count, as it is moved to AS 14.03.410(f) (within section 14) and AS 14.17.500 (section 25).

Sec. 4 AS 14.03.060(e), relating to the definition of an elementary school, is amended in 2034 to reverse the addition of "approved by" in section 3. This change is required to conform with the repeal of AS 14.03.410 (related to early education funding).

Sec. 5 Amends AS 14.03.072, related to providing information to K-3 parents, by changing the word "literacy" to "reading," inserting a requirement that the intervention strategies be culturally responsive, incorporating the reading intervention services added by section 33, replacing "retention" with "progression," and adding a requirement to provide a list of resources to improve adult literacy.

Sec. 6 Removes the reference to reading intervention services after the repeal of AS 14.30.765 in 2034.

[8:29:58 AM](#)

MR. KING continued with the sectional analysis, which read as follows [original punctuation provided]:

Sec. 7 Amends AS 14.03.078(a), related to DEED reporting requirements, by:

- adding school districts as a recipient of the DEED's annual report.
- expanding the reporting requirement to incorporate all reports in AS 14.03.120, including those listed below.

- adding ratios of administrative employees to students, administrative employees to teachers, and teacher to student ratios to the annual report.
- adding a progress report of the reading intervention programs established by section 33.
- Adding a report on the effectiveness and participation of the parents-as-teachers program established by section 14.

Sec. 8 Repeals the reports on reading intervention and parents-as-teachers when the programs sunset in 2034.

Sec. 9 Adds two subsections to AS 14.03.078, relating to department reporting requirements, which requires reports to be posted online and defines an administrative employee (as referenced in section 7).

Sec. 10 Amends AS 14.03.080(c), related to under school age children entering public school, by limiting participation to four- and five-year-old children and clarifying that a child in an early education program does not need to move to kindergarten at age five.

Sec. 11 Reverses the changes in section 10 in 2034.

Sec. 12 Reinststitutes the language from the current AS 14.03.080(d), returning to the current language after the sunset of the early education program takes effect.

Sec. 13 Adds two new subsections to AS 14.03.120, relating to district reporting requirements.

(h) establishes an annual report regarding student performance metrics in kindergarten through third grade.

(if) improves public access to the data collected under AS 14.03.120.

[8:32:18 AM](#)

MS. TOBIN continued with the sectional analysis, which read as follows [original punctuation provided]:

Sec. 14 Establishes early education programs and grants under AS 14.03, which includes the following subsections:

- AS 14.03.410(a) directs DEED to provide training to help districts develop.
- AS 14.03.410(b) authorizes DEED to award 3-year early education grants up to \$3M per year.
- AS 14.03.410(c) requires DEED to rank the districts and prioritize lower ranked districts. This subsection also limits eligibility if there is insufficient need in the district due to Head Start or other programs.
- AS 14.03.410(d) authorizes up to two additional years of grant funding if the program is not able to qualify for ADM inclusion at the end of the 3-year grant.
- AS 14.03.410(e) requires DEED approval of a program meeting high-quality standards for ADM inclusion.
- AS 14.03.410(f) makes clear that the grants are subject to appropriation.
- AS 14.03.410(g) is a requirement that districts consult with Head Start programs before applying for a pre-k grant.
- AS 14.03.410(h) provides definitions.
- AS 14.03.420 codifies the Parents-as-Teachers program.

Sec. 15 Amends AS 14.07.020(a), relating to duties of the Department of Education and Early Development, by:

- Adding supervision over, and approval of, early education programs.
- Adding the support and intervention requirements relating to reading intervention programs (from section 33).
- Requiring an annual convening of stakeholders to evaluate the effectiveness of the programs established by this bill and to review the regulations adopted by the Board to implement this bill. Sec. 16 Reverses the changes in Section 15 in 2034.

[8:34:26 AM](#)

MR. KING continued with the sectional analysis, which read as follows [original punctuation provided]:

Sec. 17 Changes AS 14.07.020(c), relating to the duties of the department, to update the term "pre-elementary school" to "early education program."

Sec. 18 Alters AS 14.07.050, relating to the selection of textbooks, to incorporate the new sections AS 14.30.765 and 14.30.770, which are added under section 33 of this bill.

Sec. 19 Reverses the changes in section 18 in 2034.

Sec. 20 AS 14.07.165(a), relating to the regulations adopted by the State Board of Education, is amended to establish the standards for early education programs.

Sec. 21 A new paragraph is added to AS 14.07.168, relating to the annual report by the state board of education to the legislature, which requires the inclusion of a review of the effectiveness of the virtual consortium added by section 34 of this bill.

Sec. 22 Reverses the changes in section 21 in 2034.

Sec. 23 Amends AS 14.07.180(a), relating to school districts curricula, by requiring the board to utilize the components of evidence-based reading instruction (Phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension).

Sec. 24 AS 14.14.115(a), relating to cooperative arrangements, expands the ability of a school district to form agreements with private businesses, non-profits, and government agencies, but prohibits state funds from benefiting private educational institutions.

Sec. 25 Add new subsections to AS 14.17.500, relating to student count estimates, which allows

- districts to count early education students from approved programs at one-half of a full-time equivalent student.
- prohibits including early education students that participate in another state or federally funded program.
- provides a process for limiting the budget increase related to including early education students in the ADM count to \$3M per year.

Sec. 26 Sunsets the inclusion of early education students in a district's ADM in 2034.

[8:36:25 AM](#)

MS. TOBIN continued the sectional analysis, which read as follows [original punctuation provided]:

Sec. 27 AS 14.17.905, relating to defining a school for calculating school size factors, is amended to account for the inclusion of early education students when defining an elementary school in a district with between 101 and 425 students.

Sec. 28 Reverses the change in section 27 to conform to the sunset in 2034.

Sec. 29 Amends AS 14.20.015(c), related to preliminary teacher certificates, by adding a requirement that teachers with preliminary certificates complete board required coursework, training, and testing in evidence-based reading instruction.

Sec. 30 Reverses the change in section 29 in 2034.

Sec. 31 Amends AS 14.20.020(a), related to teacher certificates, to require the state board of education to periodically reevaluate the acceptable level of demonstrated competency required to issue a teacher certificate.

Sec. 32 Adds a new subsection AS 14.20.020(l), related to teacher certificates, which requires teachers to complete board required coursework, training, and testing in evidence-based reading instruction.

[8:37:48 AM](#)

MR. KING continued the sectional analysis, which read as follows [original punctuation provided]:

Sec. 33 This section adds several new sections of law related to reading intervention:

- AS 14.30.760 directs DEED to establish a statewide screening tool to identify students with

reading deficiencies and establishes a timeline in which screenings are conducted.

MR. KING provided that the change from "assessment" to "screening tool" could be found throughout this section. He also pointed out that a change made by the Senate Finance Standing Committee [ensures the inclusion of] "any" language in the programs. He continued with the sectional analysis, which read as follows [original punctuation provided]:

- AS 14.30.765(a) directs each school district to offer intensive reading intervention services to K-3 students exhibiting a reading deficiency and to communicate with parents and guardians.

- AS 14.30.765(b) directs school districts to provide individual reading improvement plans for K-3 students exhibiting a reading deficiency and defines the plan's components.

- AS 14.30.765(c) requires districts to notify a student's parents that their child has demonstrated a reading deficiency along with corresponding information about remedying the deficiency.

- AS 14.30.765(d) requires a parent-teacher conference for K-2 students with a reading deficiency to discuss delayed progression as a potential intervention strategy of last resort.

- AS 14.30.765(e) established a statewide policy to determine if a student is ready for promotion to the fourth grade.

- AS 14.30.765(f) requires a parent-teacher conference for third grade students with a reading deficiency to discuss delayed progression as an intervention and establishes a parental waiver to allow a student to advance to fourth grade without being prepared, which requires an additional 20 hours of summer intervention services.

- AS 14.30.765(g) establishes best interest considerations for superintendents required to decide if a student should progress to the next grade.

- AS 14.30.765(h) provides an opportunity for a parent that misses the required conference to discussion delaying progress to reschedule that conference.

- AS 14.30.765(a) directs the district to provide additional intervention for students that do not promote or promote with a waiver.

- AS 14.30.765(j) directs the district to provide a path for mid-year promotion (upon request) when a student does not promote with their peers.
- AS 14.30.765(k) establishes a policy for mid-year promotion of a K-3 student that does not progress to the next grade.
- AS 14.30.765(l) requires that a student promoting mid-year continue the individual reading improvement plan.
- AS 14.30.765(m) limits retention by a superintendent to one year.
- AS 14.30.765(n) provide a definition for reading teacher.
- AS 14.30.770 directs the department to establish a statewide reading program, including department-funded reading specialists, to assist schools in setting up their intervention services and coaching teachers on how to conduct evidence-based reading instruction.
- AS 14.30.775 requires the department to adopt a definition of "dyslexia" in regulation.
- AS 14.30.780 provides definitions.

MR. KING stated that in this section the amendment removes the reference to "five" in terms of the number of reading specialists. He stated that the number of reading specialists would remain open until the budget process determined the appropriate number of specialists that the department would utilize.

[8:42:10 AM](#)

MS. TOBIN noted that on page 36, line 14, an amendment, in collaboration with Indigenous stakeholders, added the provision that the reading specialists would receive additional coursework in training in Indigenous languages and culturally responsive education. She continued with the sectional analysis, at Section 34, which read as follows [original punctuation provided]:

Sec. 34 Adds a new section of law, AS 14.30.800, which establishes a virtual education consortium. This consortium allows districts to offer virtual access to student courses and professional development courses through a statewide system hosted by the department of education. This section also creates a reading

specialist position to remotely assist districts to improve reading instruction.

Sec. 35 Provides title-wide definitions for "culturally responsive" and "parent or guardian."

Sec. 36 Adds "early education program" to the definition of "organization" in AS 47.17.290, which pertains to mandatory reporters.

Sec. 37 Repeals AS 14.03.080(d), related to five-year-old students starting kindergarten (to conform to the changes in section 10) and AS 14.03.290(4) (to conform to the definition of "parent or guardian" added in section 35).

MS. TOBIN stated that Section 38 contains sunset provisions, which would be repealed on June 30, 2024. She continued with the sectional analysis, which read as follows [original punctuation provided]:

Sec. 38 Sunset provision which repeals the following:

- AS 14.03.120(h) (report of reading improvement statistics added in section 13)
- AS 14.03.410 (early education funding added in section 14).
- AS 14.03.420 (Parents-as-Teachers program added in section 14).
- AS 14.17.500(e) and (f) (limiting funding of early education programs added in 25)
- AS 14.20.020(l) (increased requirements for teaching certificates added in section 33)
- AS 14.30.760 (K-3 reading screeners added in section 33)
- AS 14.30.765 (district reading intervention services added in section 33)
- AS 14.30.770 (department reading specialists added in section 33)
- AS 14.30.775 (definitions related to reading interventions added in section 33)
- AS 14.30.800 (virtual education consortium added in section 34)

Sec. 39 Sets a deadline for the department of education to complete the set-up of the virtual education consortium by July 1, 2024.

Sec. 40 Applicability language related to the reading instruction requirement added by section 32 of this bill, which allows teachers with preexisting teaching certificates until July 1, 2024, to meet the new requirements.

Sec. 41 Requires a report from DEED to the legislature on the effectiveness of programs created by this bill to the thirty-eighth legislature, which allows the legislature to consider extending the programs before they sunset.

Sec. 42 Transition language, which directs DEED on how the BSA inclusion of currently operating early education students should occur.

Sec. 43 Transition language, which allows DEED to begin writing regulations before the bill takes effect.

Sec. 44 Provides an immediate effective date for section 43, which gives the department authority to draft regulations.

Sec. 45 Provides an effective date of June 30, 2034, for sections 4, 6, 8, 11, 12, 16, 19, 22, 26, 30, 32, and 40 (these are the sunset provisions).

Sec. 46 Provides an effective date of July 1, 2023, for all other sections.

MS. TOBIN noted that this concluded the sectional analysis.

[8:46:15 AM](#)

HEIDI TESHNER, Acting Deputy Commissioner, Department of Education and Early Development, presented the five fiscal notes on CSSB 111(FIN) am, included in the committee packet. She began by referencing the Early-Learning Coordination fiscal note, Office of Management & Budget (OMB) component 2912. She stated that the fiscal note outlines the costs to operate the early education grant program and provide training and support to the grantees. It is estimated that the program would require three [new] staff members. She continued that, in addition to the salary and benefit costs, the fiscal note reflects department chargeback costs of \$10,600 per position, a one-time cost of \$5,000 per position for supplies and equipment, and a

one-time cost of \$6,000 in legal services to establish the regulations for the early education program. She provided that the total estimated cost for fiscal year FY 23 is \$833,300. She explained that \$385,600 of this amount is the requested appropriation. The remaining \$474,700 is the appropriation for the Parent as Teacher program, which is already included in the governor's FY 23 budget.

MS. TESHNER next referenced the Pre-Kindergarten Grants fiscal note, OMB component 3028. She stated that this fiscal note outlines the costs required for the grants for the early education programs. She directed attention to page 3 of the fiscal note which shows the funding breakdown by fiscal year for the three-year grant program. She stated that since the proposed legislation would set a \$3 million annual cap on the program, the fiscal note represents the maximum number of eligible students as 638. She added that this number is based on the half-time average cost per student of \$4,702. She directed attention to Table 3 which shows the eligible cohorts in each of the 11 years of the program. She pointed out the visual representation on Table 4 depicting the cohorts' transition to the foundation formula after the completion of the three-year grant program. She stated that FY 34 would be the last year of the three-year grant program with the total cost of approximately \$33 million. She indicated that, for purposes of the committee, it has been assumed that all the participants in the three-year grant program were approved and would not require any additional time in that grant process.

[8:49:21 AM](#)

MS. TESHNER indicated that the next two fiscal notes address the addition of four-year-old students to the foundation formula. She explained that no costs are seen in the Foundation Program fiscal note, OMB component 141, because the funding mechanism for this program is a general fund transfer to the Public Education Fund fiscal note, OMB component 2804. She stated that any associated costs would be reflected in the Fund Capitalization fiscal note. She calculated the average cost per ADM by dividing the total amount of projected state aid by the total number of ADM. She stated that the proposed legislation would fund a student at half of the average, or \$4,702. She explained that the [projected amount] is an average cost based on FY 22 and districts could possibly receive more.

MS. TESHNER continued that there would be nine cohorts of students going through the early education grant program. The

first cohort would transition into the foundation formula in FY 27. The fiscal note assumes that all programs developed in the first cohort would be approved by the end of the three-year grant, and this assumption is carried out through all of the cohorts. She stated that the proposed legislation includes transition language for districts with existing early education programs. Once these programs are approved by the State Board of Education and Early Development, the amount available for distribution would be limited in FY 23 to \$3 million. In the subsequent years there would be no more than a \$3 million increase over the prior year. Once all students have transitioned and been included in the ADM count, state aid would be estimated to increase to \$24 million.

MS. TESHNER stated that the Student and School Achievement fiscal note, OMB component 2796, reflects the costs related to the comprehensive reading intervention program and the virtual education consortium. She noted that each program would be addressed individually. She stated that DEED would manage and operate the comprehensive reading intervention program by directing coursework, training, and testing opportunities related to evidence-based reading instruction. She stated that the department would be responsible for the following: soliciting and convening stakeholders annually to receive feedback on program implementation; establishing a recognition program; and providing direct support and training for all K-3 teachers on the use of screening-tool results and the science of reading. She provided that these functions would require three staff members to manage and operate the program. She stated that the staff would be required to participate at statewide conferences for professional development, but only the Education Administrator III position is budgeted to travel, as reflected in the fiscal note. She stated that, in addition to the salary and benefits costs of the three positions, on the fiscal note there is a department chargeback cost of \$10,600 per position and a one-time cost of \$5,000 per position for supplies and equipment.

MS. TESHNER continued that the comprehensive reading intervention program would require the adoption and administration of a statewide screening tool to identify students in grades K-3 with a reading deficiency. She stated that there are approximately 40,000 students in grades K-3 in Alaska schools. The statewide screener cost is approximately \$15 per student, equaling around \$600,000 for total cost. She stated that DEED could use federal receipts to cover the screener in FY 23, but there would be a general fund cost in FY

24. In addition, there is a \$500,000 cost on the fiscal note beginning in FY 24 for the development of alternate screening tools for the use in the culturally relevant immersion and bilingual programs. There is a one-time cost of \$18,000 for the legal services associated with adopting regulations to implement this program. She reiterated that the program would be repealed on June 30, 2034.

[8:54:19 AM](#)

MS. TESHNER continued that the school improvement reading program is also associated with this fiscal note. She stated that DEED would provide direct support and intervention for these programs. She explained that each year the department would determine how many schools could adequately be served by the reading specialists. The department would select the lowest [performing] 25 percent of these schools to participate in the reading program. She stated that DEED anticipates it would employ one to five reading specialists in year one, and five in the subsequent years. The fiscal note reflects hiring five specialists in the first year, and the outyears would be adjusted based on the implementation of the program. She said that there is a department chargeback cost of \$10,600 per position, a one-time cost of \$5,000 for supplies and equipment, and a one-time cost of \$12,000 for legal services associated with the development of the regulations for the program. She continued that the department expects virtual participation at statewide conferences, so there is only one budgeted traveler.

MS. TESHNER stated that the fiscal note reflects the cost associated with the purchase of supplemental reading textbooks and materials for school districts in connection with the reading intervention services. She stated that when a district adopts a new reading curriculum there is a \$250 cost per student. She provided that [data from] school years 2019 and 2020 has been used to approximate the 40,000 students in grades K-3, in the 391 schools. She divided 40,000 students by 391 schools for the result of 102 students per school. She multiplied the estimated 5 schools per year by the 102 students per school and multiplied this result by \$250 per student, which resulted in the cost of \$127,500 [for materials per year]. She stated that, related to this program, there is also the annual fee of \$50,000 beginning in FY 23 for an independent contractor to establish and collect the baseline data needed in order to conduct the data analysis of the program's effectiveness for the final report due to the Thirty-Eighth Alaska State Legislature.

She reiterated that the program would be repealed on June 30, 2034.

MS. TESHNER stated that the virtual education consortium is also associated with this fiscal note and would be established by DEED in cooperation with school districts. She stated that the department would need two positions to manage and operate the statewide virtual education learning management system. These positions would review the courses, review the professional development, provide virtual education, and provide virtual-instruction training. In addition, there would be a reading specialist position to provide reading intervention services to districts participating in the virtual education consortium. She said that, in response to the COVID-19 pandemic, in FY 21 the department established a statewide license for the virtual education learning management system. The department plans to continue the license through FY 23 using the federal COVID-19 relief funding at an annual [estimated] cost of \$1.1 million. She stated that the two permanent full-time positions would manage the learning management system by reviewing coursework, reviewing professional development, and providing virtual instruction training. She stated that federal COVID-19 relief fund would support the one-time reading specialist position through FY 23. She said that beginning in FY 24 state funds would be needed to support the learning management system and those associated positions. She added that the fiscal note provides a one-time increment of \$12,000 in 2023 for legal services associated with developing regulations around the virtual education consortium.

MS. TESHNER continued that the fiscal note reflects two additional costs: a \$200,000 cost in FY 32 for an independent contractor to assist DEED in compiling and evaluating the required multiyear data analysis, and a \$115,000 cost beginning in FY 24 for the annual convening of the panel to review and comment on the effectiveness of the new programs. She said, "The FY 23 general fund cost to implement these programs overall for this fiscal note is \$4,187,400."

[9:00:37 AM](#)

CO-CHAIR DRUMMOND expressed appreciation for the bill sponsors and their staff. She acknowledged that the concerns of the House Education Standing Committee were addressed, [as the proposed legislation reflects language] included in HB 164. Referencing the PowerPoint presentation, she questioned the

number of students currently in the Head Start and pre-K programs in the state.

9:02:06 AM

MS. TOBIN directed attention to the graph depicting current participation in these programs [on slide 12] of the Power Point presentation. She stated that the Head Start program currently serves approximately 900 students. She indicated that eligibility requirements prohibit additional student participation in the program, and the program is capped at 900 students. She stated that, as part of the pre-elementary grant program, there are a little over 14,000 students currently enrolled in the pre-K programs in the districts. She stated that the proposed legislation would add students, as seen on the two graphs on [slide] 12. She stated that, as Ms. Teshner indicated, there are approximately 10,000 students per grade, but because the program is voluntary, it is estimated that statewide participation is around 88 percent.

CO-CHAIR DRUMMOND indicated that the graph represents around 80 percent participation in statewide pre-K and Head Start programs, leaving about 20 percent of the students in private preschool or in-home care. She directed attention to [slide] 5 of the presentation, expressing appreciation that all references to assessments have been removed, but she suggested that accountability information could be requested. She questioned whether this information could be provided without assessments.

MS. TOBIN responded that the goal of the legislation is not to have students compete on a national level with high-stakes, standardized tests; rather, the goal is to help inform classroom teachers how to understand the students' needs. She stated that the materials provided from the House Education Standing Committee helped ensure screeners would be culturally responsive, while the language adopted in the Senate Finance Standing Committee helped ensure teachers would use formulative analysis to direct students on the right path to learn to read. She stated that, while there would be no proficiency requirement, students would need to meet mental benchmarks to make sure they are on the right trajectory. The classroom teacher would discern students' accomplishments and deficiencies and ensure they are on the right path with tailored plans. She maintained that, in terms of accountability, conversations between parents and teachers would confirm that all students receive the same basic level of care when learning to read. She stated that the proposed legislation is not about reaching a

"magical benchmark." She expressed the belief that if the interventions were done well, and support had been provided to educators and families, all expectations would be exceeded. She surmised that national tests would be passed naturally.

[9:07:05 AM](#)

CO-CHAIR DRUMMOND said she appreciates that "retention" has been changed to "progression," mirroring the change in [HB 164]. She held the opinion that the parent should have complete control but expressed concern that the proposed legislation could be seen as a "retention bill." She requested that this concern be addressed.

SENATOR BEGICH responded that every district has the policy that the superintendent can either progress or not progress a student based on the recommendation of the principal or teacher. He stated that the difference is [CSSB 111(FIN) am] would set out parameters for when the discussion would take place, and the final decision would be up to the parent or guardian. He continued that this would be left to the superintendent only after multiple attempts to contact the parent, and the parent remains nonresponsive. He stated that if the superintendent were to make the decision, there would still be a provision for the parent to appeal. He listed the three outright prohibitions on retention that would be in the bill: if English is not the student's first language; if the student suffers a learning disability; and if a student has already been retained. He stated that the second and third prohibition does not exist under current law. He concluded that the proposed bill would actually be the opposite of a retention bill, as the final promotion decision would be in the hands of a parent, who would be fully informed from working with the teacher. He reiterated that the legislation would require most screening be done at the beginning of the year, giving the student the opportunity for a full year to improve. He argued that there would not be an arbitrary retention of students concerning their first language, learning disability, or past learning struggles. He concluded that the bill moves in the opposite direction of [a retention bill].

[9:12:13 AM](#)

MS. TOBIN responded to a follow-up question stating that, after multiple committee conversations, it had been decided there could be instances when a parent would not want their child to progress but rather have an additional year of preschool. The

proposed legislation would provide that the districts allow an additional year at the request of the parent.

CO-CHAIR DRUMMOND referenced Section 27 in the sectional analysis, regarding the definition of an elementary school in a district [with ADM] between 101 and 425 students. She questioned whether this would define the size of an elementary school or the size of a school district. She gave the example of the [Lower Yukon School District] and the Hooper Bay School. She questioned whether the definition would apply to grades K-12 or just the elementary school.

SENATOR BEGICH responded that the language is possibly a standard definition for DEED. He pointed out that the language is on page 22, line 6, in [CSSB 111(FIN) am]. He deferred to Ms. Teshner.

[9:15:22 AM](#)

MS. TESHNER stated that the language ensures the [ADM] of the elementary school would include the students who are part of the early education program. She suggested that there should be a closer read of the legislation, and a response to the committee could be provided at a later time.

CO-CHAIR STORY stated that [HB 413], which pertains to the Hooper Bay School, has language that would exclude a charter school [within this definition]. She conjectured that the language in [CSSB 111(FIN) am] would need to reflect this as well.

MS. TESHNER answered that this concerns the same statute that addresses the Hooper Bay School. She stated that if the Hooper Bay legislation passed, the language in this legislation would need to conform.

[9:16:51 AM](#)

SENATOR BEGICH stated that the amended language would ensure the population of schools includes the early education program. He stated that, for example, if the Hooper Bay bill passed, the language would change in the statute and just be part of that statute. He recalled that a 2017 version of the proposed bill ensured that students enrolled as half of an ADM would be counted toward the school population. He stated that otherwise they would not be counted in the schools' ADM because the early education program had not been included. He concluded in

agreement that this would specifically be related to the ADM count.

[9:18:18 AM](#)

CO-CHAIR DRUMMOND referred to Section 33 of the sectional analysis which defined that a parent could sign a waiver to allow their child to advance to the fourth grade without being prepared. She stated that this would require an additional 20 hours of summer intervention services [directed by the parent]. She questioned whether there would be a consequence if the parent were not to participate, and the 20 hours of summer intervention services were not fulfilled.

[9:19:06 AM](#)

MS. TOBIN responded that this provision had been inserted at the request of a Senator in the Senate Education Standing Committee. The Senator became adamant that once a child had been deemed to be unprepared to progress, and the parent knowingly asked that their child be progressed, that parent should ensure the child receive additional interventions over the summer. She continued that there would be no stakes in the bill to direct the parent, rather it would a good faith agreement with the understanding that the parent would provide those additional services or reach out to additional resources. She shared that school staff has been excited and interested to have this conversation. She directed the committee to page 3, line 3, of the legislation which provides that the parent would receive additional information and a list of organizations to help with the student's literacy. She expressed hope that parents would utilize the resources obtained from teacher conferences. She warned that the guarantee would only be in the notification of the parent and their signature [on the waiver].

[9:20:53 AM](#)

SENATOR BEGICH remarked that the idea the state would force a parent to do the right thing by their child had been "repugnant" to the committee. He expressed the belief that, if the ongoing conversation between the parent and teacher led to the final decision by the parent to progress the child, and the parent did not follow through, the suffering would go to the child. He expressed the belief that the proposed legislation implies that conferences between the teacher and the parent would leave the parent responsible, but no coercive action would be on the parent. He reasoned that if a parent chose to advance the child

with a learning deficiency, it would be difficult to force the parent to follow through.

[9:22:33 AM](#)

REPRESENTATIVE ZULKOSKY, referring to the earlier comment that retention policies occur in every district, voiced the opinion that the statement is not factual. She argued that the Cordova School District does not have a retention policy. She related the idea that districts may have concerns that "short term gains could have longer harms for students." She questioned whether the legislation is a retention bill.

SENATOR BEGICH responded that every district has the ability to retain a child, but districts can make their own official policy. He offered that this could be confirmed by DEED. He argued that data shows retention should be a last resort and has very little impact improving a student's ability to learn to read. He reiterated that the proposed legislation strictly stipulates reasons a child could not be retained, as the parent would be given the opportunity to control any decisions made by a local district about his/her/their child. He stated that the bill relates five basic components that would help a child acquire the skill of reading. He added that these are scientific-based components, regardless of the language. He argued that the bill supports early education as the time to prepare the child to learn; if things are done collectively and collaboratively, the child is likely to learn to read. He said he appreciates the question, but the bill would restrict the ability of the districts to retain students. He maintained that the legislation is not a retention bill.

REPRESENTATIVE ZULKOSKY directed attention to the removal of the term "assessment" as seen on slide 5 of the presentation and expressed the understanding that the intention of the legislation would be to move away from the use of a retention tool. She argued that, regardless of the term, the function of a screener tool would lead to a high-stakes decision point, whether made by a parent or by the school district. She maintained that the legislation would have similar strategies to No Child Left Behind, as there would be a high-stakes decision point in a child's educational path. She expressed interest in understanding how the screener could function differently. She argued that currently the language in the bill does have a high-stakes decision point, which is ultimately made on one aspect of the child's educational performance. She expressed interested

in hearing about other strategies to ensure the bill would not function as a high-stakes decision point.

SENATOR BEGICH, in response, requested an example in the bill. He stated that he crafted the legislation and worked with others on the Senate Education Standing Committee, particularly in terms of the screener [language]. He stated that the screener would be similar to screeners used in districts today that are applied at the end of the year. He stated that [in contrast with] the screener tool used today, this tool would be developed by either DEED or the districts. He described the screener as an observational, evidence-based tool that would be utilized at the beginning of the school year to determine if a child is struggling with learning. He continued that the teacher would work with the parent and child to develop a plan to address any issues. The child would be assessed again with a second screener in the middle of the school year. If there has been no progression, the teacher would retool the plan. He asserted that the teacher would be supported by DEED to trust his/her skill as a reading instructor. The teacher would have two opportunities to work with the parent and the child to develop the reading skills before the end of year. He continued that if the child is showing progress there would be no need for a third screener. At the end of the screening process, if the child has not shown sufficient progression, the teacher's role would be to discuss the various options available with the parent. He reiterated that the legislation would not create a high-stakes screener, rather it would create an opportunity to inform and engage the parent, with the parent having the decision point on the child's progression in the end. He expressed confusion how the proposed legislation would create a high-stakes situation that would be any different than the current situation.

[9:30:18 AM](#)

CO-CHAIR STORY expressed the opinion that there are places in the bill which indicate a [high-stakes decision point]. She acknowledged familiarity with the Juneau reading program that assesses students reading progression as much as every six weeks. In addressing the framework of the bill, she stated that it would not matter the type of assessment, as a structured reading program would have to have an assessment. She expressed the belief that feedback needs to be given [throughout the school year] so instruction could be adjusted. She held the opinion that the students are very capable, but somehow the instruction has been missed. She pointed to page 30, line 15, in the legislation that references when a parent is not

available to make the determination on their child's progression. She stated that in some areas of the state this may be difficult for parents, as there may not be internet access, phone service, or mail service. She stated that [in rural areas parents may not be available during subsistence time in the spring], and if a parent could not be reached, the language in the legislation should reflect that more attempts be made until the parent or guardian is reached.

SENATOR BEGICH responded that Sections 15 to 19 in the bill reference that multiple contacts should be attempted before a default is made to the superintendent or superintendent's designee. He maintained that this would be the case only if there had been no engagement with the parent or guardian. He considered that the language may need to be adjusted or modified.

[9:33:35 AM](#)

REPRESENTATIVE ZULKOSKY directed attention to slide 7 concerning districts having local control. She stated that this would be the best approach for a culturally and linguistically diverse state like Alaska. She asserted that school districts should be better equipped to understand the cultural and linguistical needs of students, but "the legislature has not been ... meaningfully fulfilling support for the department in a way that sets our students up for success, and I think that brings us all to this very honest and candid and difficult conversation about how do we thread that needle with the resources that we have." She expressed interest in the resources that would be available for districts to develop their own screeners and culturally based curriculum. She stated that some small school districts have been able to development curriculum through external grants, but there have not been resources meaningfully provided by the state. She related that an analogy in her district says, "How do you teach students about curbs when there are no curbs and sidewalks ... in the community." She stated that for reform there must be assurances that the state would provide resources to districts to initiate or augment the development of culturally based curriculum. She requested a response from the bill sponsor or the department.

SENATOR BEGICH expressed appreciation for the question and responded that this is at the heart of the state's education difficulties, in particular with the most underserved populations. He stated that many years ago the legislature began to cut the capacity of the districts to support education.

He referenced that Moore had been filed because of the inability of DEED to support any district, much less the underserved districts. He explained that, based on DEED's policies, the judge ruled against the plaintive and for the state. The judge's decision expressed that the department's policies read well and that the state had been doing as directed. A footnote in the decision expressed that the judge would like to revisit the issue if the department shows it cannot [maintain support of rural school districts]. He offered the opinion that the department has failed to show it could provide support to those districts in the intervening years. He stated that this is precisely the issue Representative Zulkosky just described: the state provides teaching and support in such a limited way that districts do not have the ability to work with their own students and parents. He said, "The state won that lawsuit by showing that we failed our kids. That is precisely why we should support this bill."

SENATOR BEGICH stated that language has been added to the proposed legislation which would give the responsibility to the department for writing screening tools, particularly in alternative languages. He argued that there must be more than one person in the department who has the ability to understand a fifth of the state's population, and this version of the bill insists this must happen. He stated that the bill builds DEED's support capacity, specifically looking at the Moore lawsuit and DEED's failure to meet the needs of the state's rural students. He added that the needs of second-language learners are not being met in the urban areas either. He offered the opinion that the state is failing and appealed for collaboration on [CSSB 111(FIN) am]. He requested that a representative from the department speak to this topic.

[9:39:38 AM](#)

MS. TESHNER responded that the fiscal note provides \$500,000 for a contractor to develop culturally responsive screeners for districts to utilize. She stated that currently there is no other support in the fiscal notes for curriculum development at the district level. She further said that districts could utilize their existing foundation funds for this.

REPRESENTAIVE ZULKOSKY expressed appreciation for the inclusion of culturally relevant interventions but offered that this would only measure a student's progress. She stated that this does not engage and teach students within the classroom or address the material they are encountering. She argued that "we are

addressing a problem downstream and instead of the root cause," as rural districts are not equipped with culturally based curriculum. She referenced past discussions within the committee on the success of reading interventions in high-poverty areas and said, "I want to be on the record and very clear that poverty and culture are not synonymous." She requested there be an explanation of the resources DEED would supply to districts, so districts could develop their own curriculum materials.

MS. TESHNER responded by readdressing the fiscal note. She stated that the fiscal note reflects a cost of \$127,500 for supplemental materials and a reading specialist. The reading specialist would provide services to schools that participate, and the supplemental materials would be responsive to the particular school district to ensure the curriculum is culturally relevant. She said, "That's not going to be a one size fits all. What might be needed in one district is not going to be needed in another." She expressed hope that those supplemental materials would help meet the districts' requests.

REPRESENTATIVE ZULKOSKY, referencing the bill sponsor's comment that "local control is best," stated that DEED should provide a "pipeline" for resources to districts, so districts would be able to "flex" their local knowledge. She stated that, whether it is the development of curriculum or the purchasing of materials, rural school districts need culturally based curriculum. She gave the example of the Northwest Arctic Borough School District's statement made during a recent committee meeting. The statement relayed that, if the district had the opportunity, it would develop its own curriculum, but there have been no resources for that. She agreed that intervention tools should be culturally relevant, but she stipulated that materials helping students should also be culturally relevant. She said that students are "only going to be successful if they see themselves reflected in their curriculum."

MS. TESHNER stated that DEED is already committed to developing a list of available curricula for districts. The districts would not have to do the research but could choose from the list. She stated that those services could help alleviate the districts.

[9:44:58 AM](#)

MS. TESHNER, in response to Co-Chair Story, stated that the department has had discussions, and this would be [funded] through normal functions. A new fiscal note would not be needed.

[9:45:23 AM](#)

SENATOR BEGICH stated that DEED has invested \$2 million in the Alaska Federation of Natives and in the Cook Inlet Tribal Council toward the development of curricula. In terms of the local control elements and the purchase of curricula, he concluded that this is consistent with the proposed legislation. He added that this part of the legislation could be more robust. He referenced that the [Alaska Native Language Preservation and Advisory Council], created in 2012, has made recommendations, but none have been considered by the state, legislature, or governor. He stated that virtually all of the recommendations have been ignored, so perhaps this legislation would create a little more robustness.

[9:46:54 AM](#)

CO-CHAIR STORY referenced that the bill would require a report on [the ratio] of administrators to students and teachers to students. She questioned whether the report should include the number of paraprofessionals to students. She stated that paraprofessionals participate in many hands-on interventions with students and leaving this participation out would give a skewed idea of the number of students who receive hands-on feedback.

[9:48:00 AM](#)

REPRESENTATIVE CRONK expressed the opinion that the legislation would not be a retention bill. He referenced his experience as a teacher and provided his opinion that the bill describes what has always been done; [any retention of a student] always went through the parent, and if there had been no communication with the parent, the school would advocate for the child. He maintained that the bill states clearly that parents would have the choice. He voiced the opinion that the legislation would not be a retention bill but a parent-advocacy bill. He stated that, when he was a teacher, if a child were retained, the retention had more to do with the student's lack of maturity rather than a developmental issue.

SENATOR BEGICH, in response Representative Story, stated that the paraprofessional [language] should be added to the bill.

9:50:00 AM

CO-CHAIR STORY announced that CSSB 111(FIN) am was held over.

9:50:19 AM

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:50 a.m.