

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

May 6, 2022

8:04 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Representative Tiffany Zulkosky

COMMITTEE CALENDAR

CS FOR SENATE BILL NO. 34 (JUD)

"An Act relating to a demonstration state-tribal education compact; relating to demonstration state-tribal education compact schools; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 34

SHORT TITLE: STATE-TRIBAL EDUCATION COMPACT SCHOOLS

SPONSOR(S): SENATOR(S) STEVENS

1/25/2021 (S) PREFILE RELEASED 1/8/21
1/25/2021 (S) READ THE FIRST TIME - REFERRALS
1/25/2021 (S) EDC, JUD
4/21/2021 (S) EDUCATION at 09:00 AM BUTROVICH 205
4/21/2021 (S) Heard & Held
4/21/2021 (S) Minutes (SEDC)
4/23/2021 (S) EDUCATION at 09:00 AM BUTROVICH 205
4/23/2021 (S) <Bill Hearing Canceled>
4/23/2021 (S) Minutes (SEDC)
4/28/2021 (S) EDUCATION at 09:00 AM BUTROVICH 205
4/28/2021 (S) Heard & Held
4/28/2021 (S) Minutes (SEDC)
2/11/2022 (S) EDUCATION at 09:00 AM BUTROVICH 205
2/11/2022 (S) Heard & Held

2/11/2022 (S) Minutes (SEDC)
 2/16/2022 (S) EDUCATION at 09:00 AM BUTROVICH 205
 2/16/2022 (S) Heard & Held
 2/16/2022 (S) Minutes (SEDC)
 2/23/2022 (S) EDUCATION at 09:00 AM BUTROVICH 205
 2/23/2022 (S) Heard & Held
 2/23/2022 (S) Minutes (SEDC)
 3/3/2022 (S) EDUCATION at 10:00 AM BUTROVICH 205
 3/3/2022 (S) Heard & Held -- Please note time change --
 3/3/2022 (S) Minutes (SEDC)
 3/11/2022 (S) EDUCATION at 09:00 AM BUTROVICH 205
 3/11/2022 (S) <Above Item Removed from Agenda>
 3/11/2022 (S) Minutes (SEDC)
 3/17/2022 (S) EDUCATION at 09:00 AM BUTROVICH 205
 3/17/2022 (S) Moved CSSB 34(EDC) Out of Committee -- Please
 note time change --
 3/17/2022 (S) Minutes (SEDC)
 3/18/2022 (S) EDC RPT CS 4DP NEW TITLE
 3/18/2022 (S) DP: HOLLAND, MICCICHE, STEVENS, BEGICH
 3/23/2022 (S) FN1: ZERO(EED)
 3/23/2022 (S) JUDICIARY at 01:30 PM BUTROVICH 205
 3/23/2022 (S) Heard & Held
 3/23/2022 (S) Minutes (SJUD)
 3/28/2022 (S) JUDICIARY at 01:30 PM BUTROVICH 205
 3/28/2022 (S) Moved CSSB 34(JUD) Out of Committee
 3/28/2022 (S) Minutes (SJUD)
 3/30/2022 (S) JUD RPT CS 3DP 1NR NEW TITLE
 3/30/2022 (S) DP: HOLLAND, MEYERS, KIEHL
 3/30/2022 (S) NR: HUGHES
 3/30/2022 (S) FN1: ZERO(EED)
 3/30/2022 (S) RULES TO CALENDAR 3/30/22
 3/30/2022 (S) READ THE SECOND TIME
 3/30/2022 (S) JUD CS ADOPTED UC
 3/30/2022 (S) ADVANCED TO THIRD READING 4/4 CALENDAR
 4/4/2022 (S) READ THE THIRD TIME CSSB 34(JUD)
 4/4/2022 (S) PASSED Y13 N1 E4 A2
 4/4/2022 (S) EFFECTIVE DATE(S) ADOPTED Y14 N- E4 A2
 4/4/2022 (S) TRANSMITTED TO (H)
 4/4/2022 (S) VERSION: CSSB 34(JUD)
 4/5/2022 (H) READ THE FIRST TIME - REFERRALS
 4/5/2022 (H) TRB, EDC
 4/5/2022 (H) CROSS SPONSOR(S): FOSTER
 4/14/2022 (H) CROSS SPONSOR(S): FIELDS
 4/14/2022 (H) TRIBAL AFFAIRS at 08:00 AM DAVIS 106
 4/14/2022 (H) Heard & Held -- Delayed to 8:30 am --
 4/14/2022 (H) Minutes (HTRB)
 4/25/2022 (H) CROSS SPONSOR(S): ZULKOSKY

4/26/2022 (H) TRIBAL AFFAIRS at 08:00 AM DAVIS 106
4/26/2022 (H) Moved HCS CSSB 34(TRB) Out of Committee
4/26/2022 (H) Minutes (HTRB)
4/27/2022 (H) TRB RPT HCS(TRB) 4 DP
4/27/2022 (H) DP: ORTIZ, TARR, FIELDS, ZULKOSKY
4/27/2022 (H) FN1: ZERO(EED)
5/2/2022 (H) EDUCATION at 08:00 AM DAVIS 106
5/2/2022 (H) <Bill Hearing Reschedule to 5/4/22> -- MEETING
CANCELED --
5/4/2022 (H) EDUCATION at 08:00 AM DAVIS 106
5/4/2022 (H) <Bill Hearing Canceled> -- MEETING CANCELED
5/6/2022 (H) EDUCATION at 08:00 AM DAVIS 106

WITNESS REGISTER

SENATOR GARY STEVENS

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HCS CSSB 34(TRB) and responded to questions.

TIM LAMKIN, Staff

Senator Gary Stevens

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Gave a sectional analysis and answered questions on HCS CSSB 34(TRB) on behalf of Senator Stevens, prime sponsor.

JULIE KITKA, President

Alaska Federation of Natives

Anchorage, Alaska

POSITION STATEMENT: Provided invited testimony and answered questions on HCS CSSB 34(TRB).

JOEL ISAAK, Tribal Liaison Project Coordinator

Department of Early Education and Development

Kenai, Alaska

POSITION STATEMENT: Provided invited testimony and answered questions on HCS CSSB 34(TRB).

ACTION NARRATIVE

[8:04:55 AM](#)

CO-CHAIR HARRIET DRUMMOND called the House Education Standing Committee meeting to order at 8:04 a.m. Representatives Cronk

(via Teams), Gillham, Hopkins (via Teams), Prax, Story, and Drummond were present at the call to order.

SB 34-STATE-TRIBAL EDUCATION COMPACT SCHOOLS

[8:05:48 AM](#)

CO-CHAIR DRUMMOND announced that only order of business would be CS FOR SENATE BILL NO. 34(JUD), "An Act relating to a demonstration state-tribal education compact; relating to demonstration state-tribal education compact schools; and providing for an effective date."

[Before the committee was HCS CSSB 34(TRB).]

[8:06:06 AM](#)

SENATOR GARY STEVENS, Alaska State Legislature, as prime sponsor, stated that, after 10 committee meetings and several versions, HCS CSSB 34(TRB) has gone through multiple changes and compromises. He explained that education compacting is the process which would allow state and tribal entities to enter into a formal agreement to recognize a tribe's authority to operate and oversee K-12 schools. He stated that through the process it became clear that those involved would need to negotiate for themselves, and the version of the legislation in front of the committee would give the Alaska's federally recognized tribes, local school districts, and the State Board of Education and Early Development (SBOE) time to negotiate the details of a system for state-tribal education compacting. To begin the process, negotiations would create a formal proposal on a model, and in the next few years this proposal would be introduced to the legislature. He provided that state-tribal education compacting would be a great opportunity to embrace Alaska Indigenous history, culture, and language, and put this into the curriculum for Alaska Native students and other students in the state. He reiterated that this version of the bill represents compromise and provides the time "to get it done right."

[8:08:22 AM](#)

TIM LAMKIN, Staff, Senator Gary Stevens, Alaska State Legislature, stated that HCS CSSB 34(TRB) has gone through several iterations, beginning with the complex approach modeled after the State of Washington's state-tribal education compact. After the complexity of the process had been realized, there was

a decision to step back, resulting in the pared-down version of the original bill. He stated that [in this version of the bill] the federally recognized tribes in Alaska have been given the time to negotiate and develop a model to then present to the legislature at a later time. At that later time, the legislation would be debated, discussed, and ideally enacted.

MR. LAMKIN gave a sectional analysis of HCS CSSB 34(TRB), [included in the committee packet], which read as follows [original punctuation provided]:

Sec. 1: Adds uncodified law directing the state Board of Education and Early Development (SBOE):

(a) To negotiate a demonstration state-tribal education compact with federally recognized tribes (FRT) and tribal organizations in the state not to exceed a term of 5 years and for no more than 5 schools.

(b) Have a deadline of December 31, 2022 for FRTs to express their interest and to identify parties of the negotiation;

(c) For negotiations to commence by March 31, 2023, which must include consultation with existing local school boards and the collective bargaining unit representing local teachers during the negotiation process, where applicable;

(d) Have a deadline of January 31, 2024 for the SBOE to file a report to the legislature on its findings and recommendations, which may include proposed legislation modeling a formal compact.

(e) Defines "board" as the state Board of Education and Early Development

Sec. 2: Adds a conditional effect to uncodified law, directing that the compacts negotiated in 1(a) above must subsequently include legislation enacted by June 30, 2026 authorizing the formal establishment of state-tribal education compact schools.

Sec.3: Establishes an immediate effective date.

[8:11:38 AM](#)

CO-CHAIR DRUMMOND, addressing the timeline, questioned whether the five schools would be operational before July 1, 2026.

MR. LAMKIN responded in the affirmative. He said that the dates have been negotiated, but he warned that the approach to compacting would be deliberate and careful, and it would start as a demonstration project. He reiterated that, because this would be a transformational change, there would be no rush.

[8:12:33 AM](#)

REPRESENTATIVE GILLHAM, referencing AS 14.16.310, said this statute specifies that state boarding schools are considered a school district. He questioned whether a school district inside of a school district would be created.

MR. LAMKIN responded that "that is a stab at what could be." He said it is a possibility, but this would be discussed during negotiations.

[8:13:10 AM](#)

CO-CHAIR STORY expressed the assumption that districts already know which [tribes] would be interested. She said, as knowledge of the program spreads, more entities could become interested. She questioned how the first deadline was determined and whether this should be expanded.

MR. LAMKIN responded that the last committee of referral possibly set the deadline. He stated that he did not exactly remember, but the federally recognized tribes negotiated to have the process begin sooner so interested parties could come forward. He considered that, when the timeframe had been set, it did not seem unreasonable. He deferred to Ms. Kitka.

[8:14:39 AM](#)

JULIE KITKA, President, Alaska Federation of Natives (AFN), thanked the committee and urged the swift passage of HCS CSSB 34(TRB). She acknowledged that the effort would be a demonstration and multiple questions would be generated in the process. She expressed the hope that after the demonstration process the legislature would be presented with the "pieces of the puzzle" to go forward. In response to whether the deadline should be changed, she said that AFN had been guided by the Bureau of Indian Affairs (BIA) demonstration project on compacting. She explained that the BIA project began with 10 tribes across the country, including [the Central Council of the Tlingit and Haida Tribes of Alaska]. She stated that in the following year the BIA demonstration project allowed 10 more

tribes to participate. In regard to the state's compacting demonstration, she expressed the expectation that five tribes would initially participate. She stated that, as things develop, AFN would report back to the legislature quickly in the interest of other tribes or for the need to change deadlines. To bring forward questions in a timely manner, she stated that AFN would participate in good faith discussions with the federally recognized tribes, the commissioner of the Department of Education and Early Development (DEED), SBOE, and the legislature. She added that there have been no known problems with the initial deadline, and if so, the problems would be brought forward.

MS. KITKA provided that passing the legislation would be a strong benefit to the education of Alaska Native children, but it also would be relevant to the federal government and the federal [Indian] trust responsibility. She explained that the trust responsibility represents a long body of federal law, and "we are trying to hold the federal government's feet to the fire on education, and not let the federal government walk away from our children." She stated that federal support would be needed for the education piece, but also for facilities, curricula, technology, and teacher preparation. She urged the committee to back the legislation, as it would send the important signal to the federal government that the State of Alaska wants to work with the federally recognized tribes. She stated that, coming out of the [COVID-19] pandemic, some things could be improved for Native children, and AFN would work "hand in hand" with the state. She made the caveat that this would not be an adversarial negotiation or "gotcha type thing;" instead, it would relate "how can we reset these relationships, work together, and find that common ground." She stated that the current change in technology and expansion of broadband could be used to develop more types of curricula for schools, and AFN is interested in working with the state closely to see what can be accomplished. She expressed the opinion that some of the benefits of negotiations could also help schools not part of the compacting process.

[8:19:15 AM](#)

MS. KITKA continued that, because of the historic levels of federal funding from the [Infrastructure Investment and Jobs Act (IIJA)], it is important to send a message to the federal government to ensure the educational needs of Alaska Native children, and all involved, are not left behind. She stated that AFN testified to [the U.S. Senate Committee on Indian

Affairs] that a federal rider needs to be removed. She explained that the rider prohibits federal funding for schools coming into rural areas. The rider had been put in place when the Alaska Permanent Fund had extensive resources, and federal revenue had not been politically sustainable. She argued that prohibition from federal resources for rural facilities does not make sense, especially with the historic levels of infrastructure funding. She stated that AFN does not have all the answers, and this would not be a request to turn the education system "upside down," but it would be a chance for the state, school districts, and tribes to talk about improvement. She stated that the proposed legislation allows flexibility, but AFN would notify the legislature with any needed statutory changes.

MS. KITKA indicated that the AFN convention plans to have a major component dedicated to [state-tribal education compacting], as this would be an opportunity to raise the importance of innovation in education and to build bridges all across the state. She expressed excitement that momentum is building, but because many questions are not answered, there would need to be a phase one and phase two. She thanked Senator Stevens for his leadership, as the proposed legislation is "right on the money."

[8:22:07 AM](#)

CO-CHAIR DRUMMOND expressed appreciation that Ms. Kitka highlighted federal accountability issues. She expressed the opinion that schools should be seen as critical infrastructure, and, without school bond debt reimbursement, there is a long list of school facilities with needs. She expressed the realization that the school facility issue may not be part of the compacting agreement, but perhaps the conversation could move in this direction, because the facilities need to be safe places for all students in every community. She expressed confidence that the legislation could move forward immediately.

MS. KITKA responded in agreement on the need for safe facilities. Noting the influence of climate change, she stated that the melting of the permafrost has affected runways, community buildings, housing, and schools. She agreed that the facilities need attention, and federal resources could help. She stated that housing is missing from IIJA, and the federal government needs to consider this. She clarified that AFN would not ask the federal government for more than necessary, but it

would ask to be treated fairly and not be excluded from [benefits given] in other parts of the country.

[8:24:48 AM](#)

SENATOR STEVENS, in response to Representative Prax, stated that Ms. Kitka has been dealing with the districts and tribes who are ready to begin compacting. He warned that, to make sure the tribal schools would be successful, the process should not be "thrown open" right away. He expressed the opinion that it would be "a terrible shame if it was a failure." He deferred to Ms. Kitka.

MS. KITKA, in response, stated that entities have indicated interest, but there has been no prejudgment on which areas would be ready. She stated that the Nome area is very familiar with the compacting model and has shown interested. She indicated the Nome area has been in the federal system with clean audits for a period of time and is considered a "mature compactor." She expressed hope that the areas selected would represent a geographic spread between small and large communities. She said that the process would be exploratory, with the idea being that DEED would confirm its selection and put other interested parties in a queue on a scale of readiness. She expressed the belief that there would be considerable interest, but many groups may wait for the results of the initial groups and compare their capabilities. She argued that [compacting] is about the education of Native children and taken very seriously; [its implementation] would not be a "kneejerk reaction" but done carefully and cautiously. She said there has been a focus on a solid legal foundation, analyzing the federal aspect carefully, so nothing would fall apart.

[8:28:40 AM](#)

MS. KITKA, responding to a follow-up question, stated that AFN has provided two documents [available in BASIS] to the legislature as part of the legal foundation. She stated that one of the documents explains the origins of self-determination and the history of [the federal Indian trust responsibility]. The second legal document focuses on state-tribal education compacting. She observed that the relationship between the federal government and the State of Alaska has gone back and forth "like a ping pong ball." Sometimes the federal government has taken responsibility, and other times it pushed the responsibility back to the state. She continued that the state has taken responsibility and then pushed it back to the federal

government. She stated that AFN is committed to holding the federal government responsible, stressing that AFN would not go back to the federal government's BIA schools. She reinforced that these relationships should be forward looking with the intention to benefit the Native people and children. She stated that AFN would be requesting support from the federal government for additional curriculum development to incorporate Indigenous knowledge. She cited that there are some amazing efforts going on now, but a more robust effort is needed.

MS. KITKA, in addressing teacher development and preparation, stated that providing teachers with examined, baseline information would give them confidence in their job. She voiced the opinion that teachers have multiple demands and are often overworked, and "in this day and age we want our teachers to be superstars." She stated that teachers would need to have the materials for their jobs, so they "could love where they are at" in remote communities and not move on in their careers. She expressed the hope that new and interesting models would focus on what is best for the students and help teacher retention by enhancing the experience in Native communities.

REPRESENTATIVE PRAX questioned whether there is a written guideline for [state-tribal education compacting]. He provided that he had not read the documentation in BASIS.

[8:32:14 AM](#)

SENATOR STEVENS, in response, explained that because of changes in the bill there would not be a detailed plan for state-tribal compacting, as there would be only a few schools opening in the beginning. He added that the proposed legislation would help create a new form of education that has yet to be written. He emphasized there would be no intention of "dumbing education down." He said that the example of charter schools, which already exist in the state, could be used, and an important step would be getting the stakeholders together to decide on a model. He explained that the education system created by [HCS CSSB 34(TRB)] would be structured and effective like other education systems in the state, and, because of federal assistance, it could be better. In response to a follow-up question, he stated that it may be a long time before there are answers, but the proposed legislation would bring stakeholders together for a solution. He added that there is an advantage in doing it this way.

[8:35:02 AM](#)

MR. LAMKIN stated that the bill would not create any compacting; simply put, this bill would send the message to the SBOE and federally recognized tribes to negotiate and come back to the legislature with the "nuts and bolts" of a bill which would setup a model. He added that the two documents previously mentioned by Ms. Kitka are in BASIS as part of public record but not part of the packet in front of the committee.

[8:36:14 AM](#)

CO-CHAIR STORY offered her support and appreciation that the model may help other schools. Referencing the Alaska Reads Act, she stated that there is momentum to add cultural relevance in schools. She offered the opinion that Native ways of knowing should be a part of an Alaska system of education, and western ways blended with traditional knowledge would be better for all students. She expressed the hope that the legislation would not stop other efforts that incorporate traditional ways of knowing into curriculums. She added that there may be the need for an infusion of money from the state to support this.

[8:39:28 AM](#)

MS. KITKA responded that the intention would be to open more opportunities and not stop current initiatives. She insisted that the proposed legislation would be a plus, with no harmful or distracting intentions. She expressed the expectation that, with enough focus together, things can be incrementally improved.

[8:40:25 AM](#)

JOEL ISAAK, Tribal Liaison Project Coordinator, Department of Early Education and Development, in an overview of [state-tribal education compacting], said that a statewide meeting on the Alaska's Education Challenge brought together thousands of diverse representatives to discuss the challenges in meeting the department's mission statement: an excellent education for every student every day. He stated that a committee had been formed to specifically address "community ownership of educational excellence," with state-tribal education compacting being the one mechanism that showed promise. He provided that SBOE adopted this mechanism as one of the five pieces of the education challenge. He stated that SBOE formed a subcommittee on interstate-tribal compacting. The subcommittee consists of

three state board members who meet monthly to work on the board's recommendations, which includes state-tribal compacting.

MR. ISAAC provided that tribes have been compacting for decades, but in Alaska it would be a relatively new process, so DEED would need to learn the details. He stated that the proposed legislation would create a way [for stakeholders] to convene and inform DEED and the public. He clarified that compacting is about dynamic relationships, fundamentally based on communication, so the other critical piece of the legislation would be the partnership between DEED and AFN. He offered the opinion that this relationship would be a powerful tool for education, as it would create flexibility to respond to needs that arise. To explain why answers on compacting do not seem specific, he gave the example of parents' concern for the future of their five-year-old child. The parents may wonder when the child would buy a car, build a house, go to college, get married, and have a family. To see a successful trajectory for the child, parents may read and play with the child. They may teach the child to bake, fish, and other things. He stated that this is like compacting; success is created by focusing a student's energy and allowing for a dynamic response.

[8:45:05 AM](#)

MR. ISAAC continued that Indigenous education models result in the highest percentage of improvement for Native students. He provided that when tribes are able to develop and teach curricula, students learn better, and he opined educational funding would be more efficient in this kind of learning environment. He explained that compacting creates an approach which allows proven successes to have a system. He exemplified the efficiency in healthcare systems, stating that success is reflected in rates of life expectancy and percentages of successful surgeries. Concerning funding, success is reflected in a decrease in the rates of negative outcomes per services rendered. In regard to education, he described that the rates of graduation and attendance would reflect success in students being present in school. He referenced that he gave a presentation at a recent reading symposium which addressed "how do we have students say yes to wanting to be in their learning space." He urged that students need to see themselves reflected in the educational environment and system, and compacting would be a way of doing that.

MR. ISAAC acknowledged that, to understand compacting, he began by talking with first-language speakers, like grandmothers, and

continued from there. He stated that the proposed legislation would bring these tribal voices to the table to craft their understanding of successful compacting, and this would be presented to the legislature. He maintained that this collaborative effort would be presented in a way which has not been previously seen in the state. He expressed the belief that [a legislative] commitment would provide a firm foundation and send the message that the state is committed. He added that, historically, the relationship between tribes and the public education system in Alaska has not always been positive. He stated that this historical knowledge would inform the process and [enacting the proposed legislation] would create trust. He continued that a strong legislative stance would provide clear answers to questions by supporting a discussion on the things which need to be changed, removed, or added. He stated that the main reason the department is in favor of the legislation is it would align with the board's work with tribes, educators, parents, and students. He recounted a [First Alaskans Institute Elders and Youth Conference] that hosted a workshop to ask students about their educational experience; a youth group replied that [the state] would not remove standardized testing and western education, but it would "have space for that - and - for Alaska Native learning language and teaching." He deduced that the statement reveals the "and" process, which would not put one thing above the other; instead, it brings all pieces to the table. He stated that the process created by the proposed legislation would be a similar thing. He concluded that the most powerful piece would be that the students want this.

[8:51:03 AM](#)

REPRESENTATIVE PRAX provided the example that recently a mining company entered into an agreement with a Native tribe in Nome. He stated that the agreement had been done by the established rules, and the state had not been involved. He said the mining operation had been working well, until the public learned about the mine, which resulted in an adverse reaction. Concerning the proposed legislation, he offered that it would be helpful to gather and understand as much information as possible by the end of the year. He urged additional steps should be taken and all the details worked out; otherwise, in the future, there could be "potential blowups." He stated he is supportive of the legislation, but if there is a lack of information his opinion could change.

MR. ISAAK responded that there are several ways the public could be engaged: SBOE has quarterly meetings with an opportunity for

public comment; DEED's webpage has a comment section which is dedicated to state-tribal education compacting; DEED has plans for a newsletter which would provide information; and the public is invited to tribal meetings. He stated that, in correlation with different monthly tribal council elections, he has made a "cold call" to each of the 229 tribes in the state. He stressed the importance of tribal leaders having information before meetings. He stated there has been outreach to school districts, superintendents, and local school boards. He explained that this has been the department's workflow, with interested people supplying feedback.

REPRESENTATIVE PRAX, in response to Representative Story's previous comment, expressed the opinion that the deadline should not be moved forward, and things should be done sooner to give time before the next legislature convenes. He expressed the understanding that interested tribes are close to being identified. He stated that it would be better with more detail.

[8:57:32 AM](#)

SENATOR STEVENS commented that the proposed legislation would only be a steppingstone, not the answer. He cited that one critique has been that [state-tribal education compacting] would teach students subsistence issues but not educate them otherwise. He referenced Mr. Isaak and Ms. Kitka as key players in the process. He emphasized Mr. Isaak's statement that [state-tribal education] would be difficult and structured, and Ms. Kitka's remark that [compact] schools would not teach Native youth about their culture, rather it would teach students through their culture. He reiterated that the legislation would be important as a steppingstone.

[8:59:15 AM](#)

CO-CHAIR STORY corrected the comment made by Representative Prax. She voiced that her intention had been to extend the deadline in case more tribes would want to be part of the compacting process. She questioned whether compacted schools in other states had been researched.

[9:00:36 AM](#)

MR. ISAAC responded that the State of Washington's tribal schools have been studied, and the statutes governing education for Alaska and Washington have been compared. He stated that there are a lot of similarities, but a major difference is

schools in Washington are more prescriptive than schools in Alaska. He stated that Washington's tribes had been asked whether things could have been done differently. He expressed the understanding that, from the tribal leaders' and administrators' standpoint, "they did not crack the code on the teacher piece." In example, he stated that [problems arose] when teachers moved between the public school system and the state-tribal education compact school system. He suggested that this would be similar to teachers in Alaska who move between different school districts. In response to the feedback from the Washington tribes, it has been decided that Alaska stakeholders would be brought into the conversation from the outset. He stated that the feedback has been reflected in some of the adopted amendments.

MR. ISAAK noted a subtle difference between the two states is Alaska's approach. He said, "We are going slow to go really far." He indicated that BIA Schools already existed in Washington, and these schools transitioned into state-tribal education compact schools. He said that Alaska does not have the same system. He indicated that the Chief Kitsap Academy in Washington had been funded and built by the tribe, so it is the only school similar to Alaska's system. To understand its process, he visited the academy and spoke with council members. He acknowledged the academy teaches in and through its language, but it has not fully realized how to teach through the culture. He expressed the understanding that, even though the academy had been operating seven-plus years, there is still room for growth. He explained that this reference is made to "couch realistic expectations and what it means for a compact school to start." He stated that, in other words, change would not be realized in one academic year. He stated, as one of the first schools compacted, Chief Kitsap Academy has seen improvement in graduation rates and first language proficiency. He stated that, when looking at success, there has to be the consideration that student learning takes time; it takes time to build the academic, physical, and personnel infrastructure.

MR. ISAAK stated that other feedback from the State of Washington concerned the creation of a full licensure program for Indigenous teachers. He stated that the SBOE compacting committee is responding by working with regulations to meet the need for excellent educators. He added that this teacher pathway would be a full teacher licensure program, as an exclusive licensure program may create problems. He considered that, if it works for everybody, everybody succeeds. In relation to the lessons learned from state-tribal compacting in

Washington, he stated that the SBOE compacting committee has been understanding success by looking at statutes, regulations, and stakeholder engagement.

[9:06:22 AM](#)

CO-CHAIR DRUMMOND conveyed that some districts in Alaska have been teaching in Native languages for decades. She referenced that Ayaprun Elitnaurvik School in Lower Kuskokwim School District. She said it was reported to the legislature that initially students were not reading proficiently by third grade, but by sixth grade students were improving. Now students at this school are graduating at higher rates than other schools in its district. Because those results are important, she questioned how state-tribal education compacting would work with the state's existing programs. She inquired whether these schools would be incorporated in the process sooner.

MR. ISAAK responded that the compacting committee has been in communication with immersion-program schools to make sure the committee's work supports and interfaces with these existing programs. He pointed out that compacting would be an opt-in process, and tribes would not be required to participate. He described compacting as an engine or a thinktank; a compacted school would answer questions using its resources and tools to work through the process. He stated that Ayaprun Elitnaurvik School did a presentation at the recent reading symposium which showed the process a third-grade student would go through to transition from a Yup'ik immersion program to explicit English teaching. He supplied that immersion-program schools have informed the compacting process and the committee would make sure compacting would not limit those other "educational positive hotspots." He expressed the opinion that the compacted schools and immersion programs would help each other with reading standards. He relayed the expectation that the Yugtun and Tlingit reading standards would be examined and used to ensure academic rigor, and compacting would support, not supplant, immersion programs. He said that a school, as an institution, should be able to help other schools that are doing similar work. This would carry the process further.

[9:11:30 AM](#)

CO-CHAIR STORY questioned whether the State of Washington had used Johnson-O'Malley Program funds or state funds to support state-tribal compacting.

MR. ISAAC stated that the proposed legislation gives time to work out the funding for Alaska. In Alaska, there would be local, federal, and state contribution of funds. He provided that the tribal schools in Washington receive state and federal funds, including funds from the Johnson-O'Malley Program, as these funds are allotted for education. Tribal schools in Washington also receive funds from a federal source that Alaska would not have access to because of the "rider" Ms. Kitka previously spoke about. He explained that, while Washington is a state with tribal reservations, Alaska has only one reservation. Because of this, the State of Washington has the federal trust responsibility piece. Per compacting, this key piece allows federal funds, which are not allotted for education, to flow through a [reservation]. He stated that these are federal dollars Alaska schools cannot currently receive, but compacting, as a legal mechanism, could open up additional channels. He stated that compacting in Alaska would be different because of this governmental piece.

[9:14:36 AM](#)

CO-CHAIR DRUMMOND opened public testimony on CSSB 34(JUD).

[9:15:08 AM](#)

CO-CHAIR DRUMMOND announced that CSSB 34(JUD) was held over.

[9:15:25 AM](#)

ADJOURNMENT

The House Education Standing Committee was recessed to a call of the chair at 9:15 a.m. [The committee did not reconvene before its next regularly scheduled meeting.]