

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

May 10, 2022
8:05 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

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; 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 district; relating to certification and competency of teacher; relating to assessing 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 school operating funds; relating to a virtual education consortium; and providing for an effective date."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

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) 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
04/20/22 (H) Heard & Held
04/20/22 (H) MINUTE(EDC)
05/10/22 (H) EDC AT 8:00 AM DAVIS 106
05/10/22 (H) Heard & Held
05/10/22 (H) MINUTE(EDC)
05/10/22 (H) FIN AT 9:00 AM ADAMS 519
05/10/22 (H) <Pending Referral>

WITNESS REGISTER

ARIEL SVETLIK, Staff
Representative Andi Story
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the summary of changes for the proposed HCS to CSSB 111(FIN) am.

ACTION NARRATIVE

[8:05:45 AM](#)

CO-CHAIR HARRIET DRUMMOND called the House Education Standing Committee meeting back to order at 8:05 a.m. [The meeting had been recessed on 5/9/22.] Representatives Cronk, Gillham, Zulkosky (via Teams), Prax, Hopkins, Story, and Drummond were present at the call back to order. Also present was Representative Tuck.

SB 111-EARLY EDUCATION; READING INTERVENTION

[8:06:36 AM](#)

CO-CHAIR DRUMMOND announced that the only 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."

CO-CHAIR DRUMMOND presented a letter [included in the committee packet] in support of the proposed House committee substitute (HCS) to CSSB 111(FIN), Version 32-LS0485\F, Klein, 5/8/22 ("Version F"). The letter read as follows [original punctuation provided]:

We submit this letter concerning the House Education Committee Substitute to Senate Bill 111. We believe the additions and changes in our CS strengthen SB 111's intent to support the reading achievements of Alaska's students.

Our committee heard many concerns this year regarding the effectiveness of the available reading curriculum for all Alaska students. What we found is that students must be able to relate and connect to their lessons in order to learn, a sentiment that is strongly supported by the science of reading principles. This means that to help many of our students succeed, we need to be teaching with local, place-based, and culturally relevant tools.

The example has been brought before our committee many times that "there are no busses, subways, sidewalks or street curbs" in most rural Alaska villages. However, these are often the examples found in textbooks and assessment tools that are being used to teach our children. Our version of the Alaska Reads Act takes this, and many of the unique cultural differences found across our vast state, into account by writing in a strong level of local control and acknowledging the Alaska Native cultural heritage that

informs over twenty percent of our student population. To support this effort, this bill creates a Division of Alaska Cultural Education in DEED to assist districts in making certain that available curriculum, screening tools, and professional development will help effectively educate all of Alaska's children.

Our schools must work with our students and meet them where they are for them to succeed. While some individual districts may have developed culturally relevant curricula and screening tools, these assets are not available to all, and will take time and resources to develop for more districts, and the Division of Alaska Cultural Education can help. This version of SB 111 adds support for districts to create their own Alaska cultural and language immersion schools. Place-based knowledge is important for all of Alaska's students. The lack of awareness of the strength of traditional knowledge in our curricula is a gap in our instruction. Correcting this will help all students to better connect with their studies.

Additionally, this version adds more district reading specialists and fiscal supports to aid teachers and paraprofessionals in professional development, development of the reading program, use of screening tools, implementing reading improvement plans, and adaptive curriculum. Putting this forth as an unfunded mandate would risk overextending already strained classrooms leaving our children, who are already struggling, at a disadvantage as their learning tools and supports are stretched even thinner.

We want to move more quickly to expand access to universal optional Pre-K. This CS accelerates access to Pre-K so that more four-year-olds are ready to learn in kindergarten, and adds fiscal supports to do this.

This bill also increases student funding in the Base Student Allocation (BSA) for the first time in six years. We recognize districts are already working to improve reading skills with our students. By providing a BSA increase, this allows districts to address rising fixed costs and leaves funding in place

for reading program training, and interventions, or other district needs.

In addition, we have added a return to a defined benefits option to aid in teacher and paraprofessional retention. We heard in testimony that the districts with the five highest reading scores have the longest teacher retention, and the districts with the lowest reading scores have some of the lowest teacher retention rates in the state.

We have heard it argued that this isn't a retention bill, and so our version of SB 111 makes certain of this by removing the retention language. Years of research shows that holding back students does not improve academic performance and can actually be harmful for children over time socially, emotionally, and academically. Instead of retention, additional supports and summer school programs are to be made available to families and students who choose to utilize extra supports to help kids make reading gains through their districts.

Our children need champions. It is our belief that together we can build a brighter future for our children and Alaska. Thank you for giving us the opportunity to work together on this historic legislation.

[8:11:53 AM](#)

ARIEL SVETLIK, Staff, Representative Andi Story, Alaska State Legislature, presented the summary of changes [included in the committee packet] for the proposed HCS to CSSB 111(FIN) am, Version F, on behalf of House Education Standing Committee, on which Representative Story serves as co-chair. She stated that the written copy of the summary of changes should be a helpful comparison tool, adding that any bill sections not listed in the summary have not been changed. She stated that, because of the bulk of added material to the bill, there would be an undated title to represent the changes. She presented the summary of changes which read as follows [original punctuation provided]:

Section 2 Adds a new section declaring the legislative intent.

Section 4 AS 14.03.060(e)

- Removes "a pre elementary" and inserts "an early education."
- Removes Head Start language to clarify that Head Start programs operate independently from the department.

Section 5 AS 14.03.060(e)

- Removes "approved or," conforming with the changes in Section 4.

Section 6 AS 14.03.072(a)

- Inserts "including the parents as teachers program" in paragraph (a)(2).

Section 7 AS 14.03.072(a)

- Conforms with changes to Section 6.

Section 8 AS 14.03.078(a)

- Inserts "employ data analyst and" to complete the report.
- Removes paragraph (a)(8) as added in version 32-LS0485\R.A
- This also removes Sections 8 and 9 that appeared in 32-LS0485\R.A because the sunset clauses were no longer needed.

Section 9 AS 14.03.078(a)

- This is a new section conforming with changes to Section 8.

Section 10 AS 14.03.080(c)

- Removes "who is at least four years of age at the beginning of the school year" and inserts "and a child who is at least four years of age at the beginning of the school year may be admitted to an early education program" to conform with changes in Section 4.

Section 11 AS 14.03.080(c)

- Conforms with changes to Section 10.

Section 13 AS 14.03.120

- Removes subparagraphs (h)(2)(C), (h)(2)(D), (h)(2)(F), (h)(2)(G), and (h)(3) as added in version 32-LS0485\R.A, so the department no longer shall publish certain

information regarding grade three literacy performance and retention.

- Removes "The department shall post the information a single downloadable comma-separated values file or a similar single downloadable file that allows data storage in tabular format" from subsection(i).

Section 14 AS 14.03.127(a)

- Adds a new section that increases school district internet download speed to a minimum of 25 megabits per second.

Section 15 AS 14.03

- Removes "\$3,000,000" and inserts "\$5,000,000" in subsection (b) to increase pre-K grants so more children have access to early learning.

[8:16:31 AM](#)

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

Section 16 AS 14.03.127(a)

- Adds new language in paragraph (a)(3), "including culturally responsive advisory, supportive, and consultative services," clarifying that culturally responsive support is necessary.
- Adds new language in paragraph (a)(18) "oversee and support the division of cultural education, including in developing culturally responsive curricula, assessments, and professional training for teachers;" referring to the new division.
- Adds new language in paragraph (a)(21) "annually convene an in-person or digital reading convention that includes support for reading in Alaska Native and other non-English languages."

Section 17 AS 14.03.127(a)

- Conforms with changes to Section 16.

Section 18 AS 14.07.020(c)

- Inserts a new section to distinguish a Head Start program from an early education program.

Section 19 AS 14.07.020

- Inserts a new section that conforms with culturally responsive language.

Section 20 AS 14.07.050

- Adds "including culturally responsive textbooks and materials," to paragraph (2).

Section 21 AS 14.07.050

- Conforms with changes to Section 20.

Section 22 AS 14.07.165(a)

- Replaces "adapt" with "develop" in subparagraph (a)(5)(C).
- Adds paragraph (a)(7) which establishes duties for the Commission on Cultural Education.

Section 23 AS 14.07.168

- Removes "consortium" and inserts "library" in paragraph (4).

Section 24 AS 14.07.168

- Removes "consortium" and inserts "library" in paragraph (4).

Section 25 AS 14.07.180(a)

- Adds new language requiring the board to establish standards for culturally responsive education.

Section 26 AS 14.07

Creates Article 3. Cultural Education, adding new sections:

- AS14.07.200 establishing the division of cultural education.
- AS14.07.210 describing the duties of the division of cultural education.
- AS14.07.220 establishes the Commission on Cultural Education.

Section 27 AS 14.17.410(b)

- Adds a culturally based school factor into the foundation formula.

Section 28 AS 14.17.420

- Clarifies requirements for culturally based schools to qualify for additional formula funding.

Section 29 AS 14.17.430

- Increases the formula factor for funding to correspondence schools from 90% of average daily membership to 100% of average daily membership.

Section 30 AS 14.17.470

- Inserts a new section increasing the base student allocation to \$6,153.

Section 31 AS 14.17.470

- Inserts a new section increasing the base student allocation to \$6,208.

Section 32 AS 14.17.500

- Inserts a new subsection (g), which adds all district students to the ADM. This allows for formula school transportation funding for Pre-K.

Section 33 AS 14.17.500(d)

- Conforming language to sunset Section 32.

Section 34 AS 14.17.905(a)

- Inserts language to subparagraph (a)(2)(A) to allow funding for Pre-K students.

Section 36 AS 14.20.015(c)

- Adds culturally responsive requirements.
- Allows a teacher two years to receive a certificate after beginning teaching kindergarten.

[8:21:35 AM](#)

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

Section 37 AS 14.20.015(c)

- Conforms with changes to Section 36.

Section 39 AS 14.20.020

- Adds culturally responsive requirements.
- Allows a teacher two years to receive a certificate after beginning teaching.

Section 40 AS 14.25.009

- Repeals and reenacts this section of law providing that teachers are eligible to be part of the Defined Benefit (DB) retirement plan. Also requires that employers will continue to offer the Defined Contribution plan for public employees.

Section 41 AS 14.25.040(a)

- Amends statutes to include the ability for a teacher to participate in the Defined Benefit retirement plan if they are not participating in the university plan or the Defined Contribution plan.

Section 42 AS 14.25.050(a)

- Referencing the new subsection in statute which established the employee contribution rate for the DB pension option plan unless they are on unpaid leave or receiving workers compensation.

Section 43 AS 14.25.050

- Establishes a variable contribution rate for teachers starting at 8% and rising to 12% if the Defined Benefit plan becomes underfunded. Permits the employer to deduct that contribution from the employee's compensation prior to tax computation.

Section 44 AS 14.25.087

- Establishes that each teacher will have an individual Health Reimbursement Arrangement (HRA) account to assist the former employee with the costs of health care in retirement.

Section 45 AS 14.25.110(a)

- Add language that a Post Retirement Pension Adjustment (PRPA) shall be provided

to retired teachers under certain
circumstance.

Section 46 AS 14.25.110

- Providing an adjustment to pension amounts for those dependents who are receiving benefits as the result of the death of a former member.

Section 47 AS 14.25.143 (e)

- Establishes that a Post Retirement Pension Adjustment (PRPA) can be provided to retired former teachers if the unfunded liability in the Defined Benefit trust funds is determined to be at equal to or greater than 90% funded.

Section 48 AS 14.25.157(a)

- Removes the requirement that the death or disability of a teacher be related to an "on the job injury" prior to the beneficiary receiving a 40% pension amount based upon the deceased former member's salary.

Section 49 AS 14.25.157(c)

- Ensures that not more than one benefit is being paid to a beneficiary of a deceased former member.

Section 50 AS 14.25.162(b)

- Likewise, limits the survivor to a single benefit payment as a result of a former member's death.

Section 51 AS 14.25.164(b)

- Likewise limits the spouse's benefit payment to a single benefit amount based upon the death of a former teacher.

Section 52 AS 14.25.167(a)

- Ensures that benefit payments under the Joint and Survivor options are in place of other Death and Disability benefits.

Section 53 AS 14.25.167(e)

- Removes the requirement that the death or injury of the former member be sustained

while working on the job for the public employer if the spouse is receiving Survivor benefits.

Section 54 AS 14.25.168(a)

- Limits the survivor to medical insurance benefits provided under new section 56 of this legislation (medical benefits.)

Section 55 AS 14.25.169

- Allows benefits to be paid to a surviving spouse when the surviving spouse is also a former member of the State of Alaska retirement plan.

Section 56 AS 14.25.171

- Creates a new medical benefits program establishing that an employee who selects to receive benefits under DB is entitled to medical benefits as well. This also includes medical benefits for the surviving spouse and requires that the recipient make the selection for medical benefits on or before the person turns 70.5 years old.

Section 57 AS 14.25.220(5)

- Establishes that new employees in the pension option plan calculate pension benefits amounts based upon the salary earned over five consecutive years' service.

Section 58 AS 14.25.310

- Establishes that teachers who do not select to transfer to the new Defined Benefit plan shall remain part of the Defined Contribution plan.

Section 59 AS 14.25.167(e)

- Requires all Alaskan public employers who participate in the Defined Benefit plan to also participate in the Defined Contribution plan for the benefit of those teachers who select to join the Defined Contribution plan.

[8:26:33 AM](#)

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

Section 60 AS 14.25.167(e)

- Provides that a newly hired teacher may make the irrevocable choice to switch from the Defined Benefit plan to the Defined Contribution plan and may make the choice retroactive to the time of first hire. This section provides a 90-day window for existing participants to join the Defined Contribution plan after the date of hire.

Section 61 AS 14.25.350(e)

- Requiring the employer to make actuarially determined annual contributions to the trust funds to provide death and disability coverage for teachers. Also removes the occupational requirement for death and disability coverage.

Section 62 AS 14.25.487(a)

- Removes the requirement that the death or disability of a teacher be proximately caused by injury suffered while on the job.

Section 63 AS 14.25.490(a)

- Ensures that vested benefits cannot be diminished or impaired in accordance with the Alaska State Constitution, Article 12, section 7.

Section 64 AS 14.25.490(b)

- Ensures that accrued benefits of teachers cannot be diminished or impaired in accordance with the Alaska State Constitution, Article 12, section 7.

Section 65 AS 14.25.490(c)

- Likewise ensures that the constitutional protections for teachers apply to any termination of the retirement plan by the employer.

Section 66 AS 14.25.490(d)

- Permits a one-year window for the refund of funds paid to the plan by an employer if there was a mistake made on that payment.

Section 67 AS 14.30

- Adds a new section to article 10 establishing a cultural grant program
- Districts can request assistance to build and develop a culturally based school.
- One-time grants of up to \$150,000 can be used for this.

Section 68 AS 14.30

Section 14.30.760 changes:

- Removes "statewide" from paragraph (a)(1).
- Adds "culturally responsive" to paragraph (a)(1).
- Adds a new paragraph (a)(2) calling for districts to be able to adopt evidence based and culturally responsive screening tools.
- Adds a new paragraph (a)(3) to develop a screening to template to assist districts in developing culturally responsive screeners.
- Adds a new paragraph (a)(4) that the department will help districts with the development of screening tools upon request.
- Replaces "a statewide" with "an approved" in paragraph (a)(5).
- Replaces "training" with "professional development", replaces "the statewide" with "an approved", and adds "cultural responsiveness" to paragraph (a)(6).
- Added a new paragraph (a)(8) that replaces language from paragraphs (a)(5) and (a)(6) of Section 33 of version 32-LS0485\R.A. This paragraph removes the waiver and allows for a comparison of performance between third and sixth grade in cultural schools.
- Adds a new paragraph (b)(5) concerning school district calendars.

[8:30:32 AM](#)

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

Section 14.30.765 changes:

- Removes "a statewide" and inserts "an approved" in paragraph (a)(1).
- Adds "culturally responsive" in paragraph (a)(2).
- Removes "within a single school year" from paragraph (a)(3).
- Removes "a statewide" and inserts "an approved" in paragraph (a)(8).
- Adds "older siblings" to paragraph(a)(10).
- Removes "a statewide" and inserts "an approved" in subsection (b).
- Removes subsection (c) through subsection (m) of Section 33 of version 32-LS0485\R.A.

Section 14.30.770 changes:

- Removes "25 percent" from subsection (a).
- Subsection (a) adds language to allow a school to opt out from district support, passing that support to the next qualifying school.
- Language in paragraph (a)(2) conforms with changes in subsection (a).
- Removes subparagraph (a)(4)(E) from Section 33 of version 32-LS0485\R.A.
- Adds "cultural responsiveness" to subparagraph (a)(8)(B).
- Removes the requirement from subsection (c) that every school's application for the program be published.
- Removes "for the preparation of a reading specialist" and adds "approved by the department" to paragraph (d)(2).
- Removes "teaching" from subparagraph (d)(2)(B).
- Adds "cultural responsiveness" to subparagraph (d)(3)(A).
- Removes "indigenous" and inserts "Alaska Native" in paragraph (d)(4).

Section 14.30.775 new section:

- Inserts a new section that provides \$1,000 grants for teacher supports for students in grades kindergarten through three who have reading deficiencies based on approved screening tools.

Section 14.30.780 new section:

- Creates ten annual grants for districts to apply for reading specialists, defines award and use parameters.

Section 14.30.790

- Adds "and cultural responsiveness" to the definition for "evidence-based reading intervention" in paragraph (2).

Section 69 AS 14.30.

Section 14.30.800 changes:

- Removes "consortium" and inserts "library" in subsection (a) on lines 18 and 20.
- Removes "consortium" and inserts "the department" in subsection (a) on line 20.
- Changes intent so the database is accessible to all school districts who partake in "virtual education" rather than "participate in the consortium" in subsection (a).
- Removes "through the consortium database, the consortium" and inserts "the library shall provide" in subsection (b).
- Removes "consortium" and inserts "library" in paragraph (b)(1).
- The district determines a teacher's readiness rather than the consortium in paragraph (b)(2).
- Removes "consortium" and inserts "library" in subsection (c).
- Removes "consortium" and inserts "library" throughout subsection (d).
- Changes language in subsection (d) allowing the department to determine fees.
- Removes "consortium" and replaces with "the department" in subsection (f).

Section 70 AS 14.06.010

- Adds a new paragraph (9) defining "cross-cultural."
- Adds a new paragraph (10) defining "culturally based school."
- Adds "Alaska Native" to subsection (11).

[8:35:10 AM](#)

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

Section 71 AS 37.10.220(a)

- Permits the Alaska Retirement Management (ARM) Board to make adjustments to the participants contribution rates (8% rising potentially to 12%) and allowing for a Post Retirement Pension Adjustments (PRPA).

Section 72 AS 37.10.220(b)

- Expands the power of the Alaska Retirement Management Board to establish the amount of the Post Retirement Pension Adjustment and to adjust the employee contribution rate when the actuary determines that the Defined Benefit trust account is underfunded.

Section 73 AS 39.30.090(a)

- Permits the employer to obtain health insurance coverage for teachers under AS 14.25 and all other employees under AS 39.35, who participate in the pension option or DC plan.

Section 74 AS 39.30.097(a)

- Permits the employer to prefund the health insurance trust funds that will provide public employees health insurance under the medical plan once these retirees are Medicare eligible. Before these retirees are Medicare eligible, they must pay 100% of the health insurance premium if they chose to participate.

Section 75 AS 37.30.097(b)

- Permits the employer to prefund the Health Reimbursement Arrangement (HRA) accounts for the benefit of retirees to pay supplemental health insurance costs such as co-pays and deductibles.

Section 76 AS 37.30.300

- Establishes the HRA accounts are part of the health insurance retirement plan for all public employee and retiree participants in the future.

Section 77 AS 37.30.380

- Expands the loss of rights for non-vested employees to include medical benefits and HRA account access when the employee fails to work enough years (10 years for medical/HRA) to vest in the plan.

Section 78 AS 39.30.390

- Provides that once an employee meets the vesting requirements for medical and HRA benefits they are eligible for reimbursements from the individual accounts establish for the employee.

Section 79 AS 39.30.400(a)

- Allows the state to deduct payments from the individual accounts of the employee for the medical premium payments for the medical coverage provided by the state.

Section 80 AS 39.30.420(a)

- Ensure that the retirement benefits are protected from diminishment or impairment but leaves in place the ability for the administration to make changes to the plan.

Section 81 AS 39.30.420(b)

- Provides constitutional protections for accrued benefits for all retirees who participate in the retirement plan.

Section 82 AS 39.30.420(c)

- Provides constitutional protection for vested benefits and individual accounts even when the plan has been terminated by the employer.

Section 83 AS 39.30.420(d)

- Provides a one-year grace period for the State of Alaska to return contributions that were mistakenly provided by an employer, such as a municipality.

Section 84 AS 39.30.495(d)

- Expands the definition of "Eligible Person" to include employees who select benefits under this plan.

Section 85 AS 39.35.095

- Expands the Defined Benefit retirement benefits to include those employees who either convert to the DB plan and those that select the DB plan at the time of hire. Allows those employees who select Defined Benefits the ability to join the plan.

Section 86 AS 39.35.160(a)

- Allows those employees who select Defined Benefits the ability to join the plan.

Section 87 AS 39.35.160

- Establish contribution rate for police and fire starting at 8% and rising to 12% if an unfunded liability is created.

Section 88 AS 39.35.282

- Ensures that funds provided by the employer for the HRA be computed for each individual employee and accounting for the medical benefits provided to survivor in the event of an employee's death or disability.

[8:39:13 AM](#)

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

Section 89 AS 39.35.340(g)

- Ensures that a spouse who is receiving death benefits derived from credit for the deceased member's military service, continues to receive those benefits.

Section 90 AS 39.35.370(a)

- Establishes which employees are entitled to benefits in retirement.

Section 91 AS 39.35.370(a)

- This new section establishes the age for retirement after defined years of service. Employees must have five years of service

and be 60 years old to receive a pension benefit. For Police/Fire they must be 55 years old with 20 years of service. Others can retire any age with 30 years of service.

Section 92 AS 39.35.381(e)

- This section limits the benefits provided for elected public officials, including the medical benefits provided under this legislation.

Section 93 AS 39.35.430(b)

- Removes the requirement that the death of an active employee occur as a result of an injury that occurred on the job.

Section 94 AS 39.35.430(f)

- Removes the requirement that the death of the employee be the result of occupational injury when that employee designates a beneficiary other than the spouse or dependents of the deceased employee.

Section 95 AS 39.35.440(b)

- Removes the occupational death requirement from this section for employees first hired prior to July 1, 2006 in the prior Defined Benefit plan.

Section 96 AS39.35.450(e)

- Removes the reference to both occupational and nonoccupational causes of death from the statute.

Section 97 AS 39.35.475(a)

- This section provides a Post Retirement Pension Adjustment (PRPA) but would limit the award of a PRPA when the retirement trust accounts are 90% funded. Please refer to Section 100 of this legislation for more information.

Section 98 AS 39.35.475(e)

- Removes the occupational requirement when providing a PRPA to a surviving spouse.

Section 99 AS 39.35.475

- Establishes that a PRPA may only be provided to those employees who meet the vesting requirements and allows the ARM Board to suspend those adjustments when the trust fund is below 90% full funding.

Section 100 AS 39.35.485(a)

- Ensures that nonoccupational death benefits continue to be paid even though that section of the statute has been repealed for those employees in the prior DB plan.

[8:43:41 AM](#)

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

Section 101 AS 39.35.530

- Permits a retiree to receive both the benefits earned by that employee and the benefits provided because of the death of a spouse who was also a public employee.

Section 102 AS 39.35.535(a)

- Adds access to medical benefits for Police/Fire who were employed after June 30, 2006 and for surviving spouses if the former member was retired at the time of death.

Section 103 AS 39.35.535(c)

- Establishes that an employee first hired before July 1, 2006, or the surviving spouse of that employee, may elect major medical coverage in retirement.

Section 104 AS 39.35.535

- Allows a peace officer or firefighter or their surviving spouse who first was employed after June 30, 2006, to select major medical coverage under this plan.

Section 105 AS 39.35.537

- New section creating the medical benefits plan for all other public employees except teachers. (See Section 56 for the medical

plan for teachers.) This medical plan is identical to the medical plan offered to prior Defined Contribution employees. (Teachers medical plan is covered in AS 14.25.171).

Section 106 AS 39.35.680(4)

- Establishes that new employees in the pension option plan calculate pension benefits amounts based upon the salary earned over five consecutive years of service.

Section 107 AS 39.35.680(26)

- Ensures normal retirement is calculated based upon minimum years of service.

Section 108 AS 39.35.700

- This section provides an option for employees to remain in the Defined Contribution plan rather than the Defined Benefit plan and for those that select DC at the time of hire or 90 days thereafter.

Section 109 AS 39.35.700 (b)

- Requires employers who offer the Defined Contribution plan to also offer the option for employees to participate in the Defined Benefit retirement plan.

Section 110 AS 39.35.720

- This section offers the newly hired public employee the option of selecting and participating in the Defined Contribution plan within 90 days of first being hired. Funds deposited in Defined Benefit plan on behalf of the employee will be transferred the employees individually managed Defined Contribution account.

Section 111 AS 39.35.750(e)

- Removes the reference to occupational death of disability as a requirement before the dependents can receive a survivor's benefit and requires employers to make contributions to a trust fund to cover this benefit.

- Section 112 AS 39.35.892(a)
- Removes the requirement that the death of an employee be the result of an on-the-job injury for survivors to receive benefits.
- Section 113 AS 39.35.892(e)
- Removes the occupational requirement for benefit calculations.
- Section 114 AS 39.35.895(a)
- Adds reference to the Alaska State Constitution, Article 12. Section 7, which protects the retirement plans from diminishment of impairment. Also removes language that provides the State of Alaska the ability to change the retirement plan.
- Section 115 AS 39.35.895(b)
- Adds a reference to the Alaska State Constitution and ensures that accrued benefits are protected.
- Section 116 AS 39.35.895(c)
- Adds a reference to the Alaska State Constitution and sets the date at which investments are calculated at the time of termination.
- Section 117 AS 39.35.895(d)
- Provides a one-year window for the state to refund an incorrect contribution by the employer.
- Section 118 AS 39.35.958(c)
- Removes the occupational requirement for Death and Disability coverage.
- Section 120 AS14.25.012(c), 14.25.155, 14.25.157(d), 14.25.487(d), 14.25.540; AS 39.35.420, 39.35.430(h), 39.35.892(d), and 39.35.940
- Repeals sections of statute that are no longer applicable including nonoccupational death benefits, death caused by assault exceptions and the option to convert from Defined Benefit to Defined Contribution plan of a non-vested member. This final repealed

section is no longer necessary since the new employee will have option of joining either plan at the time of hire or within 90 days thereafter.

Section 122 AS 14.03.120(h), 14.03.410, 14.03.420;
AS 14.17.500(e), 14.17.500(f), 14.17.500(g);
AS 14.20.020(l); AS 14.30.760, 14.30.765,
14.30.770, 14.30.775, 14.30.780, 14.30.785,
14.30.790, and 14.30.800

- Adds an additional repealer for subsection (g) of Section 32 relating to school transportation funding.
- Adds additional repealers for Section 68 relating to establishing new reading interventions.

Section 123 Uncodified law of the State of Alaska

- Non-statutory provisions (uncodified) that provide all existing public employees (teachers, police/fire, and all others) a 90-day window to decide if they want to convert to the new DB plan or remain the DC plan. If the employee decides to convert to DB, the DC account balance will be transferred to the DB plan to purchase that credited time.

Section 124 Uncodified law of the State of Alaska

- Uncodified rules for conversion from Defined Contribution to Defined Benefit plan. Adds a consent requirement for that conversion from the spouse of the employee. If the DC account is not sufficient to cover the actuarially determined cost of that conversion, a payment formula will be established to pay for the additional costs of conversion to DB. Also defines terms used in this uncodified section.

Section 125 Uncodified law of the State of Alaska

- Conforming changes.

Section 126 Uncodified law of the State of Alaska

- Inserts "additional teacher training" per legislative legal fix.

Section 127 Uncodified law of the State of Alaska

- Inserts "Virtual Education Library" on line 17.

Section 128 Uncodified law of the State of Alaska

- Uncodified rules that permit the ARM Board and Commissioner of Administration to adopt regulations to implement the changes contained in this legislation. Any adopted regulations do not take effect until the Defined Benefit Pension Option law goes into effect.

Section 129 Uncodified law of the State of Alaska

- Inserts "Early Education Programs" on line 20.
- Removes "\$3,000,000" and inserts "\$5,000,000" on lines 22 and 25.

Section 130 Uncodified law of the State of Alaska

- Removes "Transition" and replaces with "Education" on line 15.

Section 131 Uncodified law of the State of Alaska

- Addresses regulation authority Sections 129 and 130.

Section 132

- Effective dates for Sections 29 and 30, relating to the base student allocation, 40 - 66, 71 - 118, 120, 123, and 124 for the implementation of the Defined Benefit Pension Option program for July 1, 2022.

Section 133

- Sets ten-year sunsets on the reading intervention programs on June 30, 2034.

Section 134

- Sets an effective date clause of July 1, 2023.

MS. SVETLIK made comments throughout the summary of changes, as follows: Section 2 added language that had been previously put forth in HB 164; Section 5 has been adjusted to follow the changes in another section, which inadvertently follows changes in Section 18; Section 6 would make sure that families know home

reading is available to them; Section 22 would create more latitude for the development of new learning content; and Section 23 would make a conforming change from "consortium" to "library" throughout the legislation. She referenced that Section 27 would be similar to the career and technical education factor in the formula, allowing any district with a culturally-based school to receive a similar estimated 1.25 factor increase per the average daily membership (ADM); Section 29 would increase the funding increment so it would no longer be a partial ADM to fund correspondence schools; and Section 36 would remove the requirement that kindergarten teachers have certificates before they begin teaching. She added that because of the teacher shortage, this would help create good teachers without putting hurdles in the way, and Section 39 would be similar to Section 36, but for teachers.

MS. SVETLIK continued with comments, as follows: Section 40-66 would be new sections; Section 54 contains an error in the summary, and a correction will be provided to the committee at a later date; and Section 68, in reference to the testing and screening tools, would replace "a statewide" with "an approved". She said that, from this change, instead of a single statewide test, districts could choose their own testing model, or, with the approval from the Department of Education and Early Development (DEED), districts could develop a more culturally appropriate model for their region. She continued that also in Section 68, under AS 14.30.770, "indigenous" would be replaced by "Alaska Native," making the legislation more prescriptive; under AS 14.30.765 all retention language would be removed; and under AS 14.30.775 grants would be provided for classroom and teacher development. She stated that Sections 71-119 would be added as new sections. She continued that because the Senate version had been designed to be a 10-year program, many of the new sections would be repealed on June 30, 2034. This sunset clause would affect Sections 7, 9, 11, 17, 21, 33, 37, 122, and 125.

[8:49:34 AM](#)

CO-CHAIR DRUMMOND expressed appreciation for Ms. Svetlik's hard work.

[8:50:01 AM](#)

REPRESENTATIVE PRAX remarked that some additions to this version had not been discussed before the committee. He expressed the opinion that some of the additions would go beyond the scope of

the subject of education. He questioned whether Legislative Legal Services had reviewed the proposed HCS on the single-subject rule.

[8:50:43 AM](#)

CO-CHAIR STORY responded that Legislative Legal Services had been questioned, and the memorandum can be supplied to the committee. In response to a follow-up question, she stated that Legislative Legal Services had expressed concern on the single-subject rule.

[8:51:17 AM](#)

CO-CHAIR DRUMMOND expressed the importance of addressing difficulties with teacher retention in Alaska. She stated that teacher retention is critical to the success of students in Alaska, and teachers would need to be able to "get comfortable in their community," so they would stay.

[8:51:48 AM](#)

REPRESENTATIVE HOPKINS questioned Representative Prax which section of the summary concerns the single-subject issue.

REPRESENTATIVE PRAX responded that fire fighters and pension plans, in general, are not the subject of education. He stated that teachers are related to education, but it appears several other bills are being combined into one. He stated the pension plan discussions had probably been discussed by the labor committee. He offered the opinion that, although he had not reviewed those sections for purposes of the committee, it seems like [the proposed HCS] would be overly broad for one bill.

REPRESENTATIVE HOPKINS maintained that the pension plans in the Alaska Teachers' Retirement System (TRS) would directly impact the education system. He referenced a number of studies that related the direct correlation between increased educational outcome and teacher retention. He expressed the belief that [teacher pension plans] are an educational issue and important to the legislation's goal of improving reading outcomes in the state, as it would enable districts to acquire better teachers and staff. He argued that, because [support staff] would not be included in TRS, the Alaska Public Employees' Retirement System (PERS) section would impact and support all parts of the school which interact with students, in and out of classrooms, including tutors, classroom aides, and paraprofessionals. He

conveyed that the committee received testimony many times from school districts, boards, principals, and superintendents that conveyed teacher recruitment and retention, at every level, affects a school's ability to support students. He continued that because there is not a "carve out" in PERS for school support staff, like there is specifically for public safety, the entire system would need to be addressed, and people specifically tied to student outcomes needed to be included.

REPRESENTATIVE PRAX stated that [the Thirty-Second Alaska State Legislature] would soon be coming to an end. Because of this, he questioned whether the proposed legislation would either pass or die.

CO-CHAIR DRUMMOND answered in the affirmative. She stated that the legislation is slated to go to the House Finance Standing Committee, where changes could be made.

REPRESENTATIVE PRAX suggested that [the House Finance Standing Committee] would be better geared to adjust these changes. He recommended that the bill be moved along to allow "the experts to deal with it."

CO-CHAIR STORY said, "I truly know we need to move the dial on reading." She stated the committee has heard and learned that education is strengthened when teachers can continually be present with the students, and teachers would need to be retained to make a difference with reading. She stated that some districts have had substitute teachers in classrooms all year, and the state is "bleeding teachers." She voiced the opinion that paraprofessionals are critical to classrooms, and being able to retain educators would impact reading scores. She reiterated that [the proposed HCS] is something concrete which would help with reading.

[8:57:34 AM](#)

REPRESENTATIVE CRONK commented, with no intended offense to committee members, that the majority of sections in the proposed HCS addresses teachers, not children. He indicated that, out of the 134 sections in the summary of changes, there were only three references to students or children. He expressed the opinion that this would be about teachers, not students. He stated that a reading bill to help students has been turned into an omnibus teaching bill. He expressed the belief that the proposed HCS is union driven, and the "dues were well spent." He voiced the opinion that [the proposed CS] would not address

the deficiencies in reading, which had been a specific focus of the legislation.

CO-CHAIR STORY responded that, respectfully, all research shows, outside of parents or guardians, the number one factor of students' progress is the teacher. She continued that students' progress is affected by the quality of the teacher and the teacher's ability to have a relationship with their students. She argued that the proposed HCS is written about students and supporting teachers to know and understand their students. She expressed the belief that students in the state are smart and capable, but many are not doing well because of an instructional gap. She stated that many components were included to help students, including cultural responsiveness and the science of reading. She voiced the opinion that the proposed HCS "has got children written all over it."

REPRESENTATIVE CRONK argued that the intention of the original version of the legislation addressed reading, but the proposed HCS incorporates everything. He continued that there needs to be a focus on one thing at a time, and this "just throws everything into one big pot, and let's call it good." He shared that he had no knowledge of reading instruction when he began his teaching career, and teachers learned to teach reading while in the classroom. He said, "There was no programs that taught me how to teach kids how to read." He expressed the hope that the legislation would be about providing instruction to teachers on how to teach children to read. He continued that many children learn naturally, and some parents work with their children. He stated that the proposed bill was supposed to be about the ones who are struggling. He expressed the opinion that now the legislation would absolutely not be about this; it would be about getting every benefit possible [for teachers and staff].

[9:01:44 AM](#)

CO-CHAIR DRUMMOND expressed that she understood Representative Cronk's frustration. She acknowledged that there is a lack of mention of children in the summary of changes, but the legislation [as a whole] still contains significant references to children. She stated that the changes need to be taken side-by-side with the bill, which has grown significantly. She stated that all of those sections with changes are still in the original bill.

REPRESENTATIVE CRONK questioned if there is a fiscal note that reflects the changes.

9:02:17 AM

REPRESENTATIVE HOPKINS commented that because the HCS has not been adopted, there would be no fiscal note yet. He stated that it had been learned from discussions that student learning is not about policy or additional testing but about the structure in the school and the classroom environment. He offered that resources within districts affect how structure and environment are provided to students. He voiced the opinion that the original version of the legislation would not provide enough staff time or the appropriate learning environment to enhance learning programs. He explained that this would be the reason for the \$1,000 per individualized reading plan, to ensure districts have the tools to support students. He stated that during the development process, district representatives expressed the need for the time and money to provide professional development. He stated that the proposed HCS would add resources to train teachers in reading instruction. In terms of student learning and engagement, he said that rural educators testified to the committee that students who do not see themselves in their curriculum are not supported in the way that would help them learn. He said, "The children are not broken, the system that is teaching them is what needs to change." He continued that entire sections have been added to the bill to address cultural relevancy and the different educational tools which would continue that process of division in cultural education, specifically in reading. He disagreed that the proposed HCS would not give students what they need to improve learning outcomes. He provided that the legislation would do a strong job of supporting students by making sure they have the tools, teachers, and support staff to be successful, wherever they are in Alaska. He argued that it is not policy but the school environment which affects students' ability to learn from "the bottom up, and not just from the top down." He suggested that the proposed HCS would [affect student learning] in ways the state has not yet seen, and this would be just the start of addressing the issues of reading at the classroom level. He said, "It is not a one-size-fits-all-state, and this is not a one-size-fits-all-bill."

9:06:04 AM

CO-CHAIR STORY emphasized that, in reference to learning tools, the proposed HCS would change language in the bill from

"statewide" to "state-approved". She expressed the understanding that the Senate Education Standing Committee and DEED had sought to allow a waiver for the districts to develop culturally responsive and relevant learning tools. She stated that this language change would help provide culturally relevant screening tools while fulfilling federal testing requirements. Incorporating the science of reading, districts would be able to develop evidence-based learning tools specific to their region. She expressed the belief that this structure would move the dialogue on reading. She acknowledged that some districts are already addressing reading issues, but because of the inflation of fixed costs funding would be needed to retain the reading interventions already developed. She stated that, for each student below proficiency, the proposed bill would provide \$1,000 to districts to be used as needed. She offered that the funding would be additional support for tools and professional development. She stated the intention would be that [the proposed HCS] is "a game changer."

[9:10:49 AM](#)

CO-CHAIR DRUMMOND reminded the committee that students perform better when school districts retain teachers. She expressed the belief that Alaska has the worst teacher retirement plan in country, and the issue is serious. She stated that teachers, paraprofessionals, support staff, and public employees are all being lost from the state, and this is costing significant money. She voiced the opinion that school districts could spend \$35 million a year to attract new teachers, but benefits would not be sufficient to retain them. She stated that work in rural districts can be challenging, and Alaska needs to be able to attract and keep teachers, so it is important to have these features in the bill.

[9:12:12 AM](#)

REPRESENTATIVE CRONK, regarding retention, expressed the opinion that the number one reason teachers leave their positions is because of bad administrators. The legislation does not address the root problem, instead it creates a bigger entity. He stated that there needs to be step-by-step process, as the original version of the bill had been strictly about reading. He added that, if a student cannot read, it affects all other subjects and the success of the student. He voiced the idea that education has developed into teachers taking on more responsibility and being caretakers. He opined that things need to "back up and be simplified," as originally the bill had been

about students, but changes have turned it into a teacher-benefits bill. He acknowledged that the state needs teachers, but the focus should be on the students. He offered respect for the opinions of the other committee members.

CO-CHAIR DRUMMOND offered appreciation that the issue with administrators has been brought forward. She stated that data has shown 70 percent of the 154 administrative positions in the state have changed in one year, and this is worse than the teacher turnover rate. She urged that no single bill would solve all the problems, but teacher retention needs to be addressed by implementing a reading plan. She stated that changes need to be made, and support needs to be provided so Alaska students do not have the lowest reading scores in the nation.

[9:16:04 AM](#)

CO-CHAIR STORY acknowledged that, from her understanding, teachers do leave positions because of administrators, but many teachers have referenced the impact of the retirement plan. She stated teachers have expressed to her that they choose not to stay in the state because of the retirement plan.

REPRESENTATIVE CRONK questioned how many states in the nation have a defined retirement system for their teachers.

CO-CHAIR STORY responded that the number is probably in the double digits, but she did not know exactly. She said that three states have changed from a defined benefit retirement plan to a defined contribution plan, but one of those states has reverted back. She stated that statistics show Alaska needs to go back to some form of defined benefit or hybrid plan. She reported that Alaska is the only state without a defined contribution plan and social security benefits for teachers.

REPRESENTATIVE CRONK shared that he had been a teacher for 25 years and was passionate about teaching. He expressed the belief that the focus should be on the students, and "throwing more money" without solutions would not help the issue. He commented that one expansive bill could not remedy everything, and a solution would need to involve taking "baby steps," with the original bill being the first step. He offered the opinion that there had been some accountability with the original bill, and flowing large amounts of money at the issue would not work.

CO-CHAIR STORY offered the opinion that money would not be "thrown" at education. She reminded the committee of the report from the Institute for Social and Economic Research at the University of Alaska. The report compared Alaska with other states and found Alaska below average for student funding and cost-of-living adjustment. She stated that funding has been flat in the state for the last six years. She expressed strong disagreement that the proposed HCS would throw money at the system. She stated that the legislation targets funding for reading interventions and cultural support, which are both new in the state. She voiced that the legislation would incorporate the science of reading and provide resources, and it would not be an unfunded mandate. She stated that fixed costs have gone up for districts, and the legislation would make sure districts are able to implement reading interventions.

[9:20:35 AM](#)

REPRESENTATIVE PRAX commented that the proposed legislation is against a deadline, and the committee would not be able to resolve all these changes. He suggested moving the legislation out of committee.

[9:21:09 AM](#)

CO-CHAIR DRUMMOND stated that the legislation should be moved, and the next committee of referral could work on change requests. She commented that the committee is lucky she did not add school bond debt reimbursement to the bill. She stated that, because of the lack of school bond debt reimbursement, Cordova cut the operating costs of its schools. The city has been paying school bond debt and not teachers, so pre-school programs for the last two years have been eliminated, and class sizes have risen. She voiced frustration that the defined benefit plan for teachers had been removed in 2006, and employees were not given the opportunity to build social security retirement. She expressed the opinion that many teachers in the state count the years until they are vested so they can take their retirement money out of the state system and go "where they are treated with more dignity."

[9:24:42 AM](#)

CO-CHAIR STORY questioned how many states in the nation have a defined benefit plan for their teachers.

REPRESENTATIVE HOPKINS responded that Alaska is the only state in the nation with no defined benefit retirement system for teachers.

[9:25:24 AM](#)

REPRESENTATIVE PRAX urged to move the bill out of committee and expedite the process.

[9:25:55 AM](#)

The committee took an at-ease from 9:25 a.m. to 9:26 a.m.

[9:26:37 AM](#)

CO-CHAIR DRUMMOND stated that she shared the concern to move the bill out of committee and advised that the meeting be recessed to a call of the chair for later that day.

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

[9:27:22 AM](#)

ADJOURNMENT

The House Education Standing Committee meeting was adjourned at 9:27 a.m. to the call of the chair. [The meeting reconvened on 5/11/22 at 8:00 a.m.]