

ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE

April 16, 2021

9:07 a.m.

MEMBERS PRESENT

Senator Roger Holland, Chair
Senator Gary Stevens, Vice Chair
Senator Shelley Hughes
Senator Peter Micciche
Senator Tom Begich

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 111

"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 districts; relating to certification and competency of teachers; 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."

- MOVED CSSB 111(EDC) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 111

SHORT TITLE: EARLY EDUCATION; READING INTERVENTION

SPONSOR(S): EDUCATION

03/24/21	(S)	READ THE FIRST TIME - REFERRALS
03/24/21	(S)	EDC, FIN
03/26/21	(S)	EDC AT 9:00 AM BUTROVICH 205

03/26/21	(S)	Heard & Held
03/26/21	(S)	MINUTE(EDC)
03/29/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/29/21	(S)	Heard & Held
03/29/21	(S)	MINUTE(EDC)
03/31/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/31/21	(S)	Heard & Held
03/31/21	(S)	MINUTE(EDC)
04/07/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/07/21	(S)	-- MEETING CANCELED --
04/09/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/09/21	(S)	Heard & Held
04/09/21	(S)	MINUTE(EDC)
04/10/21	(S)	EDC AT 10:00 AM BUTROVICH 205
04/10/21	(S)	Heard & Held
04/10/21	(S)	MINUTE(EDC)
04/12/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/12/21	(S)	-- MEETING CANCELED --
04/14/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/14/21	(S)	Heard & Held
04/14/21	(S)	MINUTE(EDC)
04/16/21	(S)	EDC AT 9:00 AM BUTROVICH 205

WITNESS REGISTER

MICHAEL JOHNSON, Ph.D., Commissioner
 Department of Education and Early Development (DEED)
 Juneau, Alaska
POSITION STATEMENT: Answered questions about SB 111.

ED KING, Staff
 Senator Roger Holland
 Alaska State Legislature
 Juneau, Alaska
POSITION STATEMENT: Answered a question on SB 111.

ACTION NARRATIVE

[9:07:05 AM](#)

CHAIR ROGER HOLLAND called the Senate Education Standing Committee meeting to order at 9:07 a.m. Present at the call to order were Senators Begich, Hughes, Stevens, Micciche, and Chair Holland.

SB 111-EARLY EDUCATION; READING INTERVENTION

[9:07:42 AM](#)

CHAIR HOLLAND announced the consideration of SENATE BILL NO. 111 "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 districts; relating to certification and competency of teachers; 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."

[Version 32-LS0485\0 was before the committee.]

CHAIR HOLLAND said the plan is to take up amendments for SB 111 and complete work on the bill.

[9:08:08 AM](#)

CHAIR HOLLAND moved Amendment 1, [work order 32-LS0485\0.9].

AMENDMENT 1

32-LS0485\0.9
Klein
4/13/21

OFFERED IN THE SENATE BY SENATOR HOLLAND
TO: CSSB 111 (EDC), Draft Version "0"

Page 38, line 19:
Delete "2023"
Insert "2024"

Page 38, line 26:
Delete "2023"
Insert "2024"

Page 38, line 30:
Delete "2028"
Insert "2033"

Page 39, line 6:
Delete "Thirty-Seventh"

Insert "Thirty-Eighth"

Page 39, lines 20 - 31:

Delete all material and insert:

*** Sec. 46.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION. The number of district-wide early education programs that the department approves under AS 14.03.410 in the fiscal year beginning July 1, 2022, may not result in more than \$3,000,000 of total state aid attributable to early education programs. In the fiscal year beginning July 1, 2023, the number of district-wide early education programs that the department approves may not result in an increase from the prior fiscal year of more than \$3,000,000 of total state aid attributable to early education programs.

*** Sec. 47.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Education and Early Development and the state Board of Education and Early Development may adopt regulations necessary to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but a regulation may not take effect before the effective date of the relevant provision of this Act implemented by the regulation."

Re-number the following bill sections accordingly.

Page 40, line 2:

Delete "2032"

Insert "2034"

Page 40, line 3:

Delete "sec. 47"

Insert "sec. 48"

Delete "2021"

Insert "2022"

[9:08:12 AM](#)

SENATOR BEGICH objected for purposes of discussion.

CHAIR HOLLAND explained that Amendment 1 simply moves the effective date to 2022 and the repeal date to 2034; all other dates cascade from that one year. The Department of Education

and Early Development (DEED) requested this change to allow more time to develop the guidelines.

[9:08:51 AM](#)

SENATOR BEGICH removed his objection.

CHAIR HOLLAND found no further objection and Amendment 1 was adopted.

[9:09:10 AM](#)

SENATOR MICCICHE moved Amendment 2, [work order 32-LS0485\O.15].

AMENDMENT 2

32-LS0485\O.15
Klein
4/15/21

OFFERED IN THE SENATE BY SENATOR MICCICHE
TO: CSSB 111 (EDC), Draft Version "O"

Page 1, line 2, following "schools":
Insert "**and school districts**"

Page 3, line 1:
Delete "early **reading** [LITERACY]"
Insert "[EARLY] literacy **and early reading**"

Page 3, line 7, following "read":
Insert "**;**
**(5) a list of resources and organizations
that specialize in improving adult literacy"**

Page 3, line 11, following "of":
Insert "literacy and"

Page 3, line 17, following "read":
Insert "**;**
**(5) a list of resources and organizations
that specialize in improving adult literacy"**

Page 26, line 22, following "guardians,":
Insert "by offering a list of adult literacy
resources and organizations,"

Page 26, line 23, following "workshops":

Insert ", "

Page 27, line 13, following "guardian,":

Insert "by offering a list of adult literacy resources and organizations,"

Page 27, line 14, following "workshops":

Insert ", "

[9:09:17 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR MICCICHE explained that Amendment 2 clarifies that districts have a list of resources and organizations that specialize in improving adult literacy for parents with [reading] issues. It is entered into the bill in locations where it is relevant to offer that type of assistance. There are no costs associated with this amendment. DEED could provide districts with the list, and districts could add local resources. It could be a sheet of paper to hand to people. This could help improve adult literacy in families that have children with reading deficiencies.

[9:10:15 AM](#)

CHAIR HOLLAND removed his objection. There being no further objection, Amendment 2 was adopted.

[9:10:29 AM](#)

SENATOR HUGHES moved Amendment 3, [work order 32-LS0485\0.16].

AMENDMENT 3

32-LS0485\0.16

Klein

4/15/21

OFFERED IN THE SENATE BY SENATOR HUGHES
TO: CSSB 111 (EDC), Draft Version "O"

Page 22, line 4, following "**requirements**":

Insert "**, and demonstrate proficiency as determined by the department,**"

[9:10:38 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR HUGHES explained that Amendment 3 says that the department must determine that teachers are proficient and certified to teach reading. A person can pass a class with a D-. Just as the bill asks students to be proficient, this amendment makes sure teachers are proficient and ready to go. The bottom line is that it will help students.

CHAIR HOLLAND commented that this adds proficiency. He removed his objection.

SENATOR BEGICH asked if there would be a challenge based on equal protection because something is required of one set of teachers and not of others. He questioned whether that would be an issue. He asked for the commissioner's feedback.

CHAIR HOLLAND called on the commissioner.

[9:12:17 AM](#)

MICHAEL JOHNSON, Ph.D., Commissioner, Department of Education and Early Development (DEED), Juneau, Alaska, said he and Erin Hardin, the DEED legislative liaison, have not had a chance to thoroughly evaluate the amendments. The department will be able to support professional development and whatever requirements may be implemented for teachers. He clarified that he is speaking generally.

[9:13:25 AM](#)

CHAIR HOLLAND found no further objection and Amendment 3 was adopted.

[9:13:41 AM](#)

CHAIR HOLLAND moved Amendment 4, [work order 32-LS0485\0.12].

AMENDMENT 4

32-LS0485\0.12
Klein
4/14/21

OFFERED IN THE SENATE BY SENATOR HOLLAND
TO: CSSB 111 (EDC), Draft Version "O"

Page 8, line 14, following "section":

Insert "The department may review an approved program at any time and may revoke approval of a program if the program is not in compliance with the

standards adopted by the board under AS 14.07.165(a)(5)."

9:14:03 AM

SENATOR BEGICH objected for purposes of discussion and said this is a smart addition to the process.

CHAIR HOLLAND said that a review of the bill revealed a possible lapse. Amendment 4 ensures that department approval of an early education program is not permanent and can be revoked.

9:14:31 AM

SENATOR BEGICH removed his objection.

CHAIR HOLLAND found no further objection and Amendment 4 was adopted.

9:14:42 AM

SENATOR BEGICH moved Amendment 5 [work order 32-LS0485\0.14].

AMENDMENT 5

32-LS0485\0.14
Klein
4/15/21

OFFERED IN THE SENATE BY SENATOR BEGICH
TO: CSSB 111 (EDC), Draft Version "O"

Page 28, line 26, through page 29, line 12:

Delete all material and insert:

"(e) A student in grade three should demonstrate sufficient reading skills to progress to grade four. A student demonstrates sufficient reading skills to progress to grade four by

(1) scoring at grade level or higher on the statewide screening or assessment tool or on the statewide summative assessment;

(2) achieving an acceptable score on an alternative standardized reading screening or assessment as determined and approved by the department; or

(3) demonstrating mastery of reading standards through a student reading portfolio based on criteria established by the department.

(f) If it is determined, based on a statewide screening or assessment administered in the spring,

that a student in grade three has a reading deficiency, and the student does not demonstrate sufficient reading skills to progress to grade four under (e) of this section, the student's teacher and other pertinent district staff shall notify and attempt to meet with the student's parent or guardian to explain that the student is not prepared to progress to grade four. School staff shall work with the parent or guardian to schedule a date, time, and place for the meeting, to be held not later than 45 days before the end of the school year. Following that meeting, the parent or guardian may decide that the student will not progress to grade four, request a good cause exemption under (h) of this section, or decide to progress the student to grade four by signing a waiver developed by the department acknowledging that the student is not prepared and agreeing that the student will participate in an additional 20 hours of individual reading improvement plan intervention services during the summer before the student enters grade four. If no parent or guardian attends the meeting, the superintendent or the superintendent's designee shall, after considering a good cause exception under (h) of this section, determine whether the student will progress to grade four."

[9:14:57 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR BEGICH said Amendment 5 allows for the alternative assessments that were in SB 42, SB 8, and the original version of SB 111. He noted that the committee discussed trying to maintain consistency with the alternative assessments.

SENATOR MICCICHE asked if the state is measuring effectiveness through statewide screening or assessment tools and if there is an alternative method, how will the effectiveness of the reading programs be measured. He asked how alternative methods will be used to established collective progress.

SENATOR BEGICH answered that the department establishes the assessments, so they would be consistent across the board. He noted that an inadvertent error in the bill as it is written now allows every district to develop a different portfolio or alternative assessment. This amendment puts it back in the hands of DEED to establish a standard.

[9:16:46 AM](#)

CHAIR HOLLAND removed his objection. There being no further objection, Amendment 5 was adopted.

SENATOR BEGICH moved Amendment 6, [work order 32-LS0485\0.4]. He noted that this should have been included in Amendment 5.

AMENDMENT 6

32-LS0485\0.4
Klein
4/13/21

OFFERED IN THE SENATE BY SENATOR BEGICH
TO: CSSB 111 (EDC), Draft Version "O"

Page 8, following line 2:

Insert new subparagraphs to read:

"(G) in grade three who demonstrated sufficient reading skills to progress to grade four based on an alternative standardized reading screening or assessment;

(H) in grade three who demonstrated sufficient reading skills to progress to grade four based on a student reading portfolio;"

CHAIR HOLLAND objected for purposes of discussion. He described Amendment 6 as bookkeeping.

SENATOR BEGICH responded that if Amendment 5 had failed he would have withdrawn Amendment 6 because the two are connected.

CHAIR HOLLAND removed his objection.

SENATOR HUGHES asked if the intent is that an alternative reading portfolio will still involve scoring a child and the department will have a standard for proficiency.

SENATOR BEGICH answered yes, that is precisely the intention.

[9:18:33 AM](#)

CHAIR HOLLAND found no further objection and Amendment 6 was adopted.

[9:18:51 AM](#)

SENATOR HUGHES moved Amendment 7, [work order 32-LS0485\0.10].

AMENDMENT 7

32-LS0485\O.10
Klein
4/13/21

OFFERED IN THE SENATE BY SENATOR HUGHES
TO: CSSB 111 (EDC), Draft Version "O"

Page 28, line 17:
Delete "determine whether"
Insert "explain that"

Page 28, line 18, following "will":
Insert "not"

[9:19:00 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR HUGHES explained that Amendment 7 simply aligns the language about parental notification of deficiency on page 28, Section (d), regarding K-2 students, to the language in Section (f), regarding third graders.

CHAIR HOLLAND removed his objection.

SENATOR BEGICH emphasized that Amendment 7 better explains the reality of a situation to parents.

SENATOR HUGHES said she had a conversation with Mark Foster who was concerned about how strong or weak a promotion policy might be. He said that in his research it can be better for a child to spend more time in kindergarten if a child is not ready for first grade. She said she wants it to be an option for parents. She posited that clarity on language provides for a franker conversation.

[9:20:41 AM](#)

CHAIR HOLLAND found no further objection and Amendment 7 was adopted.

[9:20:54 AM](#)

SENATOR BEGICH moved Amendment 8, [work order 32-LS0485\O.5].

Amendment 8

32-LS0485\0.5
Klein
4/13/21

OFFERED IN THE SENATE BY SENATOR BEGICH
TO: CSSB 111 (EDC), Draft Version "O"

Page 28, line 24, following "section":
Insert "or whether the student has previously not progressed to the next grade"

Page 29, line 12, following "section":
Insert "or whether the student has previously not progressed to the next grade"

[9:21:05 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR BEGICH said this amendment clarifies that on page 28, line 24, after "section," and page 29, line 12, after "section," that whether a student has not previously progressed to the next grade is still included as one of the exceptions. That was in SB 42, SB 8, and SB 111. It became less clear in the committee substitute, so this amendment provides the clarity that it does apply to other areas of the bill.

[9:21:59 AM](#)

CHAIR HOLLAND removed his objection. He found no further objection and Amendment 8 was adopted.

[9:22:14 AM](#)

CHAIR HOLLAND moved Amendment 9 [work order 32-LS0485\0.18].

AMENDMENT 9

32-LS0485\0.18
Klein
4/15/21

OFFERED IN THE SENATE BY SENATOR HOLLAND
TO: CSSB 111 (EDC), Draft Version "O"

Page 8, line 14:
Delete "subject to the limitations in (d) of this section"

Page 9, lines 1 - 6:

Delete all material.

Reletter the following subsections accordingly.

Page 9, line 18:

Delete "or 14.17.905"

Page 19, lines 17 - 26:

Delete all material and insert:

*** Sec. 25.** AS 14.17.500 is amended by adding new subsections to read:

(d) Except as provided in (e) and (f) of this section, a student in a district-wide early education program provided by a school district and approved by the department under AS 14.07.020(a)(8) is counted as one-half of a full-time equivalent student.

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

(f) A school district may not include in a school's ADM students who are four and five years of age if inclusion of the students would result in an increase of total state aid attributable to district-wide early education programs approved under AS 14.03.410 of more than \$3,000,000 from the previous fiscal year. The department shall prioritize the funding of district-wide early education programs, giving priority to school districts with lower performance, based on the department's ranking of districts under AS 14.03.410(c). When the number of students in a district-wide early education program will result in an increase of total state aid attributable to district-wide early education programs approved under AS 14.03.410 of more than \$3,000,000 from the previous fiscal year, the department may identify the amount, up to \$3,000,000, available for the district's district-wide early education program.

*** Sec. 26.** AS 14.17.500(d), enacted by sec. 25 of this Act, is amended to read:

(d) **A school district may not include in the school's ADM** [EXCEPT AS PROVIDED IN (e) AND (f) OF THIS SECTION,] a student in a district-wide early education program provided by **the** [A SCHOOL] district [AND APPROVED BY THE DEPARTMENT UNDER

AS 14.07.020(a)(8) IS COUNTED AS ONE-HALF OF A FULL-TIME EQUIVALENT STUDENT]."

Page 20, lines 26 - 27:
Delete "(d) of this section,"
Insert "AS 14.17.500,"

Page 21, lines 12 - 13:
Delete "(d) OF THIS SECTION"
Insert "AS 14.17.500"

Page 21, lines 22 - 29:
Delete all material.

Renumber the following bill sections accordingly.

Page 22, line 9:
Delete "sec. 32"
Insert "sec. 31"

Page 38, line 13:
Delete "AS 14.17.905(d)"
Insert "AS 14.17.500(e), 14.17.500(f)"

Page 38, line 19:
Delete "sec. 37"
Insert "sec. 36"

Page 38, line 22:
Delete "Section 35"
Insert "Section 34"

Page 38, line 23:
Delete "sec. 35"
Insert "sec. 34"

Page 38, line 24:
Delete "sec. 35"
Insert "sec. 34"

Page 38, line 27:
Delete "sec. 35"
Insert "sec. 34"

Page 40, line 1:
Delete "33, and 41"
Insert "32, and 40"

Page 40, line 3:
Delete "sec. 47"
Insert "sec. 46"

[9:22:29 AM](#)

SENATOR BEGICH objected for purposes of discussion.

CHAIR HOLLAND said that Amendment 9 tries to provide more clarity regarding the ADM (Average Daily Membership) funding limit and the ability of larger districts to participate. This amendment moves the funding limit from AS 14.03.410, related to early education grants, to AS 14.17.500, related to student average daily membership counts. It also makes clear how the department manages the approval of programs while controlling the increase in state aid. Finally, the amendment moves the prohibition on including students in programs receiving other state or federal funding from AS 14.17.905, related to facilities constituting a school, to AS 14.17.500, related to student counts in the ADM.

[9:23:29 AM](#)

SENATOR BEGICH removed his objection.

[9:23:53 AM](#)

CHAIR HOLLAND found no further objection and Amendment 9 was adopted.

[9:24:03 AM](#)

CHAIR HOLLAND moved Amendment 10, [work order 32-LS0485\0.21].

AMENDMENT 10

32-LS0485\0.21
Klein
4/15/21

OFFERED IN THE SENATE BY SENATOR HOLLAND
TO: CSSB 111 (EDC), Draft Version "O"

Page 8, lines 21 - 31:

Delete all material and insert:

"(c) The department shall rank the performance of each district in the state in accordance with the accountability system and performance designations required under AS 14.03.123. When approving grants under (b) of this section, the department shall

prioritize eligible districts with lower performance, based on the department's ranking of districts under this subsection. A district is eligible for a grant if the department determines an insufficient number of children in the district attend high quality child care programs, including head start programs, early education programs provided by a local government, and early education programs provided by child development agencies, that

(1) meet or exceed the standards adopted by the board under AS 14.07.165(a)(5); and

(2) would continue operating after development of a district early education program."

[9:24:13 AM](#)

SENATOR BEGICH objected for purposes of explanation.

CHAIR HOLLAND said Amendment 10 is a grammatical and technical fix to AS 14.03.410(c), which clarifies that the criteria apply equally to all agencies providing alternative early education programs. He asked Senator Begich if he maintained his objection.

[9:24:38 AM](#)

SENATOR BEGICH said the committee discussed clarifying the language in this section during the sectional analysis. The issue was not wanting to provide early education grants to areas that already had matched the quality level identified in the bill. The clarification under (2), "would continue operating after development of a district early education program," is an "and," and not an "or" exception, which he thinks is the way it should be written. He said he understands the intent, but he will doublecheck the language to see what the chair intends. He believes it does and legislators have to trust Legislative Legal. He removed his objection.

[9:25:57 AM](#)

CHAIR HOLLAND found no further objection and Amendment 10 was adopted.

[9:26:09 AM](#)

SENATOR BEGICH moved Amendment 11 [32-LS0485\0.22].

AMENDMENT 11

32-LS0485\0.22
Klein

4/15/21

OFFERED IN THE SENATE BY SENATOR BEGICH
TO: CSSB 111 (EDC), Draft Version "O"

Page 33, lines 23 - 29:

Delete all material and insert:

"(10) annually convene, either in person or electronically, a panel made up of teachers of grades kindergarten through three, school administrators, and parents of students in grades kindergarten through three to review and provide commentary on the effectiveness of the reading intervention programs established under AS 14.30.760 - 14.30.775."

Page 35, line 1, following "program":

Insert "and"

Page 35, lines 3 - 5:

Delete "; and

(3) a data analysis conducted by an independent contractor of the success of the reading program and intensive reading intervention services"

Page 38, line 28, through page 39, line 2:

Delete all material.

Renumber the following bill sections accordingly.

Page 39, lines 5 - 19:

Delete all material and insert:

"REPORT TO THE LEGISLATURE. Not later than the thirtieth day of the First Regular Session of the Thirty-Seventh Alaska State Legislature, the Department of Education and Early Development shall prepare and present to the legislative committees having jurisdiction over education a report evaluating the virtual education consortium established under AS 14.30.800 and the following programs established under this Act: the early education program, the parents as teachers program, the reading intervention program, and the department reading program. The report must include

(1) data analysis conducted by an independent contractor evaluating the success of each program, including

- (A) statistics measuring the effectiveness of each program in accomplishing the program mission;
- (B) the cost-effectiveness of each program;
- (C) trends in reading assessment scores by each group of students listed in AS 14.30.760(a)(4) as the students progress through grade eight;
- (2) recommendations from the panels convened under AS 14.30.770(a)(10); and
- (3) recommendations from the Department of Education and Early Development addressing whether to extend, expand, contract, or repeal each program."

Page 40, line 3:

Delete "sec. 47"

Insert "sec. 46"

[9:26:23 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR BEGICH said this goes back to the robust reporting requirements. His office and the chair's office worked on this language to try to find the right way to approach the reporting to make sure that the bill is doing what the legislature intended it to do, that it includes public input, and that the department can do the reporting. Working with the department, they collectively developed this language and it effectively puts all the reporting requirement in the same place, makes the intent clear, and offers the independent process for doing it.

SENATOR HUGHES observed that the deleted material includes parents as part of the process. She asked if parents will no longer have the opportunity to be part of that process as far as determining the effectiveness.

SENATOR BEGICH said the amendment says, "Delete all material and insert annually convene, either in person or electronically, a panel made up of teachers of grades," etc., and parents and students are on line 5.

SENATOR HUGHES said she had overlooked that.

CHAIR HOLLAND asked if the commissioner had any comment.

COMMISSIONER JOHNSON said he did not, but he thanked the chair for the work the last few days to clean this up and unify it. Reporting is the foundation for the accountability part of the

bill. He appreciates as much clarity as possible about the reporting.

9:28:47 AM

CHAIR HOLLAND removed his objection. There being no further objection, Amendment 11 was adopted.

9:29:00 AM

SENATOR HUGHES moved Amendment 12, [work order 32-LS0485\0.17].

AMENDMENT 12

32-LS0485\0.17
Klein
4/15/21

OFFERED IN THE SENATE BY SENATOR HUGHES
TO: CSSB 111 (EDC), Draft Version "O"

Page 13, line 7:

Delete "."

Insert ";

(19) develop a list of child care programs in the state that meet or exceed the standards adopted by the board under AS 14.07.165(a)(5)."

Page 15, line 24:

Delete "]."

Insert ";

(19) DEVELOP A LIST OF CHILD CARE PROGRAMS IN THE STATE THAT MEET OR EXCEED THE STANDARDS ADOPTED BY THE BOARD UNDER AS 14.07.165(a)(5)]."

Page 24, line 26, through page 25, line 1:

Delete all material and insert:

"(4) require that districts

(A) ask a parent or guardian to identify the name and address of the early education program attended by each student; a district shall notify parents and guardians that providing information under this subparagraph is optional; and

(B) identify the early education programs attended by students and report to the department the average score on each performance assessment by students in grades kindergarten through three who

(i) attended a state-approved early education program;

(ii) attended a Head Start program;
(iii) attended a private early education program;
(iv) did not attend an early education program;"

Page 33, line 27:

Delete "AS 14.30.760(a)(4)"

Insert "AS 14.30.760(a)(4)(B)"

Page 39, line 14, following "also":

Insert "evaluate the performance of students who attended child care programs that met or exceeded the standards established under AS 14.07.165(a)(5) and"

[9:29:14 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR HUGHES said the purpose is to check out what is working and what is not working. The committee is hopeful that the standards for the pre-K programs will work, but there can be a variety of other programs, and it is yet to be seen whether those programs will decide to meet the standards in SB 111. Some Head Start programs may choose to adopt the same early learning standards, but the state will not know. This amendment is an attempt to know. It will require a district that is enrolling a student to have an optional line where a parent can mark whether the child was in an early learning program and the name and location of program. That would be data about students' pre-K experiences. The district would need to keep tabs, for example, on which Head Start programs are meeting the standards in SB 111 and which are not.

SENATOR BEGICH said there is an equation of childcare programs to early education in this document. Childcare is zero to potentially five and older. He said he is uncomfortable with that and the ability of the department to maintain the list of programs and ascertain whether they are meeting the standards. He said he is curious to hear from the commissioner if that is something the department can do. It is optional self-reporting, so he asked whether the department would have to review each program a parent reports. It may be more problematic than intended, he said.

SENATOR HUGHES replied that all those things have gone through her head. Her intent is to put it on the record and then withdraw it. The bill results will be analyzed, and she wants

the department to be aware, particularly with Head Start programs, because there are many of them and they receive about \$6 million from the state each year. Some of those local boards may choose to follow the SB 111 standards. Senator Begich is right. It would be difficult to have a list, but she wanted to get this on the record. The department needs to have good information at the 10-year mark to know what is working. She is going to withdraw the amendment, but she wants the commissioner to know the importance of having some sense of what programs are meeting the standards in SB 111.

CHAIR HOLLAND added that he was also concerned with tasking DEED with some sort of inspection status for over 200 Head Start programs in the state and how that would affect the fiscal notes.

SENATOR BEGICH said what is important about putting this amendment on the record is to make school districts aware that perhaps they should be collecting this data. Without mandating it, the legislature sends a message that this data will be important for its analysis.

COMMISSIONER JOHNSON reiterated that he is working through reading the amendments. He said he appreciates the emphasis on quality for all programs. He said care needs to be taken for unintended consequences, such as the state interfering or diminishing choices in private programs that do not receive state money. The Department of Health and Social Services (DHSS) supports all these programs with safety and health. The department will support all programs with the standards it develops. Thred and several other organizations do that work effectively. The intent and spirit are something the department can do. The department can focus on quality for all students in the state.

[9:37:12 AM](#)

At ease

[9:37:25 AM](#)

CHAIR HOLLAND removed his objection and Senator Hughes withdrew Amendment 12.

[9:38:02 AM](#)

SENATOR BEGICH moved Amendment 13 [work order 32-LS0485\0.7].

AMENDMENT 13

OFFERED IN THE SENATE BY SENATOR BEGICH
TO: CSSB 111 (EDC), Draft Version "O"

Page 33, line 7, following "specialist":
Insert "or support reading specialist"

Page 33, following line 29:
Insert a new subsection to read:

"(b) The department may employ and assign a support reading specialist for each school selected to participate in the program as necessary to support the reading specialist assigned under (a)(4) of this section or serve as a reading specialist for the school's early education program."

Reletter the following subsections accordingly.

Page 35, line 6, following "specialist":
Insert "or support reading specialist"

[9:38:11 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR BEGICH said Amendment 13 has language from the original SB 8 about reading specialists "or support reading specialist." That phrase was added because rural districts may not have reading specialists. The amendment says "or support reading specialist" for each school selected to participate. The amendment defines that. That becomes a department employee, specifically for the reading program. There are five schools identified. A support reading specialist could also provide training to a reading specialist in a school. That was the intention built around capacity for struggling schools that may not have a reading specialist or may need more than one. That was why the language was added before. It was eliminated in SB 111. This would be essential for the five struggling schools covered by the reading program.

CHAIR HOLLAND said his office had discussed with DEED whether those five positions would be retained. DEED was supportive of keeping those five positions out. He said he objects to the amendment.

SENATOR HUGHES asked to hear from the commissioner.

COMMISSIONER JOHNSON responded that the department was willing to support the reduction to reduce the cost of the bill. The department supports whatever the committee can contribute to a robust implementation of this bill but knows there are tradeoffs. If the department has to give up those five positions for other things in the bill, the department is willing to do that but also would appreciate a robust opportunity to implement this bill. That is for the committee to decide in the larger picture of the state budget.

SENATOR HUGHES asked if offering districts professional development so their own staff could be taught to be reading specialists rather than DEED hiring specialists and flying them out to schools.

COMMISSIONER JOHNSON responded yes, these positions were intended to go to districts to train their staff and build capacity within the districts. It is possible to provide that kind of staff development. The department would work with other partners, like Alaska Staff Development Network, to provide as much professional development as possible. To implement the bill in a way that makes a difference, the state needs to provide professional development for everyone in the system, including teachers and administrators and board members. Everyone has to come around and support the implementation of the bill.

SENATOR BEGICH said the commissioner has made the argument for the positions. It is a relatively small cost for the support levels identified. The Moore lawsuit filed in 2005 identified the importance of the department having the capacity to actually do its job. That has come up numerous times. The legislature has cut back the capacity of the department to do its job. He encouraged the members to support this amendment.

SENATOR HUGHES said her question was whether professional development would be provided so that districts could train their own staff to support reading specialists. The commissioner indicated that could happen. Eventually every district should have its own support reading specialist, so she was happy to hear the commissioner say professional development could be provided to districts to do this. She will be a no for the amendment.

CHAIR HOLLAND asked Mr. King for some comments. This is the Education Committee and he may worry too much about what the

Finance Committee should worry about. He thinks the bill will struggle to get through the Finance Committee because of the fiscal notes.

[9:46:19 AM](#)

ED KING, Staff, Senator Roger Holland, Alaska State Legislature, Juneau, Alaska, said the five additional positions would cost \$5-\$600,000 a year, in addition to the cost already in the fiscal note. The more than 18,000 positions in the state are not enumerated in law. It is rare for positions to be enumerated in law. Nothing precludes the department from providing these services if the department gets it through the budget process. The positions do not need to be in the bill, but if they are, they will trigger the fiscal note.

[9:47:01 AM](#)

CHAIR HOLLAND maintained his objection.

[9:47:21 AM](#)

At ease

SENATOR MICCICHE said one of the reasons for the bill is to satisfy people with what the state is spending on education. Alaska is not competing on the national stage. He wants the bill to pass. It is incredibly important. The state will find a way for the necessary resources to be there but adding to the fiscal note at this point jeopardizes the passing of the bill, so he will be a no [on the amendment].

[9:48:26 AM](#)

CHAIR HOLLAND removed his objection.

[9:48:30 AM](#)

SENATOR BEGICH said he would withdraw the amendment because the committee has been so united. He will leave the contention for the last amendment. The department has experimented with this approach and has had some success in some difficult districts. He hopes the state will find a path to provide this resource and training because it would lead to consistent policy. He withdrew Amendment 13.

[9:49:29 AM](#)

SENATOR BEGICH moved Amendment 14 [work order 32-LS0485\0.13].

AMENDMENT 14

32-LS0485\0.13

Klein
4/15/21

OFFERED IN THE SENATE BY SENATOR BEGICH
TO: CSSB 111 (EDC), Draft Version "O"

Page 2, lines 24 - 28:
Delete all material.

Renumber the following bill sections accordingly.

Page 3, lines 8 - 17:
Delete all material.

Renumber the following bill sections accordingly.

Page 4, line 29, through page 6, line 8:
Delete all material.

Renumber the following bill sections accordingly.

Page 6, line 28, through page 7, line 12:
Delete all material.

Renumber the following bill sections accordingly.

Page 13, line 8, through page 15, line 24:
Delete all material.

Renumber the following bill sections accordingly.

Page 16, lines 9 - 20:
Delete all material.

Renumber the following bill sections accordingly.

Page 18, lines 13 - 29:
Delete all material.

Renumber the following bill sections accordingly.

Page 19, lines 21 - 26:
Delete all material.

Renumber the following bill sections accordingly.

Page 21, lines 4 - 21:

Delete all material.

Renumber the following bill sections accordingly.

Page 22, lines 9 - 21:

Delete all material.

Renumber the following bill sections accordingly.

Page 38, lines 12 - 14:

Delete all material.

Renumber the following bill sections accordingly.

Page 38, line 19:

Delete "sec. 37"

Insert "sec. 26"

Page 38, line 22:

Delete "Section 35"

Insert "Section 24"

Page 38, line 23:

Delete "sec. 35"

Insert "sec. 24"

Page 38, line 24:

Delete "sec. 35"

Insert "sec. 24"

Page 38, line 27:

Delete "sec. 35"

Insert "sec. 24"

Page 39, line 23:

Delete "sec. 14"

Insert "sec. 9"

Page 40, lines 1 - 3:

Delete all material and insert:

"* Sec. 34. This Act takes effect July 1, 2021."

[9:49:40 AM](#)

CHAIR HOLLAND objected for purposes of discussion.

SENATOR BEGICH said the amendment removes all the repealer clauses in the bill. The other amendments have created a more

robust bill and a more robust reporting process. He understands the philosophy behind the repealer clauses. Sunsetting education policy is not in the best interests of the state. He hopes members will find a reason to support removing the sunset clauses from the bill.

CHAIR HOLLAND said he is not in favor of sunsetting policy necessarily, but the intention of the sunsets in the bill is to provide fiscal sideboards and an efficacy test for the programs. If he is in the legislature, he would be one of the first to champion removal of the sunsets before the 10 years if success is shown. He maintained his objection.

SENATOR HUGHES said she appreciated the concern of the amendment maker. The legislature wants good policy to stick, but legislators get dozens of reports every year. There is something about a sunset that forces review. It holds everyone's feet to the fire. She wants legislators to review this program and she wants to put a fire under everyone's feet to do the best they can. She thinks it is a good thing, even though normally she wants good policy to continue. Ten years is plenty of time to make sure it is working. Any tweaking can be done during the sunset review to make it better.

[9:53:35 AM](#)

A roll call vote was taken. Senator Begich voted in favor of Amendment 14 and Senators Stevens, Hughes, Micciche, and Holland voted against it. Therefore, Amendment 14 failed by a 1:4 vote.

SENATOR BEGICH thanked the chair for his diligence in working with the members. As the chair has noted to him in the past, communication is the key to successful committee work.

CHAIR HOLLAND responded good communication is important. Many of the amendments were discussed significantly before the committee hearing.

SENATOR MICCICHE said this has been a positive process. It is how a legislature is supposed to work. There was respectful disagreement. Everyone came together on the bill leaving this committee. It may not be what everyone wants, but it moves on to the next committee. The committee is working together to improve outcomes for Alaska students even though they are not 100 percent aligned. He appreciates how the other members came together. He hopes this bill can pass this legislature this year. Alaska kids need this to be successful. He urged the

committee to not let the perfect get in the way of the much, much better. It is a great committee and he enjoyed the process.

CHAIR HOLLAND asked if there were any further amendments or comments.

SENATOR HUGHES said she was very happy with the work and thanked the chair for his leadership.

CHAIR HOLLAND asked the commissioner for comments.

COMMISSIONER JOHNSON thanked the committee for working together and exemplifying the type of governance and statesmanship that he so wants students in the state to see when it comes to policy making. It is not an easy process but a worthy one. He appreciates the heart and commitment to kids the committee members brought to the discussion.

SENATOR MICCICHE said he had a conversation with the commissioner about not repealing the policy. That is something he will work on. He would hate to see the policy disappear. He will keep his eyes on the bill to preserve the policy even if something else goes away.

[9:58:44 AM](#)

CHAIR HOLLAND asked for the will of the committee.

[9:58:51 AM](#)

SENATOR STEVENS moved to report the committee substitute (CS) for SB 111, version 32-LS0485\0 as amended, from committee with individual recommendations and attached fiscal note(s).

CHAIR HOLLAND found no objection and CSSB 111(EDC) was reported from the Senate Education Standing Committee.

[9:59:20 AM](#)

There being no further business to come before the committee, Chair Holland adjourned the Senate Education Standing Committee at 9:59 a.m.