

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

April 26, 2023

8:00 a.m.

MEMBERS PRESENT

Representative Jamie Allard, Co-Chair
Representative Justin Ruffridge, Co-Chair
Representative Mike Prax
Representative CJ McCormick
Representative Tom McKay
Representative Rebecca Himschoot
Representative Andi Story

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Jennie Armstrong
Representative Zack Fields
Representative Ashley Carrick

COMMITTEE CALENDAR

HOUSE BILL NO. 111

"An Act relating to public school students who are deaf or have a hearing impairment."

- HEARD & HELD

HOUSE BILL NO. 106

"An Act authorizing lump sum payments for certain teachers as retention and recruitment incentives; and providing for an effective date."

- MOVED HB 106 OUT OF COMMITTEE

HOUSE BILL NO. 105

"An Act relating to parental rights in a child's education; relating to access to school records; relating to sex education, human reproduction education, and human sexuality education; relating to school disciplinary and safety programs; and providing for an effective date."

- MOVED CSHB 105 (EDC) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 111

SHORT TITLE: EDUCATION FOR DEAF & HEARING IMPAIRED

SPONSOR(S): REPRESENTATIVE(S) ALLARD

03/13/23	(H)	READ THE FIRST TIME - REFERRALS
03/13/23	(H)	HSS, EDC
03/22/23	(H)	HSS REFERRAL REMOVED
03/22/23	(H)	BILL REPRINTED
04/24/23	(H)	EDC AT 8:00 AM DAVIS 106
04/24/23	(H)	Heard & Held
04/24/23	(H)	MINUTE(EDC)
04/26/23	(H)	EDC AT 8:00 AM DAVIS 106

BILL: HB 106

SHORT TITLE: TEACHER RECRUITMENT; LUMP SUM PAYMENT

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

03/08/23	(H)	READ THE FIRST TIME - REFERRALS
03/08/23	(H)	EDC, FIN
03/13/23	(H)	EDC AT 8:00 AM DAVIS 106
03/13/23	(H)	Heard & Held
03/13/23	(H)	MINUTE(EDC)
04/12/23	(H)	EDC AT 8:00 AM DAVIS 106
04/12/23	(H)	Heard & Held
04/12/23	(H)	MINUTE(EDC)
04/24/23	(H)	EDC AT 8:00 AM DAVIS 106
04/24/23	(H)	Heard & Held
04/24/23	(H)	MINUTE(EDC)
04/26/23	(H)	EDC AT 8:00 AM DAVIS 106

BILL: HB 105

SHORT TITLE: SEX/REPRODUCTION EDUCATION; SCHOOLS

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

03/08/23	(H)	READ THE FIRST TIME - REFERRALS
03/08/23	(H)	EDC, JUD
03/13/23	(H)	EDC AT 8:00 AM DAVIS 106
03/13/23	(H)	Heard & Held
03/13/23	(H)	MINUTE(EDC)
03/29/23	(H)	EDC AT 8:00 AM DAVIS 106
03/29/23	(H)	Heard & Held
03/29/23	(H)	MINUTE(EDC)
03/30/23	(H)	EDC AT 5:15 PM DAVIS 106

03/30/23	(H)	Heard & Held
03/30/23	(H)	MINUTE (EDC)
04/13/23	(H)	EDC AT 5:15 PM BARNES 124
04/13/23	(H)	Heard & Held
04/13/23	(H)	MINUTE (EDC)
04/24/23	(H)	EDC AT 8:00 AM DAVIS 106
04/24/23	(H)	Heard & Held
04/24/23	(H)	MINUTE (EDC)
04/26/23	(H)	EDC AT 8:00 AM DAVIS 106

WITNESS REGISTER

CLARA BALDWIN, Assistant Director
Alaska School for the Deaf and Hard of Hearing
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony in support of HB 111.

PAMELA MUELLER-GUY, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 111.

HEIDI LIEB-WILLIAMS, Chair
Governor's Council on Disabilities and Special Education
Department of Health
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 111.

AMY BOBICH, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 111.

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

POSITION STATEMENT: Answered questions during the hearing on HB 106.

ACTION NARRATIVE

8:00:18 AM

CO-CHAIR JAMIE ALLARD called the House Education Standing Committee meeting to order at 8:00 a.m. Representatives Ruffridge, Prax, McCormick, McKay, Himschoot, and Allard were present at the call to order. Representative Story arrived as the meeting was in progress.

The committee took an at-ease from 8:00 a.m. to 8:05 a.m.

HB 111-EDUCATION FOR DEAF & HEARING IMPAIRED

[8:05:03 AM](#)

CO-CHAIR ALLARD announced that the first order of business would be HOUSE BILL NO. 111, "An Act relating to public school students who are deaf or have a hearing impairment." [Before the committee, adopted as the work draft on 4/24/23, was the proposed committee substitute (CS) for HB 111, Version 33-LS0504\S, Marx, 4/22/23, "Version S."]

[8:05:42 AM](#)

CLARA BALDWIN, Assistant Director, Alaska School for the Deaf and Hard of Hearing, gave invited testimony in support of HB 111. [Ms. Baldwin signed her testimony, which was spoken by an American Sign Language (ASL) interpreter.] She provided her background in overseeing the Alaska State School for the Deaf and Hard of Hearing (AKSDHH) and related that she is deaf. She shared that she was born in a deaf family, which is rare. She continued that she is a fifth-generation deaf person, which can be seen as an advantage, although she indicated there is nothing wrong with a baby born to a family who does not know sign language. She relayed that every deaf child is unique. She acknowledged that from birth, she had an advantage in that her parents were signing to her; therefore, she learned social cues long before school began. Deaf children who do not have this advantage must catch up starting in kindergarten, as schools are not able to provide a full curriculum. The proposed bill, she advised, would make deaf and hard of hearing children's presence known and show that Alaska "has their back." She reiterated that she had been privileged and now wants the same for every deaf and hard of hearing student in Alaska to have an accessible experience, which would start with HB 111.

[8:10:31 AM](#)

REPRESENTATIVE HIMSCHOOT directed a question to Ms. Baldwin's interpreter. [The interpreter, who was not fully identified for the record, spoke briefly about the qualifications of interpreters.]

[8:12:08 AM](#)

MS. BALDWIN, in response to Co-Chair Ruffridge, expressed pride in AKSDHH, which currently is a self-contained program in a public-school building. She said it allows students to learn social skills with their hearing peers during recess and during some special classes. To train students appropriately, counseling services are offered through a deaf counselor, as well as additional language services. She added that individuals ages 3 to 22 are currently served, which includes the adult community transition program. She continued that the school has leadership opportunities for students, as well as clubs, theater, fundraising training, and after school sports with their hearing peers. She noted that interpreters are provided throughout.

[8:15:15 AM](#)

MS. BALDWIN, in response to a question from Co-Chair Allard, expressed the opinion that the bill would open more doors for these students.

[8:15:41 AM](#)

MS. BALDWIN, in response to a question from Representative Story, replied that the state has an interpreter shortage. Additionally, some interpreters will retire soon. The state has the minimum requirements, but she expressed the need for more. She stated that her interpreter today is also a program coordinator who hires and supervises other interpreters. Through a partnership with an agency, there are now five interns from the Lower 48. In response to a follow-up question, she said there is a shortage of interpreters because of the challenges of serving such a vast state.

[8:18:55 AM](#)

REPRESENTATIVE HIMSCHOOT referenced children in rural Alaska and recognized the choices to be made. She asked whether it is more important for a student to be amongst their family, peers, and culture, or more important to be in the special school in Anchorage. Per the phrase in the bill "least restrictive environment", she questioned whether a child would have to leave their community and go to Anchorage.

MS. BALDWIN replied that Rural Deaf Support Services (RDSS) will help find licensed foster homes with host families. She added that there are many different families who qualify. She clarified that the proposed bill would not force a student to

attend the school in Anchorage. She added that if the school in Anchorage does not work for a rural student, there are virtual services. In addition, there is an annual statewide deaf retreat in Eagle River for secondary students. This provides an opportunity to meet peers in person.

REPRESENTATIVE HIMSCHOOT expressed concern for the designation of "least restrictive environment". She explained that it would carry legal weight. She asked whether the proposed legislation would be viable if another term were used.

MS. BALDWIN replied that there are two different perspectives. She stated it can be narrowed down, and the bill could be amended.

[8:23:08 AM](#)

REPRESENTATIVE PRAX observed there must be alternatives other than ASL for "least restrictive." He questioned what may be available.

MS. BALDWIN replied that students can be mainstream, and some students thrive with just hearing aids. She said she prefers a sign language interpreter, whereas some students thrive sitting near the teacher where they have access to auditory input.

[8:24:26 AM](#)

CO-CHAIR ALLARD asked about the services provided to other municipalities, compared to the services at AKSDHH. She questioned how the proposed bill would help in this aspect.

MS. BALDWIN explained that other schools are smaller and more isolated than AKSDHH. She expressed the opinion that the bill would make AKSDHH more known and provide the ability to reach out further, in addition to providing virtual services. She expressed the hope she would have the opportunity to travel to other municipalities in support of their schools and inform them of the services available.

CO-CHAIR ALLARD asked whether the proposed legislation would be an incentive to encourage other interpreters to come forward because the state is offering more support.

MS. BALDWIN expressed agreement. She added that the deaf community is a small community; therefore, this would have a huge impact.

[8:26:45 AM](#)

REPRESENTATIVE STORY asked what support school districts could provide for parents to learn sign language.

MS. BALDWIN replied that a sign language class is offered, and there is frequent communication with parents regarding their child's individual education plan (IEP).

[8:28:44 AM](#)

REPRESENTATIVE PRAX brought up the term "profoundly deaf" and asked whether ASL is the only alternative.

MS. BALDWIN expressed uncertainty. She said that some individuals who are considered profoundly deaf can speak very clearly with repetition and training.

[8:29:28 AM](#)

CO-CHAIR ALLARD offered a personal example of a friend and asked whether Ms. Baldwin could speak about this situation. In addition, she explained that her friend uses an integrated phone coil and hearing aids. She requested an explanation of the phone coil.

MS. BALDWIN replied that the individual in question can speak and is also fluent in sign language. She explained that if there is a lot of noise, this individual will depend on the interpreter. In response to a follow-up question, she spoke about the use of coils providing sound to those hard of hearing or deaf.

[8:32:10 AM](#)

CO-CHAIR ALLARD opened public testimony on HB 111.

[8:32:31 AM](#)

PAMELA MUELLER-GUY, representing self, testified in support of HB 111, noting that she has been [in Juneau] since 1974. She concurred with the previous testifier. She spoke about her experience as a deaf person in school, relating that her teacher wore a microphone while she wore headphones. There would be a person who pointed to the speaker, and she would read lips. She talked about words having five different meanings in sign

language and about parents learning to sign. She said video phones are helpful to deaf people working at jobs which require telephone usage. In response to Co-Chair Allard, she confirmed that she supports HB 111.

[8:38:59 AM](#)

HEIDI LIEB-WILLIAMS, Chair, Governor's Council on Disabilities and Special Education, Department of Health (DOH), testified in support of HB 111. She explained that she is a strong advocate for the autism and disability community. She informed the committee that she is functionally deaf and hard of hearing; it depends on the moment whether she has her hearing or not. She shared that she has undergone hundreds of ear surgeries to get the hearing she currently has. She expressed the desire to learn ASL, as it would help with communication. She described some of the difficulties she has endured because of communication barriers. She stated she is working on getting hearing aids. She expressed the importance of HB 111, as parents would be able to choose for their child, instead of just relying on the districts. She urged the committee to pass HB 111.

[8:45:05 AM](#)

AMY BOBICH, representing self, testified in support of HB 111. [Ms. Bobich signed her testimony, which was spoken by an ASL interpreter.] She shared that she is a teacher of deaf and hard of hearing children and a deaf individual. She said she was born deaf, but her parents did not find out until later; therefore, she did not learn any language until later. She expressed gratitude that her family made the decisions on how she could best get her education. She stressed the importance of access to language for deaf children, as there are many opportunities missed during the first five years of life. She opined that parents should not have to fight to receive the information and resources, and HB 111 is "amazing and powerful" because there would be accessible resources provided in one place.

[8:50:20 AM](#)

CO-CHAIR ALLARD, after ascertaining there was no one else who wished to testify, closed public testimony.

[8:50:45 AM](#)

MS. BALDWIN thanked the committee for the platform and encouraged anyone to reach out with questions.

[8:51:18 AM](#)

CO-CHAIR ALLARD announced that HB 111 was held over.

HB 106-TEACHER RECRUITMENT; LUMP SUM PAYMENT

[8:51:24 AM](#)

CO-CHAIR ALLARD announced that the next order of business would be HOUSE BILL NO. 106, "An Act authorizing lump sum payments for certain teachers as retention and recruitment incentives; and providing for an effective date."

[8:51:36 AM](#)

CO-CHAIR ALLARD opened public testimony on HB 106. After ascertaining that there was no one who wished to testify, she closed public testimony.

[8:52:36 AM](#)

The committee took an at-ease from 8:52 a.m. to 8:54 a.m.

[8:54:05 AM](#)

REPRESENTATIVE HIMSCHOOT moved to adopt Conceptual Amendment 1 to HB 106.

[8:54:20 AM](#)

REPRESENTATIVE PRAX objected.

[8:54:31 AM](#)

REPRESENTATIVE HIMSCHOOT stated that the language has been incorporated to allow Legislative Legal Services to make any conforming changes to Conceptual Amendment 1. She explained that the conceptual amendment would remove the three-year requirement and make the lump sum payment to certain teachers a permanent feature of the system. She continued that this would allow teachers who commit to teaching in Alaska to receive the payments without an end date.

[8:55:22 AM](#)

REPRESENTATIVE MCKAY noted that Conceptual Amendment 1 may dramatically change the fiscal note.

[8:55:45 AM](#)

REPRESENTATIVE HIMSCHOOT stated that there is not a fiscal note.

[8:56:19 AM](#)

HEIDI TESHNER, Acting Commissioner, Department of Education and Early Development, answered questions regarding the discussion on the fiscal note. She said that the \$57.9 million per year would be the funding grant total for the teacher incentive pay.

[8:56:58 AM](#)

REPRESENTATIVE HIMSCHOOT explained that the purpose of the amendment would be to take a "good" idea and make it a "permanent" idea. She expressed the opinion that the state is not competitive enough with teachers' wages, and this would be one way to increase the pay, "and keep it there." She expressed the concern that the existing retirement system does not require teachers to stay more than five years, so having a raise incentive which only lasts three years does not help.

[8:57:52 AM](#)

REPRESENTATIVE MCKAY recalled that the purpose of the bill was to do a pilot program for three years and determine whether a raise would influence retention.

MS. TESHNER responded that this is correct. The intent of the bill is to create a study to see if this is something that improves retention.

[8:58:39 AM](#)

REPRESENTATIVE STORY expressed the opinion that the ability to raise teacher pay indefinitely is needed. She confirmed her support for the amendment.

[8:59:28 AM](#)

CO-CHAIR RUFFRIDGE expressed appreciation for the amendment; however, HB 106 was designed to be a pilot program, and it may

not be the appropriate way to raise pay for teachers. He stated he would not support the amendment.

[9:00:13 AM](#)

REPRESENTATIVE HIMSCHOOT questioned how it would be determined whether the three-year incentive worked.

MS. TESHER responded it would be learned through the process of collecting and reporting data.

[9:01:20 AM](#)

REPRESENTATIVE PRAX offered his opinion that it is not a good idea to negotiate salaries through the "central authority."

[9:02:00 AM](#)

CO-CHAIR ALLARD pointed out that when unions are involved, teachers' salaries are not negotiated, it is done through the school districts. She offered her belief this is something individual districts must do. She expressed support for incentives; however, she argued that the bill is good "as is."

[9:02:25 AM](#)

REPRESENTATIVE HIMSCHOOT voiced that Conceptual Amendment 1 could have been a little different; however, she expressed the concern that there is no fiscal note or study after the three-year period. She expressed the idea this incentive could be used by districts as a recruiting tool.

[9:02:58 AM](#)

REPRESENTATIVE PRAX maintained his objection.

[9:03:03 AM](#)

A roll call vote was taken. Representatives McCormick, Himschoot, and Story voted in favor of Conceptual Amendment 1 to HB 106. Representatives Prax, McKay, Allard, and Ruffridge voted against it. Therefore, Conceptual Amendment 1 failed to be adopted by a vote of 3-4.

[9:03:42 AM](#)

The committee took an at-ease from 9:03 a.m. to 9:04 a.m.

[9:04:22 AM](#)

REPRESENTATIVE HIMSCHOOT moved to adopt Conceptual Amendment 2 to HB 106.

[9:04:31 AM](#)

REPRESENTATIVE PRAX objected.

REPRESENTATIVE HIMSCHOOT spoke to Conceptual Amendment 2 and related her experiences as a teacher. She said in addition to teachers, there are shortages in support staff; therefore, she wanted to open the idea up to include paraprofessionals and support staff in the proposed legislation.

[9:05:31 AM](#)

REPRESENTATIVE MCKAY opined that the proposed amendment has a similar problem to Conceptual Amendment 1, in that there is no fiscal note to estimate additional costs.

[9:05:54 AM](#)

REPRESENTATIVE STORY offered her belief that, for students to do well, it is important to have consistent help from support staff. She opined that the amendment would be a good incentive and investment in Alaska's resources, even though the fiscal note would increase.

[9:06:28 AM](#)

REPRESENTATIVE PRAX commented that adding paraprofessionals would increase the risk of passing nothing "if we push too far."

[9:07:12 AM](#)

REPRESENTATIVE HIMSCHOOT expressed the opinion that the best way to increase salaries is an increase in the base student allocation (BSA), but since this is uncertain, the [amendment] would be one way to make sure staff are incentivized to stay, while increasing recruitment for districts. She brought up the example when the Department of Law made a 20 percent increase for staff, and now it has the lowest vacancy rate of any department.

[9:08:07 AM](#)

REPRESENTATIVE PRAX maintained his objection.

[9:08:12 AM](#)

A roll call vote was taken. Representatives McCormick, Himschoot, and Story voted in favor of Conceptual Amendment 2 to HB 106. Representatives Allard, Prax, McKay, and Ruffridge voted against it. Therefore, Conceptual Amendment 2 failed to be adopted by a vote of 3-4.

[9:08:43 AM](#)

CO-CHAIR RUFFRIDGE moved to report HB 106 out of committee with individual recommendations and the accompanying fiscal notes.

[9:09:01 AM](#)

REPRESENTATIVE MCCORMICK objected. He stated that he supports HB 106, but offered his belief that it would not be a good replacement for an increase in BSA. He noted that this is not supported by educators in Bethel, as they would support good benefits and an increase to BSA.

REPRESENTATIVE MCCORMICK removed his objection.

[9:09:55 AM](#)

REPRESENTATIVE STORY objected and concurred with Representative McCormick's comments. In order to thrive, she expressed the opinion that working conditions are important for Alaska's teachers and students; therefore, the state must keep up with increasing costs. She added that local control is important. She briefly mentioned the practices other states have attempted to adopt.

REPRESENTATIVE STORY removed her objection.

[9:12:07 AM](#)

REPRESENTATIVE HIMSCHOOT objected because this would create a difficult position. She acknowledged that teachers are underpaid, and anytime there is a chance to increase their salaries, it should be done. She suggested that a way to do this would be to fund BSA and provide increases on a regular basis to fund the schools and salaries.

[9:12:55 AM](#)

CO-CHAIR ALLARD offered her support for teachers but argued that there is no guarantee that BSA would increase their salaries. She suggested this would be up to the individual unions and school boards. She expressed the belief that this increase would be an incentive and a recruitment tool. She reiterated her strong support for HB 106.

[9:13:19 AM](#)

REPRESENTATIVE HIMSCHOOT maintained her objection.

[9:13:23 AM](#)

A roll call vote was taken. Representatives Story, Allard, Prax, McCormick, McKay, Himschoot, and Ruffridge voted in favor of reporting HB 106 from committee. Therefore, HB 106 was reported out of the House Education Standing Committee by a vote of 7-0.

[9:14:20 AM](#)

The committee took an at-ease from 9:14 a.m. to 9:18 a.m.

HB 105-SEX/REPRODUCTION EDUCATION; SCHOOLS

[9:18:39 AM](#)

CO-CHAIR ALLARD announced that the final order of business would be HOUSE BILL NO. 105, "An Act relating to parental rights in a child's education; relating to access to school records; relating to sex education, human reproduction education, and human sexuality education; relating to school disciplinary and safety programs; and providing for an effective date."

[9:18:49 AM](#)

REPRESENTATIVE MCKAY withdrew Amendment 2.

[9:19:01 AM](#)

REPRESENTATIVE HIMSCHOOT moved to adopt Amendment 3 to HB 105, labeled 33-GH1072\A.2, Marx, 4/14/23, which read as follows:

[Because of the length of Amendment 3, it has been placed at the end of the discussion of HB 105.]

[No audible objection was captured on the recording.]

[9:19:28 AM](#)

REPRESENTATIVE HIMSCHOOT explained that Amendment 3 would provide funding support for school districts to implement the requirements of HB 105, as well as a funding factor for parental involvement. She said that the bill would require communication with families, and this comes with a cost, such as extra staffing and teacher follow up. She gave brief examples of how the tasks of meeting requirements can slightly change depending on the size of the district. She added there would also be increased records requests, and if students are opting out, those students still need to be supervised. The funding factor, she said, would cover the one-time capital cost for building modifications required by the proposed bill. She argued that without this amendment [the state] would be putting another unfunded mandate on schools.

[9:23:09 AM](#)

REPRESENTATIVE MCCORMICK suggested adopting the proposed committee substitute prior to discussing the amendment.

CO-CHAIR ALLARD responded that Amendment 3 pertains to the original bill version of HB 105.

[9:23:30 AM](#)

REPRESENTATIVE STORY sought more information regarding the initiatives for informing parents. She acknowledged that there would be an unfunded mandate with the bill, and all the extra steps would require more communication. She suggested that it would be helpful to have a liaison at schools to encourage parental involvement. She expressed concern about resourcing help for teachers as well.

[9:25:02 AM](#)

REPRESENTATIVE HIMSCHOOT responded that there is quite a bit of communication which happens between classroom teachers and parents. She advised that finding time outside of the normal school day to reach out to parents takes time and money, and schools should have the needed resources.

CO-CHAIR RUFFRIDGE maintained his objection.

[9:27:08 AM](#)

A roll call vote was taken. Representatives Himschoot, Story, Prax, and McCormick voted in favor of Amendment 3 to HB 105. Representatives Allard, McKay, and Ruffridge voted against it. Therefore, Amendment 3 was adopted by a vote of 4-3.

[9:28:01 AM](#)

The committee took a brief at-ease at 9:28 a.m.

[9:28:33 AM](#)

CO-CHAIR ALLARD withdrew Amendment 4.

[9:28:40 AM](#)

CO-CHAIR RUFFRIDGE moved to adopt the proposed Committee Substitute (CS) for HB 105, Version 33-GH1072\B, Marx, 4/15/23 ("Version B"); [however, the committee did not adopt the motion at this time.]

[9:29:01 AM](#)

The committee took an at-ease from 9:29 a.m. to 9:42 a.m.

[9:42:46 AM](#)

CO-CHAIR ALLARD [returned to the discussion of the original bill version of HB 105].

CO-CHAIR RUFFRIDGE moved to rescind the action in adopting Amendment 3 to HB 105. There being no objection, the action in adopting Amendment 3 was rescinded. [The committee rescinded the action to adopt Amendment 3 to HB 105, with the intention that the amendment would be reintroduced as "Conceptual Amendment 1" after the CS was adopted.]

[9:43:36 AM](#)

CO-CHAIR RUFFRIDGE moved to adopt the proposed CS for HB 105, Version 33-GH1072\B, Marx, 4/15/23 ("Version B"). There being no objection, Version B was before the committee.

[9:44:33 AM](#)

The committee took two consecutive at-eases from 9:44 a.m. to 9:45 a.m.

[9:45:23 AM](#)

CO-CHAIR RUFFRIDGE spoke on the changes made in Version B. He said the bill would require that parents receive notification for all activities, classes, or programs that a child is involved in at least two weeks in advance. He added that it would allow parents to choose what their child participates in. The parents would also provide the school with names, nicknames, and pronouns that the school shall use for identification and records. He continued that another change addresses the physical safety of a child in locker rooms and restrooms, and it would recognize curriculum in support of the [Alaska's Safe Children's Act].

[9:46:57 AM](#)

REPRESENTATIVE HIMSCHOOT moved to adopt Conceptual Amendment 1 to HB 105, Version B. [Conceptual Amendment 1 is the same as Amendment 3, which was moved, and then rescinded. A copy of the amendment has been placed at the end of the meeting on HB 105.]

[9:47:10 AM](#)

CO-CHAIR RUFFRIDGE objected for the purpose of discussion.

REPRESENTATIVE HIMSCHOOT explained that the costs had been researched with her staff, and there is no fiscal note now, but it would be approximately \$6 million. She acknowledged that Legislative Legal Services would be allowed to make any technical and conforming changes to Conceptual Amendment 1, if needed.

[9:48:25 AM](#)

CO-CHAIR RUFFRIDGE maintained his objection.

[9:48:27 AM](#)

A roll call vote was taken. Representatives Story, Prax, McCormick, and Himschoot voted in favor of the motion to adopt Conceptual Amendment 1 to HB 105, Version B. Representatives Ruffridge, McKay, and Allard voted against it. Therefore, Conceptual Amendment 1 to HB 105, Version B, was adopted by a vote of 4-3.

[9:49:26 AM](#)

The committee took a brief at-ease at 9:49 a.m.

[9:49:51 AM](#)

REPRESENTATIVE MCCORMICK questioned what sort of protections may remain in place for students who might be from an abusive home, as they could potentially end up in a dangerous situation when they are forced to share certain information.

CO-CHAIR RUFFRIDGE explained that there are protections already in place for teachers, and teachers are still mandatory reporters if such a situation were to arise. He expressed concern that teachers may be put in the middle of situations.

REPRESENTATIVE MCCORMICK requested clarification.

CO-CHAIR RUFFRIDGE explained that through testimony and conversations regarding HB 105, teachers were found to be not a neutral third party and found themselves uncomfortable in this role. The teachers, he said, may have information they are not certain of what to do with and Version B clarifies this. He stated that this is a parental right bill; however, if a teacher feels uncomfortable about a child's home situation, it is the teacher's responsibility to be a mandatory reporter.

[9:53:10 AM](#)

CO-CHAIR RUFFRIDGE moved to report CSHB 105, Version 33-GH1072\B, Marx, 4/15/23, as amended, out of committee with individual recommendations and the accompanying fiscal notes.

[9:53:39 AM](#)

REPRESENTATIVE HIMSCHOOT objected and spoke to her objection. She paraphrased a previous testifier who stated that there may be some poor parenting, but there is also some "poor teaching." She expressed the opinion that the proposed legislation is "using a butcher knife where a scalpel would do." She continued that it would take the focus away from the way things should be done, such as supporting schools in a predictable and stable way, improving reading outcomes, and recruiting and retaining the best teachers possible. She stated that passage of the bill would be passing a mandate which feels threatening to some of

the most vulnerable. She reiterated her opposition to the bill and the committee substitute.

[9:55:23 AM](#)

REPRESENTATIVE MCKAY called the previous question on Version B, as amended.

[9:55:32 AM](#)

The committee took a brief at-ease at 9:55 a.m.

[9:55:43 AM](#)

REPRESENTATIVE MCCORMICK objected to the call to question.

[9:56:09 AM](#)

The committee took a brief at-ease at 9:56 a.m.

[9:56:53 AM](#)

A roll call vote was taken. Representatives Ruffridge, Prax, McKay, and Allard voted in favor of the call to question. Representatives Himschoot, Story, and McCormick voted against it. Therefore, the call to question was so ordered by a vote of 4-3.

[9:57:30 AM](#)

A roll call vote was taken. Representatives McKay, Allard, Prax, and Ruffridge voted in favor of the motion to move CSHB 105, as amended, from committee. Representatives McCormick, Himschoot, and Story voted against it. Therefore, CSHB 105(EDC) was reported out of the House Education Standing Committee by a vote of 4-3.

[9:58:12 AM](#)

The committee took an at-ease from 9:58 a.m. to 9:59 a.m.

[9:59:12 AM](#)

REPRESENTATIVE ALLARD reiterated that CSHB 105(EDC) had moved from committee.

[9:59:28 AM](#)

The committee took an at-ease from 9:59 a.m. to 10:04 a.m.

[10:04:01 AM](#)

REPRESENTATIVE MCKAY moved to withdraw the motion to call the question on CSHB 105, as amended. There being no objection, the motion was withdrawn.

REPRESENTATIVE ALLARD moved to rescind the motion to move CSHB 105, as amended, from committee. There being no objection, the motion was rescinded.

[10:04:53 AM](#)

The committee took an at-ease from 10:04 a.m. to 10:06 a.m.

[10:06:11 AM](#)

CO-CHAIR RUFFRIDGE moved to report CSHB 105, Version 33-GH1072\B, Marx, 4/15/23, as amended, with individual recommendations and the accompanying zero fiscal note from committee, with an authorization for Legislative Legal Services to make technical and conforming changes.

[10:06:39 AM](#)

REPRESENTATIVE STORY objected and spoke to her objection. She offered her belief regarding the importance of parental rights, as they are key. She added that in current law, parents are to be notified two weeks prior of any sensitive topic in the classroom, with the right to opt their child out. She expressed her concern that the proposed legislation would switch "the opt out" to "an opt in." She expressed concern that students would miss out on very important information. She expressed the opinion that most parents would like their child to have information on sensitive age-appropriate topics. She opined that the requirement of permission slips puts up a barrier. She stated that youth need an affirming adult in their lives to stop self-harm, and she observed that the bill may put teachers in a very awkward place, as well as students. She said [legislators] must think about local control and violations of students' rights to privacy. She warned that the provisions in the proposed legislation garner much more serious thought.

[10:11:37 AM](#)

REPRESENTATIVE MCCORMICK noted that suicide in Alaska is the leading cause of death in youths ages 10 through 24; however, he stated that it is a preventable public health crisis. Suicide prevention activists, he said, have identified the proposed legislation as a problem and have testified before the committee that it could lead to higher rates in suicide. He offered his belief that not enough has been changed in the bill, and that it strips young people of the ability to make choices for themselves, denying them the ability to live with dignity. He referred to HB 111 and expressed the opinion that this would be doing something to help people, while HB 105 would make life harder. He gave an example of growing up in rural Alaska where life is hard, and he said his goal is to make life easier for rural kids. He reiterated his opposition to HB 105.

[10:13:32 AM](#)

REPRESENTATIVE PRAX expressed the belief that parents have the moral responsibility to raise their children, not the legislature. He stressed that the bill poses challenges, and the state must think critically about this.

[10:15:47 AM](#)

CO-CHAIR RUFFRIDGE thanked committee members for their comments. He said the legislature plays an important role regarding what is happening inside of Alaska's schools and with children. He expressed the belief that the proposed bill would strengthen the ability of students to have private access to restrooms and potentially greater safety. He stated that, while it may not be perfect, the proposed bill has started the conversation about the roles of teachers and parents, and how to better engage them. He expressed value in parental's rights and said he looks forward to more legislative sessions on the subject.

[10:18:34 AM](#)

REPRESENTATIVE STORY drew attention to page 2, line 9 of the bill in reference to a religious holiday. She questioned whether any changes would need to be made.

CO-CHAIR RUFFRIDGE explained that this language is already in state statute and not part of the bill.

[10:19:48 AM](#)

REPRESENTATIVE MCCORMICK maintained his objection.

10:19:50 AM

A roll call vote was taken. Representatives McKay, Ruffridge, Prax, and Allard voted in favor of the motion to report CSHB 105, Version 33-GH1072\B, Marx, 4/15/23, as amended, out of committee with individual recommendations and the accompanying zero fiscal note. Therefore, CSHB 105(EDC) was reported out of the House Education Standing Committee by a vote of 4-3.

10:20:39 AM

CO-CHAIR ALLARD related that when there are other legislators present, they must be respectful to the chairs and not interrupt. She added that the aides are present for assistance.

10:21:11 AM

The committee took an at-ease from 10:21 a.m. to 10:23 a.m.

10:23:41 AM

[Following is a copy of Amendment 3 to HB 105, which was renamed and passed as "Conceptual Amendment 1" during the meeting.]

Page 1, line 2, following "**records**,":

Insert "**relating to school funding; relating to charter schools; relating to state boarding schools**;"

Page 3, following line 21:

Insert new bill sections to read:

"* **Sec. 5.** AS 14.03.260(a) is amended to read:

(a) A local school board shall provide an approved charter school with an annual program budget. The budget shall be not less than the amount generated by the students enrolled in the charter school less administrative costs retained by the local school district, determined by applying the indirect cost rate approved by the department up to four percent. Costs directly related to charter school facilities, including rent, utilities, and maintenance, may not be included in an annual program budget for the purposes of calculating the four percent cap on administrative costs under this subsection. A local school board shall provide a charter school with a report itemizing the administrative costs retained by the local school board under this section. The "amount generated by

students enrolled in the charter school" is to be determined in the same manner as it would be for a student enrolled in another public school in that school district and includes funds generated by grants, appropriations, federal impact aid, the required local contribution, the local contribution under AS 14.17.410(c), special needs under AS 14.17.420(a)(1), [AND] secondary school vocational and technical instruction under AS 14.17.420(a)(3), and parental involvement initiatives under AS 14.17.420(a)(4). A school district shall direct state aid under AS 14.11 for the construction or major maintenance of a charter school facility to the charter school that generated the state aid, subject to the same terms and conditions that apply to state aid under AS 14.11 for construction or major maintenance of a school facility that is not a charter school.

* **Sec. 6.** AS 14.17.410(b) is amended to read:

(b) Public school funding consists of state aid, a required local contribution, and eligible federal impact aid determined as follows:

(1) state aid equals basic need minus a required local contribution and 90 percent of eligible federal impact aid for that fiscal year; basic need equals the sum obtained under (D) of this paragraph, multiplied by the base student allocation set out in AS 14.17.470; district adjusted ADM is calculated as follows:

(A) the ADM of each school in the district is calculated by applying the school size factor to the student count as set out in AS 14.17.450;

(B) the number obtained under (A) of this paragraph is multiplied by the district cost factor described in AS 14.17.460;

(C) the ADMs of each school in a district, as adjusted according to (A) and (B) of this paragraph, are added; the sum is then multiplied by the special needs factor set out in AS 14.17.420(a)(1), [AND] the secondary school vocational and technical instruction funding factor set out in AS 14.17.420(a)(3), and the parental involvement initiatives funding factor set out in AS 14.17.420(a)(4);

(D) the number obtained for intensive services under AS 14.17.420(a)(2) and the number obtained for correspondence study under AS 14.17.430

are added to the number obtained under (C) of this paragraph or under (H) and (I) of this paragraph;

(E) notwithstanding (A) - (C) of this paragraph, if a school district's ADM adjusted for school size under (A) of this paragraph decreases by five percent or more from one fiscal year to the next fiscal year, the school district may use the last fiscal year before the decrease as a base fiscal year to offset the decrease, according to the following method:

(i) for the first fiscal year after the base fiscal year determined under this subparagraph, the school district's ADM adjusted for school size determined under (A) of this paragraph is calculated as the district's ADM adjusted for school size, plus 75 percent of the difference in the district's ADM adjusted for school size between the base fiscal year and the first fiscal year after the base fiscal year;

(ii) for the second fiscal year after the base fiscal year determined under this subparagraph, the school district's ADM adjusted for school size determined under (A) of this paragraph is calculated as the district's ADM adjusted for school size, plus 50 percent of the difference in the district's ADM adjusted for school size between the base fiscal year and the second fiscal year after the base fiscal year;

(iii) for the third fiscal year after the base fiscal year determined under this subparagraph, the school district's ADM adjusted for school size determined under (A) of this paragraph is calculated as the district's ADM adjusted for school size, plus 25 percent of the difference in the district's ADM adjusted for school size between the base fiscal year and the third fiscal year after the base fiscal year;

(F) the method established in (E) of this paragraph is available to a school district for the three fiscal years following the base fiscal year determined under (E) of this paragraph only if the district's ADM adjusted for school size determined under (A) of this paragraph for each fiscal year is less than the district's ADM adjusted for school size in the base fiscal year;

(G) the method established in (E) of this paragraph does not apply to a decrease in the district's ADM adjusted for school size resulting from a loss of enrollment that occurs as a result of a boundary change under AS 29;

(H) notwithstanding (A) - (C) of this paragraph, if one or more schools close and consolidate with one or more other schools in the same community and district and, as a result of the consolidation, basic need generated by the district's ADM of the consolidated schools as adjusted under (A) - (C) of this paragraph decreases, the district may use the last fiscal year before the consolidation as the base fiscal year to offset that decrease for the first four fiscal years following consolidation according to the following method:

(i) for the first two fiscal years after the base fiscal year, the district's ADM of the consolidated schools as adjusted under (A) - (C) of this paragraph is calculated by dividing the sum of the district's ADM of the consolidated schools as adjusted under (A) - (C) of this paragraph for the base fiscal year by the sum of the district's ADM of the consolidated schools for the base fiscal year without adjustment, and subtracting the quotient obtained by dividing the district's ADM of the consolidated schools for the current fiscal year as adjusted under (A) - (C) of this paragraph by the sum of the district's ADM of the consolidated schools for the current fiscal year without adjustment, multiplying that number by the sum of the district's ADM of the consolidated schools for the current fiscal year without adjustment, and adding that number to the sum of the district's ADM of the consolidated schools for the current fiscal year as adjusted under (A) - (C) of this paragraph;

(ii) for the third fiscal year after the base fiscal year, the district's ADM of the consolidated schools as adjusted under (A) - (C) of this paragraph is calculated by dividing the sum of the district's ADM of the consolidated schools as adjusted under (A) - (C) of this paragraph for the base fiscal year by the sum of the district's ADM of the consolidated schools for the base fiscal year without adjustment, and subtracting the quotient obtained by dividing the sum of the district's ADM of the consolidated schools for the current fiscal year as adjusted under (A) - (C) of this paragraph by the sum of the district's ADM of the consolidated schools for the current fiscal year, multiplying that number by the sum of the district's ADM of the consolidated schools for the current fiscal year without

adjustment, multiplying that number by 66 percent, and adding that number to the sum of the district's ADM of the consolidated schools for the current fiscal year as adjusted under (A) - (C) of this paragraph;

(iii) for the fourth fiscal year after the base fiscal year, the district's ADM of the consolidated schools as adjusted under (A) - (C) of this paragraph is calculated by dividing the sum of the district's ADM of the consolidated schools as adjusted under (A) - (C) of this paragraph for the base fiscal year by the sum of the district's ADM of the consolidated schools for the base fiscal year without adjustment, and subtracting the quotient obtained by dividing the sum of the district's ADM of the consolidated schools for the current fiscal year as adjusted under (A) - (C) of this paragraph by the sum of the district's ADM of the consolidated schools for the current fiscal year, multiplying that number by the sum of the district's ADM of the consolidated schools for the current fiscal year without adjustment, multiplying that number by 33 percent, and adding that number to the sum of the district's ADM of the consolidated schools for the current fiscal year as adjusted under (A) - (C) of this paragraph;

(iv) to calculate the district's basic need for each fiscal year, the number obtained through the calculation in (i), (ii), or (iii) of this subparagraph is added to the number obtained under (C) of this paragraph for the remainder of the district;

(I) if the basic need calculated under (H)(i) - (iii) of this paragraph for one of the first four fiscal years after consolidation is less than the basic need calculated under (A) - (C) of this paragraph for that fiscal year, the basic need may not be adjusted under (H) of this paragraph for that fiscal year;

(J) a district may not offset a decrease under (H) of this paragraph if

(i) a new facility is constructed in the district for the consolidation; or

(ii) the district offset a decrease under (E) of this paragraph in the same fiscal year;

(K) a district that offsets a decrease under (H) of this paragraph may not reopen a school that was closed for consolidation in the district until

(i) seven or more years have passed since the school closure; and

(ii) the district provides evidence satisfactory to the department that the schools affected by the consolidation are over capacity;

(L) a district may not reopen and reconsolidate a school that was consolidated in the district more than once every seven years for purposes of the calculations made under (H) of this paragraph;

(M) a district offsetting a decrease under (H) of this paragraph shall provide the department with the list of schools participating in the consolidation and the corresponding ADM;

(2) the required local contribution of a city or borough school district is the equivalent of a 2.65 mill tax levy on the full and true value of the taxable real and personal property in the district as of January 1 of the second preceding fiscal year, as determined by the Department of Commerce, Community, and Economic Development under AS 14.17.510 and AS 29.45.110, not to exceed 45 percent of a district's basic need for the preceding fiscal year as determined under (1) of this subsection.

* **Sec. 7.** AS 14.17.420(a) is amended to read:

(a) As a component of public school funding, a district is eligible for special needs, [AND] secondary school vocational and technical instruction, and parental involvement initiatives funding and may be eligible for intensive services funding as follows:

(1) special needs funding is available to a district to assist the district in providing special education, gifted and talented education, vocational education, and bilingual education services to its students; a special needs funding factor of 1.20 shall be applied as set out in AS 14.17.410(b)(1);

(2) in addition to the special needs funding for which a district is eligible under (1) of this subsection, a district is eligible for intensive services funding for each special education student who needs and receives intensive services and is enrolled on the last day of the count period; for each such student, intensive services funding is equal to the intensive student count multiplied by 13;

(3) in addition to the special needs and intensive services funding available under (1) and (2) of this subsection, secondary school vocational and technical instruction funding is available to assist

districts in providing vocational and technical instruction to students who are enrolled in a secondary school; a secondary school vocational and technical instruction funding factor of 1.015 shall be applied as set out in AS 14.17.410(b)(1); in this paragraph, "vocational and technical instruction" excludes costs associated with

(A) administrative expenses; and

(B) instruction in general literacy, mathematics, and job readiness skills;

(4) in addition to the special needs, intensive services, and secondary school vocational and technical instruction funding available under (1) - (3) of this subsection, parental involvement initiatives funding is available to assist districts in the district's implementation of the requirements of AS 14.03.016(a)(3), (a)(7), and (a)(8), AS 14.03.115, AS 14.30.361(e) and (f), and AS 14.33.120(a)(10), including the costs of additional administrative and educational support personnel and modification of locker rooms and restroom facilities; a parental involvement initiatives funding factor of 1.005 shall be applied as set out in AS 14.17.410(b)(1).

* Sec. 8. AS 14.17.440(a) is amended to read:

(a) Except as provided in AS 14.17.400(b), funding for state boarding schools established under AS 14.16.010 includes an allocation from the public education fund in an amount calculated by

(1) determining the ADM of state boarding schools by applying the school size factor to the student count as described in AS 14.17.450;

(2) multiplying the number obtained under (1) of this subsection by the special needs factor in AS 14.17.420(a)(1), [AND] the secondary school vocational and technical instruction funding factor set out in AS 14.17.420(a)(3), and the parental involvement initiatives funding factor set out in AS 14.17.420(a)(4) and multiplying that product by the base student allocation; and

(3) multiplying the product determined under (2) of this subsection by the district cost factor that is applicable to calculation of the state aid for the adjacent school district under AS 14.17.460."

Renumber the following bill sections accordingly

10:24:10 AM

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 10:24 a.m.