

**ALASKA STATE LEGISLATURE**  
**SENATE EDUCATION STANDING COMMITTEE**

May 10, 2024

3:30 p.m.

**MEMBERS PRESENT**

Senator Löki Tobin, Chair  
Senator Gary Stevens, Vice Chair  
Senator Jesse Bjorkman  
Senator Elvi Gray-Jackson

**MEMBERS ABSENT**

Senator Jesse Kiehl

**COMMITTEE CALENDAR**

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 111(EDC)

"An Act relating to public school students who are deaf or hard of hearing."

- MOVED SCS CSHB 111(EDC) OUT OF COMMITTEE

HOUSE BILL NO. 230 AM

"An Act relating to teacher certificates for retired teachers; and repealing the limit on the number of years of out-of-state school experience that may be substituted for in-state experience in teacher salary scales."

- MOVED SCS HB 230(EDC) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 111

SHORT TITLE: EDUCATION FOR DEAF & HARD OF HEARING

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

04/26/23 (H) Heard & Held  
 04/26/23 (H) MINUTE(EDC)  
 04/28/23 (H) EDC AT 8:00 AM DAVIS 106  
 04/28/23 (H) Moved CSHB 111(EDC) Out of Committee  
 04/28/23 (H) MINUTE(EDC)  
 05/01/23 (H) EDC RPT CS(EDC) NEW TITLE 6DP 1NR  
 05/01/23 (H) DP: HIMSCHOOT, STORY, MCKAY, MCCORMICK,  
 RUFFRIDGE, ALLARD  
  
 05/01/23 (H) NR: PRAX  
 05/09/23 (H) FIN REFERRAL ADDED AFTER EDC  
 05/09/23 (H) BILL REPRINTED  
 05/16/23 (H) FIN AT 1:30 PM ADAMS 519  
 05/16/23 (H) -- MEETING CANCELED --  
 03/05/24 (H) FIN AT 9:00 AM ADAMS 519  
 03/05/24 (H) <Bill Hearing Canceled>  
 04/16/24 (H) FIN AT 10:00 AM ADAMS 519  
 04/16/24 (H) Heard & Held  
 04/16/24 (H) MINUTE(FIN)  
 04/24/24 (H) FIN AT 9:00 AM ADAMS 519  
 04/24/24 (H) Moved CSHB 111(EDC) Out of Committee  
 04/24/24 (H) MINUTE(FIN)  
 04/26/24 (H) FIN RPT CS(EDC) NEW TITLE 5DP 4NR 1AM  
 04/26/24 (H) DP: TOMASZEWSKI, CRONK, COULOMBE,  
 D.JOHNSON, EDGMON  
  
 04/26/24 (H) NR: ORTIZ, JOSEPHSON, HANNAN, STAPP  
 04/26/24 (H) AM: GALVIN  
 05/06/24 (H) TRANSMITTED TO (S)  
 05/06/24 (H) VERSION: CSHB 111(EDC)  
 05/07/24 (S) READ THE FIRST TIME - REFERRALS  
 05/07/24 (S) EDC, FIN  
 05/10/24 (S) EDC AT 3:30 PM BELTZ 105 (TSBldg)

BILL: HB 230

SHORT TITLE: OUT-OF-STATE TCHG EXPERIENCE & SALARIES

SPONSOR(S): REPRESENTATIVE(S) HIMSCHOOT

01/16/24 (H) PREFILE RELEASED 1/8/24  
 01/16/24 (H) READ THE FIRST TIME - REFERRALS  
 01/16/24 (H) EDC  
 02/07/24 (H) EDC AT 8:00 AM DAVIS 106  
 02/07/24 (H) Heard & Held  
 02/07/24 (H) MINUTE(EDC)  
 03/22/24 (H) EDC AT 8:00 AM DAVIS 106  
 03/22/24 (H) Heard & Held  
 03/22/24 (H) MINUTE(EDC)  
 04/03/24 (H) EDC AT 8:00 AM DAVIS 106  
 04/03/24 (H) Moved HB 230 Out of Committee

04/03/24 (H) MINUTE (EDC)  
04/05/24 (H) EDC RPT 6DP 1AM  
04/05/24 (H) DP: STORY, HIMSCHOOT, MCKAY, MCCORMICK,  
PRAX, RUFFRIDGE  
04/05/24 (H) AM: ALLARD  
05/09/24 (H) TRANSMITTED TO (S)  
05/09/24 (H) VERSION: HB 230 AM  
05/10/24 (S) EDC AT 3:30 PM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

REPRESENTATIVE JAMIE ALLARD, District 23  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Testified as sponsor of HB 111.

RICHARD SAVILLE, Program Coordinator  
Governor's Council on Disabilities and Special Education  
Anchorage, Alaska

**POSITION STATEMENT:** Testified by invitation on HB 111.

COURTNEY WESTMAN, Chair  
Deaf Education Board  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 111.

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

**POSITION STATEMENT:** Testified in support of HB 111.

MALLORY MALTON, representing self  
Unknown, Alaska

**POSITION STATEMENT:** Testified with concerns on HB 111.

KELLY MANNING, Deputy Director  
Division of Innovations & Education Excellence  
Department of Education and Early Development (DEED)  
Juneau, Alaska

**POSITION STATEMENT:** Provided an overview of Fiscal Note 2, OMB 2796 for HB 111.

MICHAEL MASON, Staff  
Senator Löki Tobin  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided a summary of changes for HB 111 from version S to U.

DONALD ENOCH, Special Education Administrator  
Division of Innovation and Education Excellence  
Alaska Department of Education and Early Development  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions on HB 111.

REPRESENTATIVE REBECCA HIMSCHOOT, District 2  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Testified as sponsor of HB 230.

THATCHER BROUWER, Staff  
Representative Rebecca Himschoot  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided the sectional analysis for HB 230.

KELLY MANNING, Deputy Director  
Division of Innovations & Education Excellence  
Department of Education and Early Development (DEED)  
Juneau, Alaska

**POSITION STATEMENT:** Provided an overview of fiscal note OMB 2796 for HB 230.

#### **ACTION NARRATIVE**

[3:30:51 PM](#)

**CHAIR LÖKI TOBIN** called the Senate Education Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Bjorkman, Gray-Jackson, and Chair Tobin. Senator Stevens arrived thereafter.

#### **HB 111-EDUCATION FOR DEAF & HARD OF HEARING**

[3:33:00 PM](#)

**CHAIR TOBIN** announced the consideration of CS FOR HOUSE BILL NO. 111(EDC) "An Act relating to public school students who are deaf or hard of hearing."

[3:33:24 PM](#)

**REPRESENTATIVE JAMIE ALLARD**, District 23, Alaska State Legislature, Juneau, Alaska, paraphrased her sponsor statement:

#### **Sponsor Statement**

**HB111 - EDUCATION FOR DEAF & HEARING IMPAIRED**

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

House Bill 111 is a deaf and hard of hearing children's bill of rights that establishes consistency in the information provided to parents by the school district, allows parents to choose the best method of communication for their child and requires the school district to provide services using the parent's chosen method of communication.

Deaf children are born with the same ability to acquire language as others. They have the right and capacity to be educated, graduate from high school, obtain further education, and pursue a career. They have the right to have their ability to communicate and acquire language to be treated as a priority.

Lack of access in the classroom leads to students missing essential information in lectures and classroom discussions and can lead to low academic achievement and lower language acquisition. Children who are deaf or hard of hearing have the right to accommodations and access to academic instruction, school services, and extracurricular activities in their primary language. Access in their primary languages gives them the opportunity to benefit from all services and programs at their school and to fully access education and society.

Given the unique nature of rural Alaska, some children who are deaf or hard of hearing may require residential services as part of their educational program. HB 111 declares all deaf children have the right to an individualized education program and that their parent will be able to choose the method of communication that will be the most appropriate for their child.

House Bill 111 establishes that children who are deaf or hard of hearing have the right to an individualized education program that identifies their primary language, considers their prognosis for hearing loss, provides instruction in their primary language, provides assistive devices and services, and provides

appropriate and timely assessments in their primary language.

Seventeen states have passed a Deaf and Hard of Hearing Children's Bill of Rights.

[3:36:44 PM](#)

CHAIR TOBIN announced invited testimony on HB 111.

[3:37:03 PM](#)

RICHARD SAVILLE, Program Coordinator, Governor's Council on Disabilities and Special Education, Anchorage, Alaska, stated that the Governor's Council was approached by the deaf community in the fall of 2022 to advance the Deaf and Hard of Hearing Children's Bill of Rights. He thanked Representative Allard for sponsoring HB 111 in the House last session. He emphasized that deaf and hard-of-hearing children have the right to prioritize their ability to communicate and acquire language, learn from qualified professionals who can communicate directly with them, and interact with deaf adult role models. He stressed their right to have deaf peers of the same language mode, level, and age, as well as full access to unbiased information, specialized personnel, school programs, and social activities. He explained that HB 111 will protect these rights, codify the Alaska School for the Deaf into statute, and ensure its preservation for future generations. He urged support for HB 111 to guarantee these resources are available to families and to affirm the value of deaf and hard-of-hearing children as members of the community.

[3:38:44 PM](#)

CHAIR TOBIN opened public testimony on HB 111.

[3:39:59 PM](#)

COURTNEY WESTMAN, Chair, Deaf Education Board, Anchorage, Alaska, testified in support of HB 111 and expressed that she has been an advocate for a long time. She emphasized the importance of ensuring that deaf and hard-of-hearing children have access to equal opportunities, noting that significant gaps have existed in this area over the years. She highlighted the need to address competing opinions by providing unbiased information to ensure true access for all deaf and hard-of-hearing children.

[3:41:46 PM](#)

At ease

[3:42:23 PM](#)

CHAIR TOBIN reconvened the meeting and continued public testimony.

[3:42:41 PM](#)

CLARA BALDWIN, Director, Alaska State School for the Deaf and Hard of Hearing, Anchorage, Alaska, testified in support of HB 111 stating she is a deaf individual who uses sign language as her primary communication method. She emphasized that there is no single "right" way to be deaf or hard of hearing. She highlighted the harm caused by withholding information and limiting options for deaf and hard-of-hearing children, stressing that they should have access to multiple communication modalities to thrive. She pointed out that many parents of deaf children have never met a deaf person before their child, which can be overwhelming and, in some cases, culturally taboo, leading to initial reliance on medical professionals and educators who may not provide the full range of communication options. This lack of comprehensive information can result in language deprivation, which profoundly affects education and creates lasting gaps in communication and academic development. She stressed that communication must come first, as academic standards cannot be met without a foundation in language.

[3:45:08 PM](#)

MS. BALDWIN also clarified misconceptions about the Alaska School for the Deaf (AKSD), noting it is not a boarding school and does not require students to relocate to Anchorage. AKSD offers virtual options and partnerships with school districts through memorandums of agreement, providing support for students statewide. She acknowledged the historical trauma associated with boarding schools, particularly for Indigenous communities, and assured that AKSD is one of many options available to support deaf and hard-of-hearing students. She emphasized the importance of systemic accommodations, such as FM systems and noise-reducing technology, to ensure access for all deaf and hard-of-hearing students. She expressed gratitude for collaboration with stakeholders and underscored the need to invest in the future of deaf and hard-of-hearing children through HB 111.

[3:47:22 PM](#)

MALLORY MALTON, representing self, Unknown, Alaska, testified with concerns on HB 111. She asked why HB 111 does not include children 1-3 years old. She said that as an educator of deaf children, she said sees children enter school with 3 - 5 years of language deprivation. She suggested adding Anchorage School

District (ASD) to the language of HB 111 because it is the best fit based on a student's community and chosen method of communication. She noted that families have unique situations. She also suggested possibly including [indiscernible] in the definitions of HB 111.

[3:48:55 PM](#)

CHAIR TOBIN closed public testimony on HB 111.

CHAIR TOBIN opined that children 1-3 years olds are not considered part of the public school system and naming specific school districts in legislation is prohibited in how legislation is authored.

[3:50:00 PM](#)

SENATOR GRAY-JACKSON commented that she believes in equal opportunity and that is why she had sponsored a companion bill to HB 111.

[3:50:36 PM](#)

REPRESENTATIVE ALLARD said the state's next step in eliminating language deprivation is to pass legislation for children ages 0-3, so they are better prepared for school.

CHAIR TOBIN said New York is among several states that have passed legislation for ages 0 - 3 Deaf and Hard of Hearing Bill of Rights, so there are good example of language that can be referenced.

[3:51:43 PM](#)

KELLY MANNING, Deputy Director, Division of Innovations & Education Excellence, Department of Education and Early Development (DEED), Juneau, Alaska, provided an overview of Fiscal Note 2 for HB 111, OMB component 2796, dated January 1, 2024, in the amount of \$6000. She stated that the HB 111 codifies activities that are occurring. Therefore, DEED anticipates that it will only need to cover the costs of regulatory updates.

[3:53:08 PM](#)

CHAIR TOBIN solicited a motion.

[3:53:09 PM](#)

SENATOR GRAY-JACKSON moved to adopt the Senate committee substitute (SCS) for CSHB 111, work order 33-LS0504\U, as the working document.

[3:53:23 PM](#)

CHAIR TOBIN objected for purposes of discussion.

[3:53:28 PM](#)

MICHAEL MASON, Staff, Senator Löki Tobin, Alaska State Legislature, Juneau, Alaska, paraphrased the summary of changes for HB 111 from version S to U:

[Original punctuation provided.]

**House Bill 111 - Education for Deaf and Hard of  
Hearing**

**Version U - Explanation of Changes**

**Section 1** - On page 1, line 4, version U adds the phrase "in collaboration with the department and to the maximum extent possible" after the word "shall." This change gives the Alaska Department of Education and Early Development (DEED) added flexibility to work collaboratively with school districts to better serve deaf and hard of hearing students.

**Section 2** - On page 3, line 3, version U adds the phrase "support one or more programs" after the word "shall." This change allows DEED to support existing programs for deaf and hard of hearing students operated by school districts. The previous version of the bill required DEED to establish a centralized program.

On page 3, lines 4 through 7, version U stipulates that a program for the deaf may provide residential services as part of its education program in consultation and collaboration with a nongovernmental organization that provide services to people who are deaf and hard of hearing. This change accommodates the existing program in Anchorage that is operated in conjunction with a nongovernmental organization. Version S stipulated that a centralized program must provide residential services. Version U deletes the sentence on page 3, lines 4 through 5 of version S that reads "the program may be operated by a school district under an agreement with the department."

Version U also deletes the sentence on page 3, lines 12 through 14 of version S that reads "the department

shall provide funding for the students who attended the program operated by a school district under this subsection to the school district that operates the program." This sentence is unnecessary because funding for intensive needs students is covered by Alaska Foundation Formula.

[3:55:59 PM](#)

CHAIR TOBIN invited the Department of Education and Early Development (DEED) to discuss why [page 3, lines 12 - 14] were omitted in version U. She said "agreement" was left out to clarify codifying of existing practice.

[3:56:25 PM](#)

DONALD ENOCH, Special Education Administrator, Division of Innovation and Education Excellence, Alaska Department of Education and Early Development, Juneau, Alaska, asked for the question to be repeated.

CHAIR TOBIN explained that during discussions about the word "agreement" and its relation to contract law, the intent was to codify existing practices without creating additional burdens for the Department of Education in its interactions with school districts.

MR. ENOCH replied that is correct.

CHAIR TOBIN said she wanted people to understand the reason for removing those lines from HB 111.

[3:57:01 PM](#)

CHAIR TOBIN removed her objection; found no further objection and SCS CSHB 111 was adopted as the working document.

[3:57:25 PM](#)

CHAIR TOBIN solicited the will of the committee.

[3:57:27 PM](#)

SENATOR GRAY-JACKSON moved to report the SCS for CSHB 111, work order 33-LS0504\U, from committee with individual recommendations and attached fiscal note(s).

[3:57:37 PM](#)

CHAIR TOBIN found no objection and SCS CSHB 111 (EDC) was reported from the Senate Education Standing Committee.

[3:58:11 PM](#)

REPRESENTATIVE ALLARD said that input from members of both bodies improves legislation and thanked the committee for their work.

[3:58:31 PM](#)

At ease

### **HB 230-OUT-OF-STATE TCHG EXPERIENCE & SALARIES**

[3:59:36 PM](#)

CHAIR TOBIN reconvened the meeting and announced the consideration of HOUSE BILL NO. 230 am "An Act relating to teacher certificates for retired teachers; and repealing the limit on the number of years of out-of-state school experience that may be substituted for in-state experience in teacher salary scales."

[4:00:18 PM](#)

REPRESENTATIVE REBECCA HIMSCHOOT, District 2, Alaska State Legislature, Juneau, Alaska, provided an overview of HB 230, stating that the original version of HB 230 originated from the Governor's Recruitment and Retention Task Force, established to address Alaska's school staffing crisis. She explained that the task force recommended removing the statutory barrier limiting districts to crediting only six years of out-of-state teaching experience, or eight years if the hire holds a master's degree. She clarified that this change does not affect seniority, which is determined by the date of hire, but impacts placement on the salary scale. She noted that on May 9, 2024, HB 230 was improved in the House by incorporating HB 147, which extends the time retired Alaskan teachers can work as substitutes to 165 days. This allows retired teachers to continue substituting if a permanent hire is not made within three weeks.

[4:02:17 PM](#)

SENATOR STEVENS joined the meeting.

[4:02:54 PM](#)

CHAIR TOBIN asked for a sectional analysis of HB 230 am.

[4:03:00 PM](#)

THATCHER BROUWER, Staff, Representative Rebecca Himschoot, Alaska State Legislature, Juneau, Alaska, provided the following sectional analysis and added that the removed licensing fee amount was \$240:

[Original punctuation provided.]

### **HOUSE BILL 230**

"An Act relating to teacher certificates for retired teachers; and repealing the limit on the number of years of out-of-state school experience that may be substituted for in-state experience in teacher salary scales."

## SECTIONAL ANALYSIS

### Version A.A

(Updated 5.9.24)

**Section 1:** Amends AS 14.20.020(g) to require the department to issue a free lifetime teacher certification to a person who possessed a valid Alaska teacher certification upon retirement and increases the number of days a teacher certified under this provision can teach as a long-term substitute teacher from 120 to 165 consecutive days.

**Section 2:** Repeals three sections of statute, AS 14.16.050(a)(3)(C), AS 14.20.220(e) and AS 14.20.220(g), which effectively removes the limit on the number of years of out-of-state school experience that may be substituted for in-state experience in teacher salary scales.

- AS 14.16.050(a)(3)(C) requires boarding schools to follow the same rule school districts do when setting salaries.
- AS 14.20.220(e) limits the number of years (six years for a teacher with bachelors' degree and eight years for a teacher with a masters' degree) teachers can use out-of-state school teaching experience to determine a teacher's position on the salary scale.
- AS 14.20.220(g) defines "school experience" as a full-time elementary or secondary teacher in a public or nonpublic school for the purpose of determining a salary scale.

**Section 3:** Adds language to uncodified law that clarifies that section one of this act only applies to a contract or collective bargaining agreement that is negotiated after the effective date of this bill.

[4:03:47 PM](#)

CHAIR TOBIN opened public testimony on HB 230; finding none she closed public testimony.

[4:04:08 PM](#)

CHAIR TOBIN solicited a motion.

[4:04:24 PM](#)

SENATOR GRAY-JACKSON moved to adopt the Senate committee substitute (SCS) for HB 230, work order [33-LS1010\S], as the working document.

[4:04:40 PM](#)

CHAIR TOBIN objected for an explanation of changes.

[4:04:47 PM](#)

MR. BROUWER provided a summary of changes for HB 230 from version A.A. to [S].

[Original punctuation provided.]

**EXPLANATION OF CHANGES**  
**(Updated 5.10.24)**

**Version A.A to Version B**

HB 230 Version B removes the language included in Version A.A. that exempts teachers from the fee to get a lifetime teacher certificate upon retirement.

- On page 1, line 16, "at no cost the person," is deleted. This change means State of Alaska teachers will continue to be required to pay the \$240 fee to get their lifetime teacher certification for substitute teaching when they retire.

[4:05:10 PM](#)

CHAIR TOBIN asked for an explanation of the updated fiscal note.

[4:05:32 PM](#)

KELLY MANNING, Deputy Director, Division of Innovations & Education Excellence, Department of Education and Early Development (DEED), Juneau, Alaska, provided an update on the Department of Education and Early Development's fiscal note for HB 230, OMB component 2796, dated January 22, 2024. She stated that due to the change in language, which removes the waiver of

the fee, DEED can absorb the cost required to update regulations and supports the opportunity to get educators into classrooms.

[4:06:16 PM](#)

CHAIR TOBIN removed her objection; found no further objection and SCS for HB 230 was adopted as the working document.

[4:06:39 PM](#)

CHAIR TOBIN solicited the will of the committee.

[4:06:41 PM](#)

SENATOR GRAY-JACKSON moved to report SCS for HB 230, work order 33-LS1010\[S], from committee with individual recommendations and attached fiscal note(s).

[4:06:54 PM](#)

CHAIR TOBIN found no objection and SCS HB 230(EDC) was reported from the Senate Education Standing Committee

[4:07:23 PM](#)

There being no further business to come before the committee, Chair Tobin adjourned the Senate Education Standing Committee meeting at 4:07 p.m.