

HB

851

~~last~~ <sup>this</sup> years budget \$ 683,500  
~~the~~ <sup>next</sup> " " Request \$ 724,500

if this Bill passes, this \$ 724,500  
 will be used for material + staff  
 development.

Budget of 5.28 mil (AS in CS) +  
 \$ 724,500 in Gov. Budget brings  
 the total state funding to  
~~6.00~~ \$ 6,006,600 or 8.79  
 times the previous years Budget

Our proposed budget of \$ 3,017,100  
 + \$ 724,500 brings state funding  
 to a total \$ 3,741,600, or  
 5.47 times the previous years  
 Budget.

Of the approximately 5,118 bilingual  
 students, (figures from DOE) they  
 break down as follows

A	B	C	D	E	total
255	636	993	2,455	742	5,118
4.9%	12.4%	19.4%	47.9%	14.5%	(99.1%)
17.3%		67.3			

Federal money totaled 1.4 mil <sup>this year</sup> ~~last year~~

total Fed money + state = 2.083 mil  
 " " " (CS) = 7.406 mil (3.55)  
 " " " our bill = 5.141 mil (2.46)

if Fed \$  
 remain  
 constant

% increase  
 over this  
 year

The next assumptions deal with the cost of serving varying numbers of students.

Economy of scale dictates that the costs per student are higher with smaller numbers of students than large ones. Additionally, state law requires that districts with schools which have eight or more students of limited English speaking ability must provide programs for them. Using AS 14.30.400 as a service floor, districts which have eight or more students in categories A through E each receive, at a minimum, one instructional unit. Districts with an ADM based upon the above ADM weights, receive additional funds based upon the following formula:

<u>Weighted ADM</u>	<u>Instructional Units</u>
8 or more students-12 weighted ADM	1
13-18 weighted ADM	2
19-30 weighted ADM	3
More than 30 weighted ADM	3 plus 1 for each major portion of 24 additional weighted ADM based upon eligibility ceiling established by the FY 77 language assessment.

The Department of Education estimates the cost of this program to 5,282,060 in FY 79 (see attached charts).

# ALASKA GATEWAY SCHOOL DISTRICT

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P.O. Box 226  
Tok, Alaska 99780

Charles Parr  
Alaska Legislature  
Pouch V  
Juneau, AK 99811

May 22, 1978

Dear Mr. Parr:

I appreciated your letter concerning House Bill 851 and your need for reducing the funding. As we are all aware, the state just doesn't have a great big pile of gold to distribute and it must be done so wisely.

Unfortunately, the information presented by the state department was a preliminary assessment data which due to the Office for Civil Rights' insistence concerning "least English placement" has resulted in our having to reclassify our students somewhat. This reclassification has resulted with the following categories:

A = 0  
B = 2  
C = 88  
D = 59  
E = 6  
F = 8

for a total of 163 Native students. However, not all of these students are underachieving, only 106 are! Underachievers, according to category, would be:

A = 0  
B = 2  
C = 67  
D = 31  
E = 6  
F = 0 (be definition)

The magnitude of the problem and the distances between sites makes the program to be offered with 60% of the funds introduced by the governor very similar to the dutch boy who was attempting to plug the dike with his finger. While it is true that new programs, diagnostic tools, and teaching techniques, as well as some excellent teachers, are raising the achievement scores for our Native children, we still have a long way to go. Mr. Parr, in two of our schools last year, there were few children above the 10th percentile. This means

(Continued)

Dot Lake

Eagle

Mentasta

Northway

Tok

Charles Parr  
May 22, 1978

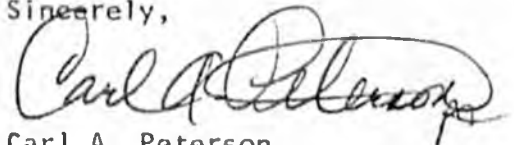
Page Two

that out of every 100 children taking the Iowa Tests of Basic Skills, 90 or more scored better. It should be realized that student achievement depends upon a number of factors and we certainly are not going to solve some of the social and cultural factors which are involved. For example, today only one of the seven Mentasta children are in attendance at Tok School. The others have gone to Gulkana for the potlatch. Today and tomorrow happen to be the final test days at Tok School. Fortunately there is enough flexibility in the system to allow culturally important activities such as this to take place without jeopardizing the students' school success.

While I agree with you that our rural schools are for the most part adequately funded, it is necessary to institute special programs to meet some of the special learning needs of our students. A number of these students who may formally have received help through special education will be eliminated by new guidelines under Public Law 92-142 and by Office for Civil Rights' mandate that we assure that none of the students are included because of language handicaps. In the case of our district, under the regional funding, we would have a teacher at Northway where there are 45 underachieving Native students; a teacher at Tok where they are 29 underachieving students; a teacher serving Dot Lake and Mentasta which have 8 and 10 students underachieving respectively. The type of intensive English language enrichment program which we are negotiating with the Office for Civil Rights will be severely hampered if not curtailed entirely if funding is passed at the level which emerged at your committee.

Your reconsideration is urged and appreciated.

Sincerely,



Carl A. Peterson  
Superintendent of Schools

CP/pc  
cc: Sharon Young

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE      REVISED

I. REQUEST

Bill/Resolution No. HB 851  
 Title An Act Relating to Bilingual Education  
 Requested by House HESS Date 2-16-78

II. FISCAL DETAIL

Agency Affected Education  
 Program Category Affected Elementary and Secondary Education  
 Budget Request Unit(s) Affected Program Evaluation

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.			3,017.1	3,198.1	3,390.0	3,593.4
<b>TOTAL</b>			<b>3,017.1</b>	<b>3,198.1</b>	<b>3,390.0</b>	<b>3,593.4</b>

FUNDING (Thousands of Dollars)

GENERAL FUND			3,017.1	3,198.1	3,390.0	3,593.4
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			-0-	-0-	-0-	-0-
PART TIME			-0-	-0-	-0-	-0-
TEMPORARY			-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached for fiscal result of revised formula:

1-36      one unit  
 37-72      two units  
 73-109    three units  
 110-above one unit for each 36 students or portion thereof

IV. DATE April 27, 1978 PREPARED BY Nathaniel Cole, Deputy Commissioner  
 AGENCY Education  
 PHONE 465-2800

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

REGIONAL EDUCATIONAL ATTENDANCE AREA DISTRICTS

DATE \_\_\_\_\_

	<u>AB ADM</u>	<u>CED weighted ADM/Students</u>	<u>Total weighted ADM/Units</u>	<u>Units/Entitlement</u>	
NORTHWEST ARCTIC	0	215 (1275)	215 (10.7)	(6)	269,700
BERING STRAITS	84	51.4 (324)	135.4 (7.3)	(4)	179,800
LOWER YUKON	6	124 (770)	130. (7.1)	(4)	179,800
LOWER KUSKOKWIM	113	172 (960)	285 (13.5)	(8)	359,600
KUSPUK	0	27.9 (118)	27.9 (3)	(1)	44,950
SOUTHWEST	278	40.8 (261)	322.8 (15.2)	(9)	404,550
LAKE & PENINSULA		34.8 (233)	34.8 (3.2)	(1)	44,950
ALEUTIAN CHAIN	1	3.6 (18)	4.6 (.191)	(1)	43,500
PRIBILOF	-	-	-	-	-
ADAK		1.6 (8)	1.6 (.05)	(1)	40,600
IDITAROD	3	10.1 (64)	13.1 (2)	(1)	44,950
YUKON/KOYUKUK	0	20.6 (203)	20.6 (3)	(1)	44,950
YUKON FLATS	25	30.0 (200)	55 (2.29)	(est.)	89,900
UPPER RAILBELT	0	.2 (1)	.2		0
DELTA/GREELY	0	.6 (3)	.6		0
ALASKA GATEWAY	1	23 (158)	24 (3)	(1)	34,800
COPPER RIVER				(1)	33,350
CHATHAM	0	.1 (1)	.1		0
SOUTHEAST ISLANDS	-	-	-	-	-
ANNETTE ISLAND					
CHUGACH	-	-	-	-	-

1,815,400

3,017,160

	<u>AB ADM</u>	<u>CED weighted</u>		<u>Total weighted</u>		<u>Units/Entitlement</u>	
		<u>ADM/Students</u>		<u>ADM/Units</u>			
Anchorage	317	45.6	(224)	362.6	(16.8)	(11)	319,000
Bristol Bay	-	-	-	-	-	-	-
Cordova	0	.2	(1)	.2	-	-	0
Craig	-	-	-	-	-	-	-
Dillingham	0	11.6	(78)	11.6	(.48)	(1)	44,950
Fairbanks N.S.	33 (33)	11.7	(132)	44.7	(3.5)	(2)	64,960
Galena	0	2.2	(11)	2.2	(.091)	(1)	44,950
Haines	-	-	-	-	-	-	-
Hoonah	0	.4	(2)	.4	-	-	0
Hydaburg	-	-	-	-	-	-	-
Juneau	3	10.8	(58)	13.8	(2.033)	(1)	29,000
Kake	-	-	-	-	-	-	est.
Kenai Peninsula	124	25.7	(135)	149.7	(7.9)	(5)	156,600
Ketchikan Gateway	0	.1	(1)	.1	(.004)	-	0
King Cove	-	-	-	-	-	-	est.
Klawock	-	-	-	-	-	-	-
Kodiak Island	19	13.	-	32	(3.083)	(1)	32,480
Matanuska-Susitna	3	17.8	(89)	20.8	(3)	(1)	30,160
Nenana	-	-	-	-	-	-	est.
Nome	0	83.6	(775)	83.6	(5.2)	(3)	134,850
North Slope	11	181.3	(1143)	192.3	(9.76)	(6)	269,700
Pelican	-	-	-	-	-	-	est.
Petersburg	0	1.2	(7)	1.2	(.05)	-	0
Sitka	10	1.2	(6)	11.2	(.466)	(1)	30,160
Skagway	-	-	-	-	-	-	-
Sr. Mary's	0	21.8	(109)	21.8	(3)	(1)	44,950
Unalaska	-	-	-	-	-	-	-
Valdez	0	.2	(2)	.2	(.008)	-	0
Wrangell	2	.2	(1)	2.2	(.091)	-	0
Yakutat	-	-	-	-	-	-	-

1,201,760

Because of the absence of data concerning the costs associated with implementing and maintaining adequate programs for bilingual education, this fiscal estimate is predicated upon several assumptions. First of all, the formula is based upon the fact that the indirect instructional costs associated with students who require bilingual instruction are defrayed by the districts including them in the regular foundation count. These indirect costs, or those associated with heat, lights, water, administration and other miscellaneous expenses, we estimate to be 33 percent of the cost of instruction. Because the program costs of these students does not include these indirect expenses, then, a foundation unit should accommodate one-third more students, or 24 rather than 18. The second assumption made is the level of service required for each of the five categories of students. We have assumed that A and B students (only non-English, mostly non-English, respectively) require essentially full-time instruction in their native languages, therefore we have counted them as one weighted ADM each. We have also assumed that C and D students (equal facility with English and non-English, respectively) require about one-fifth of the instructional day to be spent in their native languages, therefore we have counted them as .2 weighted ADM each. The category E students should require minimal special instruction, although they will need some special materials for work on language patterns, therefore we have counted them as .1 weighted ADM each.

February 16, 1978

The Honorable Hugh Malone  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to bilingual education. The bill establishes an additional instructional unit schedule in the Public School Foundation Program, AS 14.17.031 and 14.17.041, for bilingual education.

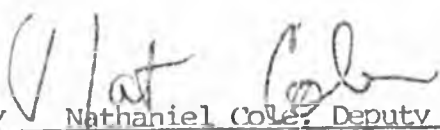
The distribution of funds will be determined by the Department of Education on the basis of weighted average daily membership (ADM) counts of students requiring such instruction in each school district. The department proposes to weight students in the following fashion:

(1) for those students requiring the majority of instruction in a language other than English, a weighting factor of 1.;

(2) for those students requiring at least a portion of instruction in a language other than English, a weighting factor of .2;

(3) for those students requiring only special materials and language instruction, but no portion of instruction in a language other than English, a weighting factor of .1.

The bill also proposes to amend AS 14.30.410(a) by maintaining the bilingual-bicultural education fund as a separate account for the support of materials development. The need for this separate account is brought about by

IV. DATE February 10, 1978 PREPARED BY  Nathaniel Cole, Deputy Commissioner  
AGENCY Education  
PHONE 465-2800  
Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

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the excessive start-up costs associated with new programs -- costs which are not totally defrayed by the foundation support schedule. Maintaining the bilingual fund will permit districts to develop materials and the human resources necessary at the outset of their bilingual education programs. It will also provide for the continuous development and improvement of instructional materials.

Sincerely,

S / JSH

Jay S. Hammond  
Governor

IV. DATE February 10, 1978

Original: Legislative Finance

PREPARED BY

AGENCY

PHONE

*Nathaniel Cole*

Nathaniel Cole, Deputy Commissioner

Education

465-2800

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 851

Title Bilingual Education

Requested by Rules Committee at Request of Governor Date Undated

II. FISCAL DETAIL

Agency Affected Education

Program Category Affected Elementary & Secondary Education

Budget Request Unit(s) Affected Program Evaluation

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		5,282.1	5,599.0	5,934.9	6,290.9	6,668.3
TOTAL		5,282.1	5,559.0	5,934.9	6,290.9	6,668.3

FUNDING (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
GENERAL FUND		5,282.1	5,599.0	5,934.9	6,290.9	6,668.3
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
FULL TIME		0	0	0	0	0
PART TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached analysis.

Costs inflated at 6% for FY-80, 81, 82, and 83.

IV. DATE February 10, 1978

PREPARED BY Nathaniel Cole, Deputy Commissioner

AGENCY Education

Original: Legislative Finance

PHONE 465-2800

cc: Budget and Management

Prime Sponsor (First Legislator Named)

DISTRICT SCHOOLS

	<u>AB ADM</u>	<u>CED weighted ADM/Students</u>	<u>Total weighted ADM/Units</u>	<u>Units/Entitlement</u>
Anchorage	317	45.6 (224)	362.6 (16.8)	(17) 493,000
Bristol Bay	-	-	-	-
Cordova	0	.2 (1)	.2	0
Craig	-	-	-	-
Dillingham	0	11.6 (78)	11.6 (.48)	(1) 44,950
Fairbanks N.S.	33 (33)	11.7 (132)	44.7 (3.6)	(4) 129,920
Galena	0	2.2 (11)	2.2 (.091)	(1) 44,950
Haines	-	-	-	-
Hoonah	0	.4 (2)	.4	0
Hydaburg	-	-	-	-
Juneau	3	10.8 (58)	13.8 (2.033)	(2) 58,000
Kake	-	-	-	est.
Kodiak Peninsula	124	25.7 (135)	149.7 (7.9)	(8) 250,560
Kotchikan Gateway	0	.1 (1)	.1 (.004)	0
King Cove	-	-	-	est.
Klawock	-	-	-	-
Kodiak Island	19	13.	32 (3.083)	(3) 97,440
Matanuska-Susitna	3	17.8 (89)	20.8 (3)	(3) 90,430
Nenana	-	-	-	est.
Nome	0	83.6 (775)	83.6 (5.2)	(5) 224,750
North Slope	11	181.3 (1143)	192.3 (9.76)	(10) 449,500
Polican	-	-	-	est.
Petersburg	0	1.2 (7)	1.2 (.05)	0
Sitka	10	1.2 (6)	11.2 (.466)	(1) 30,160
Skagway	-	-	-	-
St. Mary's	0	21.8 (109)	21.8 (3)	(3) 174,850
Unalaska	-	-	-	-
Valdez	0	.2 (2)	.2 (.003)	0
Wrangell	2	.2 (1)	2.2 (.091)	0
Yakutat	-	-	-	-

2,043,560

REGIONAL EDUCATIONAL ATTENDANCE AREA DISTRICTS

DATE \_\_\_\_\_

	<u>AB ADM</u>	<u>CED weighted ADM/Students</u>	<u>Total weighted ADM/Units</u>	<u>Units/Entitlement</u>	
NORTHWEST ARCTIC	0	215 (1275)	215 (10.7)	(11)	494,450
BERING STRAITS	84	51.4 (324)	135.4 (7.3)	(7)	314,650
LOWER YUKON	6	124 (770)	130. (7.1)	(7)	314,650
LOWER KUSHKORNIK	113	172 (960)	285 (13.6)	(14)	629,300
KUSKOKUM	0	27.9 (115)	27.9 (3)	(3)	134,850
SOUTHWEST	276	46.8 (251)	322.8 (15.2)	(15)	674,250
LAKE & PENINSULA		34.8 (233)	34.8 (3.2)	(3)	134,850
ALUTIAN CHAIN	1	3.6 (18)	4.6 (.191)	(1)	43,500
PRIPILOF	-	-	-	-	-
ADAK		1.6 (8)	1.6 (.06)	(1)	40,600
IDITAROD	3	10.1 (64)	13.1 (2)	(2)	89,900
YUKON/KOYUKUK	0	20.6 (203)	20.6 (3)	(3)	134,850
YUKON FLATS	25	30.0 (200)	55 (2.29)	(2)	89,900 (est.)
UPPER RAILBELT	0	.2 (1)	.2		0
DELTA/GREELY	0	.6 (3)	.6		0
ALASKA GATEWAY	1	23 (158)	24 (3)	(3)	104,400
COPPER RIVER					33,350 (est.)
CHATHAM	0	.1 (1)	.1		0
SOUTHEAST ISLANDS	-	-	-	-	-
ANNETTE ISLAND					
CHUGACH	-	-	-	-	-

3,233,500

5,282,060

ALASKA DEPARTMENT OF EDUCATION  
BILINGUAL/BICULTURAL ED.

LANGUAGE ASSESSMENT REPORT  
INTERIM REPORT  
APRIL 7, 1978

Listed below is the data on district language assessment reports which has been hand tallied. This data is not to be considered final reporting numbers as a computerized report is forthcoming. The data are, however, as accurate as the data on hand will permit.

The data are listed by district, language, category and totals.

District Name	Language	Category					Total
		A	B	C	D	E	
Anchorage S.D.	Korean *	96	165	147	481	50	939
	Japanese						
	Spanish						
	Chinese						
	French						
	German						
	C. Yup'ik						
	Inupiaq						
	Italian						
	Nor egian						
	Fillipino						
	Swedish						
	Thai						
Vietnamese							
Cordova City S.D.	Spanish			1			1
Dillingham City	C. Yup'ik			30	8	40	78
Fairbanks North Star Borough	Korean **		10	15	5	1	31
	Japanese		2	5			7
	Spanish		8	22	17		47
	German			15	14		29
	Inup'iq			1	3	5	9
	Thai		1		2	3	6
	French			2	2		4
	Portugese		2	4			6
	Vietnamese		2		4		6
			25	64	47	9	145
Galena City S.D.	Koyukon			1	10		11
Hoonah City S.D.	Tlingit				2		2

43,000

14

0

44,950

129,920

44,950

0

\* Languages with fewer than 10 students not listed, but included in data

\*\* All languages and categories and numbers per category not listed.

District Name	Language	Category					Total
		A	B	C	D	E	
Juneau, City and Borough S.D.	Fillipino		3	20	17	4	44
	Spanish						
	Korean						
	German						
	Tlingit #						
Kenai Pen. Borough	German		4	2	8		14
	Korean		6		3		9
	French		1	1	3		5
	Thai		1				1
	Norwegian		1	2			3
	Spanish			2	8		10
	Portugese				2		2
	Aleut (Sugpiaq)		1	5	72		78
	Japanese	2	2	2			6
	Greek			1	1		2
	Russian	23	100	1	6		130
	Croatian		1				1
	Fillipino		1	1			2
	Danish				1		1
	Inupiaq		1				1
		25	119	17	104		265
Kodiak Island Borough S.D.	Fillipino	2	7	33	53	16	111
	Korean						
	Vietnamese						
	Aleut ##						
Mat-Su Borough School District	Spanish				16		16
	C. Yup'ik				9		9
	Inupiaq				13		13
	German				5		5
	Czech				4		4
	Greek				2		2
	Dutch				2		2
	French				1		1
	Japanese				1		1
				53		53	
Nome City S.D.	Inupiaq			35	10	211	256+
	Siberian						
	Yup'ik						
	Vietnamese						

58,000

250,560

97,440

90,480

224,750

# Category by language not available at this time for each language

## Category for each language not available, data is probably low; increases especially in category d for Aleut likely

+ Category by each language not available at this time

District Name	Language	Category					Total
		A	B	C	D	E	
North Slope Borough S.D.	Inupiaq		6				1187*
Petersburg City	Tlingit Spanish Norwegian			1	2	2	4
					1		2
				1	3	3	7
Sitka Borough School District	Fillipino Japanese	1	4	5			10
		1			2		3
		2	4	5	2		13
St. Mary's S.D.	C. Yup'ik				109		109
Wrangell City	Japanese German		2				2
			2	1			3
			4	1			5
N.W. Artic S.D.	Inupiaq		28	187	499	399	1113
Bering Strait REAA S.D.	Siberian Yup'ik Inupiaq		81	1	1		83
			3	112	76	135	326
			84	113	77	135	410
Lower Yukon S.D.	C. Yup'ik		6	173	346	361	886
Lower Kuskokwim	C. Yup'ik						1466**
Kuspuk S.D.	C. Yup'ik Tanaina			4	1	29	34
						2	2
				4	1	31	36

449,500

0

30,160

134,850

0

494,450

314,650

314,650

629,300

134,850

\* Hand count data not available for this district

\*\* Hand count data not available for this district

District Name	Language	Category					Total	
		A	B	C	D	E		
Southwest Region School District	C. Yup'ik	129	147	40	178	54	548	674,250
Lake and Pen. School District	Sugpiaq			27	111	19	157	134,850
	C. Yup'ik			31	114	7	152	
	Tanaina			14	55	6	75	
				72	280	32	384	
Aleutian Chain	Aleut Spanish	1	10	3	6		19	43,500
		1	10	3	6		20	
Iditarod S.D.	C. Yup'ik				3	6	9	89,900
	Ingalik					7	7	
	Holikachuk					3	3	
	Tanaina	3	1	7	3	3	14	
	Upper Kuskokwim			8	18	6	32	
		3	9	28	25	65		
Yukon-Koyukuk S.D.	Koyukon				3	199	202	134,850
Yukon Flats S.D.	(Gwich'in) Kutchin Koyukon		37	28	58	69	192	89,900 (est.)
					6	13	19	
			37	28	64	82	211	
Ak. Central Rail Belt S.D.	Icelandic			1			1	0
Alaska Gateway School District	Ahtna				13		13	104,400
	Tanacross	1	1	14	9		25	
	Han			3	2		5	
	Upper Tanana			3	42	11	56	
	Spanish				2		2	
		1	7	73	20		101	
Annette Island	Navajo Tsimpsian			1			1	0
					1		1	
				1	1		2	
GRAND TOTALS		255	636	993	2,455	742	5,118 *	5,282,060

\* These figures do not include categories A-E for North Slope and Lower Kuskokwim School Districts.

DEPARTMENT OF EDUCATION  
BILINGUAL/BICULTURAL EDUCATION PROGRAM

Total Funding . . \$683,500

es not include support staff as project  
ordinator, specialists, or clerical help.  
ate Grant is for teacher training to support  
chool programs funded by other sources.  
ta is not verifiable from grant application.

- A. Language Assessment  
Grants . . . . \$230,000
- B. Operational Costs \$453,500

LOCAL DISTRICT	TOTALS	ALASKA NATIVE	CAUCASIAN	OTHER	FY 78 OPERATIONAL GRANT	FY 78 LANGUAGE ASSESSMENT GRANT	TOTAL GRANT AWARD	NO. SERVED BY FY 78 OPER. GRANT	FY 78 LANGUAGE ASSESSMENT SURVEY CATEGORY					FY 78 TITLE VII GRANT	NO. OF TEACHERS FY 78*
									A	B	C	D	E		
	617	3	537	77											
Chena Gateway	431	171	254	6		1,725	1,725		0	1	7	65	86	Yes	
Chena Central Albert	352	27	313	12		1,300	1,300		0	0	1	0	0		
Chukchi Region	238	186	44	8		5,000	5,000		1	0	11	7	0	Yes	
Chukotka Region	340	311	29												
Chukchi Strait	472	461	11		29,000	5,000	34,000	191	0	84	113	77	134	Yes	10
Chukchi	199	161	35	3		3,000	3,000		0	0	0	0	1		
Chukchi	49	28	16	5					0	0	0	0	0		
Chukchi River	669	205	444	20		3,000	3,000								
Chukchi/Greely	795	31	764						0	0	0	0	3		
Chukchi/rod	278	239	37	2	25,000	2,950	27,950	42	0	3	9	28	27		3
Chukchi	350	332	18			5,000	5,000		0	0	27	34	157		
Chukchi Peninsula**	378	341	37		25,000	5,000	30,000								12
Chukchi/Kuskokwim***	1,466	1,332	129	5	59,000	5,000	64,000		5	108	111	349		Yes	8
Chukchi/Yukon	905	888	17		49,000		49,000	741	0	6	177	293			6
Chukchi/West Arctic	1,546	1,459	84	3	30,000		30,000	818							25
Chukchi/ofs	190	183	7												

STATE OF ALASKA  
DEPARTMENT OF EDUCATION  
BILINGUAL/BICULTURAL EDUCATION PROGRAM

FY Bilingual/Bicultural  
Total Funding . . \$683,500  
A. Language Assessment  
Grants . . . . \$230,000  
B. Operational Costs \$453,500

Does not include support staff as project coordinator, specialists, or clerical help.

SCHOOL DISTRICT	TOTALS	ALASKA NATIVE	CAUCASIAN	OTHER	FY 78 OPERATIONAL GRANT	FY 78 LANGUAGE ASSESSMENT GRANT	TOTAL GRANT AWARD	NO. SERVED BY FY 78 OPER. GRANT	FY 78 LANGUAGE ASSESSMENT SURVEY CATEGORY					FY 78 TITLE VII GRANT	NO. OF TEACHERS FY 78*
									A	B	C	D	E		
East Island	333	16	317						0	0	0	0	0		
West	511	505	6		30,000		30,000	250	129	147	40	167	54	Yes	8
Flats	304	283	21		37,000	4,630	41,630	255						Yes	6
Koyukuk	582	548	31	3		5,000	5,000		0	0	0	3	200		
verage	36,457	2,746	30,656	3,055	75,000	5,000	80,000	317							16
Schools	3,082	21	2,568	493											
ol Bay	241	144	96	1											
va	494	126	353	15		5,000	5,000		0	0	1	0	0		
	190	107	80	3					0	0	0	0	0		
ingham	407	327	80			5,000	5,000		0	0	30	8	40		
anks	9,301	895	7,753	653		5,000	5,000		0	33	69	54	9		
Schools	2,489	12	2,106	371											
a	164	147	17			2,785	2,785		0	0	1	10	0		
n	276	236	40						0	0	0	2	0		
s	430	111	311	8		5,000	5,000		0	0	0	0	0		
ure	99	97	2			200.	200.		0	0		0	0		

January 30, 1978

DEPARTMENT OF EDUCATION  
BILINGUAL/BICULTURAL EDUCATION PROGRAM

FY Bilingual/Bicultural  
Total Funding . . \$683,500  
A. Language Assessment  
Grants . . . . \$230,000  
B. Operational Costs \$453,500

not include support staff as project  
ordinator, specialists, or clerical help.

L DISTRICT	TOTALS	ALASKA NATIVE	CAUCASIAN	OTHER	FY 78 OPERATIONAL GRANT	FY 78 LANGUAGE ASSESSMENT GRANT	TOTAL GRANT AWARD	NO. SERVED BY FY 78 OPER. GRANT	FY 78 LANGUAGE ASSESSMENT SURVEY CATEGORY					FY 78 TITLE VII GRANT	NO. OF TEACHERS FY 78*
									A	B	C	D	E		
u	4 459	791	3,464	204		2,890	2,890								
	200	174	26			5,000	5,000								
	5,719	627	4,869	223		5,000	5,000		25	119	17	105	13		
ikan	2,589	617	1,881	91		640	640		0	0	0	0	1		
Cove	121	112	9			5,000	5,000		0	0	0	0	0		
ck	74	61	13			1,150	1,150		0	0	0	0	0		
k	2,093	628	1,342	123	25,000	2,400	27,400	25							1
uska-Susitna	3,644	201	3,385	58		5,000	5,000		0	3	7	82	0		
a	196	82	112	2		2,250	2,250								
	797	606	178	13	39,000	5,000	44,000	330	0	0	39	22	772 <sup>(?)</sup>	Yes	3
Slope	1,098	1,061	34	3	30,500	5,000	35,500	125							5
in	37	15	21	1											
b 3	612	136	466	10		5,000	5,000		0	0	1	4	2		
	1,820	754	1,211	55					2	8	3	3	0		
y	235	11	217	7					0	0	0	0	0		
rys	108	108							0	0	0	10	0	Yes	
ka	133	61	68	4		2,400	2,400		0	0	0	0	0		



1-24  
25-49  
50-74

+ each 24-

cost

4.1 mil

*adopt  
CSH 719 (700)*

YEA N-V NAY

- Akers \_\_\_\_\_
- Anderson \_\_\_\_\_
- Beirne \_\_\_\_\_
- Bennett \_\_\_\_\_
- Bradley \_\_\_\_\_
- Brown \_\_\_\_\_
- Buchholdt \_\_\_\_\_
- Carpenter \_\_\_\_\_
- Chatterton \_\_\_\_\_
- Colten \_\_\_\_\_

YEA N-V NAY

- Cowper \_\_\_\_\_
- Dankworth \_\_\_\_\_
- Duncan \_\_\_\_\_
- Eliason \_\_\_\_\_
- Freeman \_\_\_\_\_
- Gardiner \_\_\_\_\_
- Gruening \_\_\_\_\_
- Guy \_\_\_\_\_
- Haugen \_\_\_\_\_
- Hayes \_\_\_\_\_

YEA N-V NAY

- Kelly \_\_\_\_\_
- Lethin \_\_\_\_\_
- Lovseth \_\_\_\_\_
- McKinnon \_\_\_\_\_
- Malone \_\_\_\_\_
- Meekins \_\_\_\_\_
- Miles \_\_\_\_\_
- Miller \_\_\_\_\_
- Nakak \_\_\_\_\_
- Ose \_\_\_\_\_

YEA N-V NAY

- Osterback \_\_\_\_\_
- Parr \_\_\_\_\_
- Phillips \_\_\_\_\_
- Rhode \_\_\_\_\_
- Rudd \_\_\_\_\_
- Schaeffer \_\_\_\_\_
- Smith \_\_\_\_\_
- Snider \_\_\_\_\_
- Gwanson \_\_\_\_\_
- Urion \_\_\_\_\_

Speaker

PROCEDURAL MOTIONS

- Amended \_\_\_\_\_
- Amended Senate \_\_\_\_\_
- Amended House \_\_\_\_\_
- Special \_\_\_\_\_
- Effective Date \_\_\_\_\_

TITLES

- Free Conf Comm Sub \_\_\_\_\_
- House Comm Sub \_\_\_\_\_
- Senate Comm Sub \_\_\_\_\_
- Comm Sub \_\_\_\_\_
- Sponsor Sub \_\_\_\_\_

TOTALS

YEAS		N-V		NAYS	
0	0	0	0	0	0
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9

BILL NUMBER

HOUSE	SENATE	BILL	RESO.
1000	100	10	1
2000	200	20	2
3000	300	30	3
4000	400	40	4
J't.	500	50	5
Conc.	600	60	6
Quo.	700	70	7
Mot.	800	80	8
2nd R	900	90	9
3rd R	000	00	0

DATE

Jan	1
Feb	2
Mar	3
Apr	4
May	5
June	6
July	7
Aug	8
Sept	9
Oct	0
Nov	1
Dec	2

PH 1821 214 1172 International R.C. CALL @ Constitution, Portland, Va. 22250

# Yukon - Koyukuk School District

BOX 367  
NENANA, ALASKA 99760  
(907) 832-5594

March 17, 1978

JOE R. COOPER  
Superintendent of Schools

Representative Thelma Buchholdt  
Pouch V  
Juneau, Alaska 99811

Dear Representative Buchholdt:

ALLAKAKET

I would like to submit, for your consideration, a few thoughts on House Bill 851 - relating to Bilingual/Bicultural Education.

BETTLES FIELD

This bill is for the specific purpose of providing an educational remedy for non-English speaking students - who are failing to achieve to their potential in the current educational system.

HUGHES

HUSLIA

KALTAG

KOYUKUK

MANLEY  
HOT SPRINGS

The schools are required to provide compensatory programs or curricula to address the language needs of these students. While there are several types of Language Programs that schools may opt for, (please refer to Department of Education Bilingual/Bicultural regulations/handbook for types of programs which may be provided), I know of no substantial research that supports any one type of program or intervention as more effective as any other. By the same token it is, with the exception of totally non-English speaking early primary students, very questionable if any one type of Language program is necessarily more costly than the other type program. (Please refer to attached article, U.S. News and World Report - March 6, 1978.)

MINTO

NUIATO

However, under the proposed weighed ADM in the above bill, the scale used by the Department of Education would arbitrarily favor the category A and B students (by a factor of 10) over the category D and E students. (Also attached is the proposed schedule and a copy of the letter written to the Department pointing out the inequities of this type of schedule).

PUBY

TANANA

In view of the above, I would like to see a weighed schedule stipulated by the bill, which would provide a more equal educational program to all Language categories of students as follows:


Sec 3 AS 14.17.250 (19) weighted ADM for the purpose of this chapter is as follows:

<u>Language Category</u>		<u>Weighted Factor</u>
A Students	elementary	1.0
	secondary	.8
B Students		.75
C Students		.50
D Students		.35
E Students		.25

This type of scale would narrow the Bilingual/Bicultural funding discrepancy between categories of students and school Districts, on a per pupil basis.

Thank you for your time and patience in this matter. It appears that without this change, the State money pump is primed and ready to deluge some school districts with funds which, when combined with already existing Federal Title VII funds, will amount to a virtual flood - while many other Districts with the same educational requirements will suffer a drought.

Sincerely,



Mike Flora, Director  
Federal Programs

Attachments: 3

cc: John Sackett, Senator  
Red Swanson, Representative  
Joe Cooper, Superintendent

ATTACHMENT A

March 17, 1973

Judy Franklet  
Bilingual/Bicultural Program Administrator  
Department of Education  
Pouch F - State Office Building  
Juneau, Ak. 99811

Dear Ms. Franklet:

Subject: House Bill 851

In reference to House Bill 851, "An Act Relating to Bilingual Education and providing for an effective date". I feel that, while the bill has some merit for improving educational opportunities and program in general, the proposed weighing of students by factors of 1.0 for A and B students, .5 for C and .1 for D and E students for ADM computation (and funding) appear to be seriously flawed.

The main problem lies with the extreme range in the weighed scale - for the wide variation from 1.0 to .1 assumes significant difference in educational programming costs. The question then becomes - on what basis was it determined that an A and B student (1.0 factor) is far more costly educationally than a D or E student (.1 factor)? In reading the Bilingual regulations I find that the same manner of educational program may be offered for several categories of students: For example, an ESL curriculum may be offered for a C and D as well as underachieving E type of student. Also, there may well be little difference cost wise and program wise between an ESL program and a HILT program which is also an appropriate remedy for category A and B students at secondary level. Therefore, there may well be very little program difference between remedying language problems for any category of students. Yet there are gross inequities in the levels of funding provided for such remedies due to the weighed ADM schedule.

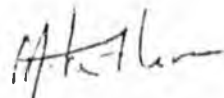
To perhaps further belabor this point, I feel that a good solid program, such as an English skill and language concept, ESL or HILT remedial language lab, which requires specific assessment, inservice, material development, class room space and specialized personal, will have virtually the same costs as a transitional Bilingual/Bicultural Program: It is difficult to disagree with the fact that a C or D student requires, on a daily basis, minimally an hour or two of intervention in daily instruction to remedy the basic language problem. Does then the A or B student require 10 to 20 hours per day; are 10 to 20 times more staff required at a 10 times higher salary; are the materials 10 times more expensive for a B student than a D student?

Hopefully there will be some reanalysis of the weighed ADM, for I feel what is presently being considered is a classic example of some of the schools being required to provide programs to students without sufficient funding to do a reasonable job. While undoubtedly, there are myriads of opinions on this, below I have delineated one possible schedule to be considered:

A students	1.0 elementary .8 secondary
B students	.75
C students	.50
D students	.35
E students	.25

This weighting considerably narrows the funding spread between the remedial programs that are needed and required by State regulation. I realize that there are undoubtedly many divergent opinions on this subject; and as always, thank you for your consideration of this viewpoint.

Sincerely,



Mike Flora, Director  
Federal Programs

cc: Joe Cooper, Superintendent  
Marshall Lind, Commissioner of Education

MF/mb

The Honorable Jay S. Hammond  
Governor

February 14, 1978  
- 2 -

counts of students requiring such instruction in each school district. The department proposes to weight students in the following fashion:

(1) for those students requiring the majority of instruction in a language other than English, a weighting factor of 1.; (A + P students)

(2) for those students requiring at least a portion of instruction in a language other than English, a weighting factor of .2; (C students)

(3) for those students requiring only special materials and language instruction, but no portion of instruction in a language other than English, a weighting factor of .1. (E + F students)

The bill also proposes to amend AS 14.30.410(a) by maintaining the bilingual-bicultural education fund as a separate account for the support of materials development. The need for this separate account is brought about by the excessive start-up costs associated with new programs -- costs which are not totally defrayed by the foundation support schedule. Maintaining the bilingual fund will

# A Storm Brews Over Bilingual Teaching

Some educators fear that English has been de-emphasized too much among certain minorities. Now the administration has plans for big changes in the program.

The Carter administration is preparing to trim the most controversial segments from a school program in which children who speak little English are instructed in their native languages and cultures.

In what promises to be a highly emotional issue in many places, the administration plans to return the federal government's 10-year-old bilingual-education program to its original concept: preparing youngsters who are deficient in English to take part in an English-speaking society.

Currently, almost 260,000 children in 39 states are learning academic subjects in both English and their native tongues—any of more than 60 languages and dialects ranging from Cambodian to Yupik. More than 600 million dollars has been spent on the effort.

**Different views.** Under the present program, young people in some schools are taught primarily in non-English languages even after they become fluent in English. Backers of such efforts, especially the Spanish-speaking and the American Indians, say that prolonged education in a mother tongue and a native culture is essential to building ethnic pride. Critics charge that many bilingual programs are more

social than educational and threaten the melting-pot concept that the English language should be a unifying force for all Americans.

The bilingual programs are widespread in the Southwest and other areas where there are large minority groups who do not speak English. It is likely that in such places, any major changes will be resisted.

The administration proposals, which are being prepared by the Department of Health, Education and Welfare, are subject to the President's approval. The basic goal—gearing children to use English—is described by one official as a target Carter "wants to hone in on."

The proposals require little new legislation and will be carried out by HEW's Office of Education, which can deny federal funds to noncomplying school districts. Changes are expected to be in effect by the start of the new school year in September, 1978.

The plan is described by an HEW official as "a middle-of-the-road course." He adds, "We aren't ruling out programs for cultural enrichment, but we consider the fundamental purpose should be that kids learn English. If culture is used as a tool to meet that goal, we support it."

## A Babel of Tongues

*In addition to English and Spanish, these languages are used for teaching in federally sponsored programs—*

**American Indian:** Apache, Athabascan, Cahuilla, Cherokee, Choctaw, Cree, Crow, Eclaponkee, Havasupai, Hopi, Hualapai, Keresian, Kiowa, Lacota (Sioux), Mde wa kan pon, Mescalero-Apache, Miccosukee-Seminole, Mohawk, Navajo, Northern Cheyenne, Papago, Passamaquoddy, Piate, Pima, Seminole-Creek, Tewa, Uto

**Arabic**

**Armenian**

**Cambodian**

**Chinese**

**Eskimo:** Aleut, Central Yupik, Gwich'in, Inupiaq, Siberian Yupik, Sugpiaq, Upper Kuskokwin, Upper

**Tanana, Yupik**

**Filipino-Ilocano:** Tagalog

**French:** French Canadian, Haitian

**German:** Pennsylvania Dutch

**Greek**

**Hebrew**

**Italian**

**Japanese**

**Korean**

**Micronesian:** Carolinian, Chamorro, Kusaian, Marshallese, Palauan, Ponapean, Trukese, Ulithian, Woleian, Yapese

**Polish**

**Vietnamese**



Under scrutiny: How long is dual-language instruction necessary in U.S. schools?

Evidence that the administration backs this goal is seen in its 150-million-dollar budget proposal for the next fiscal year—15 million dollars more than the program's current budget.

The administration is considering limiting students to five years of bilingual instruction at the federal government's expense.

The cost factor. The plan also discourages use of federal money to train English-speaking children in the Spanish language and Hispanic traditions. That practice has caused bitter divisions in some areas of the Southwest.

Many school districts also are divided



costs involved in the program, particularly at a time of growing pressure to economize. Some bilingual programs were created because school districts wanted them and welcomed the federal money. But dozens more were the result of pressure by HEW's Office of Civil Rights, which holds that the presence of just one student with a dominant language other than English demands special attention. This requirement has created problems for educators trying to avoid cuts in aid.

The administration plan reflects spreading concern in Washington that the program went astray—without enough control over ways in which the money was spent. Realization of how far the effort veered from the intent of Congress was driven home by a government-sponsored study indicating that nearly 9 of every 10 directors of bilingual projects for Hispanic children keep students in their classes long after the youngsters have learned English.

**Burden on individual.** One supporter of bilingual education, Representative Albert H. Quie (R-Minn.), says: "There is nothing wrong with people trying to maintain their culture. But they should be in charge of doing it—not the federal government."

Some experts say that the revisions are needed to keep bilingual education from becoming a means of separating ethnic groups. Gary Orfield, a political scientist at the University of Illinois at Urbana, says that federal money often has financed "expensive, highly segregated programs of no proven educational value to children."

But ethnic studies as part of the bilingual program are staunchly defended by other experts. They argue

that the government is not doing enough to build self-esteem among minority Americans. One Hispanic educator, Josue M. Gonzales, of Southern Methodist University, says that the emphasis on mastering English "helps maintain the outdated melting-pot syndrome which discourages cultural pluralism in American society."

**The broader picture.** A substantial number of educators are convinced that bilingual education is effective far beyond the bounds of learning a language. They believe that instruction in a mother tongue also is important in learning the whole range of subjects, from science to history.

"I can see the programs working," reports Yolanda Sepko, an elementary-school bilingual teacher in Dallas. "These kids would drop out by the sixth or seventh grade if they weren't being given a chance now."

Sepko contrasts her students' experience with her own as a Spanish-speaking child in the Rio Grande Valley of Texas. "When I went to school, we were not allowed to speak Spanish. The first two years were a nightmare."

Gilman Hébert, who heads a bilingual program in Madawaska, Maine's predominantly French St. John's Valley, remembers children being punished for using French on school grounds. Now, he says, "they no longer feel that it is un-American to speak French." They not only are achieving more in French, but also are doing better in English.

**What study shows.** A government-financed study by the American Institutes for Research found little difference between progress made by the Hispanic students in bilingual programs and that by Hispanics in regular classrooms. In math, those in bilingual programs did better; in English, they did worse.

There was, however, a wide difference in costs. The report showed an average of \$1,398 spent on bilingual pupils—\$376 more than on students in regular classrooms.

Yet backers of the program claim that advantages far outweigh disadvantages. Houston's bilingual-program director, Raul Muñoz, Jr., says that the program has improved attendance among Hispanic students and increased their parents' involvement in school activities.

"The dropout rate for Hispanics was 89 percent before bilingual programs," Muñoz says. "It has dropped significantly. The hard data is difficult to come by until these students complete their education, but the soft data—when the children smile with pride—says the programs are successful." □

## Second Thoughts About Foreign-Language Ballots, Too

A federal program enabling non-English speaking Americans to vote in their own languages is coming under increasing fire.

Indians and Spanish-speaking Americans widely hailed the decision by Congress in 1975 to amend the Voting Rights Act so that ballots would be provided in their own languages.

But some Americans covered by the act say that they would rather vote in English. In Hawaii, a federal-court suit has been filed to exclude Japanese and Chinese Americans from the law.

"Some people feel insulted by being singled out," explains Morris Takushi, election administrator in Hawaii. "Many have gone to night school and are proud to use English. They came to America by choice and are proud of their new country and new identity as Americans."

Senator Daniel K. Inouye (D-Hawaii) complains that \$500,000 in state and local money was spent in Hawaii in 1976 implementing the program in Cantonese, Ilocano and Japanese. When the primary and general elections were held, only 191 persons chose foreign-language ballots.

"It's a very expensive process for no real purpose," contends Representative William M. Ketchum (R-Calif.), who proposes removal of all bilingual provisions from the Voting Rights Act.

More doubts about the effectiveness of the program are raised in a new study by Congress, which finds that only 6 of the 30 states covered by the language provisions of the law have developed plans for compliance.

But Representative Don Edwards (D-Calif.), whose House Subcommittee on Civil and Constitutional Rights ordered the study, warns against making early judgments against the bilingual program. "We've only had the experience of the 1976 election," Edwards says. "The program's impact, its costs, how many more persons voted than would have voted without it—we can't tell quite yet. In New York, where it has existed for years, it's working well."

**Taxation In 4 Languages**

Original version of that the Internal Revenue Service form 1040 and the instructions for this year may be. The IRS has printed two conventional forms, 1040 and 1040A, in Chinese, Vietnamese and Spanish as well as in English. The instructions, forms and lines are all the same—only the languages differ. The foreign language versions are to be filled out only by IRS tax payer assistance officers. Any other person are transferred to English form by IRS.

ALASKA STATE DEPARTMENT OF EDUCATION  
BILINGUAL-BICULTURAL EDUCATION  
PROGRAMS

LANGUAGES USED BY STUDENTS ENROLLED  
IN ALASKAN SCHOOLS

ALASKAN NATIVE LANGUAGES

AHTNA  
ALEUT  
HAIDA  
HAN  
HOLIKACHUCK  
INGALIK  
INUPIAQ  
KOYUKON  
KUTCHIN (GWICH'IN)  
SHAGALUK  
SIBERIAN YUP'IK  
SUGPIAQ  
TANACROSS  
TANAINA (DENA'INA)  
TANANA  
TLINGIT  
TSIMSHIAN  
UPPER KUSKOKWIM  
UPPER TANANA  
YUP'IK

NATIVE AMERICAN LANGUAGES

COVILLE  
NAVAJO  
NEZPERCE

EUROPEAN LANGUAGES

ALBANIAN  
BULGARIAN  
CROATIAN  
CZECH  
DANISH  
DUTCH  
ENGLISH  
FINNISH  
FRENCH  
GERMAN  
GREEK  
HUNGARIAN  
ICELANDIC  
ITALIAN  
NORWEGIAN  
POLISH  
RUSSIAN  
SPANISH  
TURKISH  
YUGOSLOVIAN  
PORTUGUESE

ASIAN LANGUAGES

ARABIC  
CHAMARRO  
CHINESE  
JAPANESE  
KANNADA  
KOREAN  
MALAYAN  
MARATHAI  
PAKISTANI  
PHILIPPINO  
SAMOAN  
THAI  
VIETNAMESE  
ARABIC

AFRICAN LANGUAGES

AFRICANNS  
KISWAHILI  
SWAHILI

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF EDUCATION

DIVISION OF EDUCATIONAL PROGRAM SUPPORT

POUCH F - STATE OFFICE BUILDING  
JUNEAU 99811

February 2, 1978

Michael Morin, Ad. Asst.  
House HESS  
Rm. 112 Capital Bldg.  
Juneau, Ak. 99811

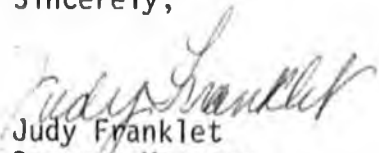
Dear Mr. Morin,

As per your request, please find enclosed the information regarding the Office for Civil Rights responses to the Bilingual/Bicultural Compliance Plans submitted on the following dates: November 4, 1976, December 16, 1976 and March 11, 1977. Specifically, these responses state the inadequacies of the plans.

I have included a complete analysis of the Bilingual/Bicultural hearings held throughout the state, August-October, 1977. Hopefully, this will provide you with a representative view regarding the issues involved with Bilingual/Bicultural education.

If additional information is necessary please do not hesitate to contact me.

Sincerely,

  
Judy Franklet  
Program Manager  
Bilingual/Bicultural Programs

JF:jn

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

MS 598

18 NOV 1976

(206) 442-1930

Office for Civil Rights

Dr. Marshall L. Lind  
Commissioner of Education  
Alaska Department of Education  
Peach F. State Office Building  
Juneau, Alaska 99801

Dear Commissioner Lind:

The purpose of this letter is to notify you that the plan submitted by the Department of Education, dated November 4, 1976, is not sufficient to meet the compliance requirements of Title VI of the Civil Rights Act of 1964. The document does not set forth what actions the Department will take to ensure that students receive a valid assessment of their linguistic ability nor does it specify what actions the Department will take to assist the local school districts to implement effective educational programs.

In order to review your response in more detail and to respond to any problems you may be having in your attempts to develop an acceptable plan, I would like to discuss the Plan with you at a meeting on Monday, November 29, 1976, at 1:30 PM in your office in Juneau. I realize, that during the past eight months my staff has provided your Department with extensive technical assistance and I hope that my visit will emphasize this Office's continued willingness to meet with State representatives and our desire to obtain an acceptable plan of voluntary compliance. I will look forward to meeting with you.

Sincerely,

Robert L. Brown  
Acting Director  
Office for Civil Rights  
Region X



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
REGION X  
ARCADE PLAZA BUILDING  
MS/508 1321 SECOND AVENUE  
SEATTLE WASHINGTON 98101

January 31, 1977

OFFICE OF THE REGIONAL DIRECTOR

(206) 442-1930

Office for Civil Rights

Dr. Marshall L. Lind  
Commissioner of Education  
Alaska State Department of Education  
Pouch F, State Office Building  
Juneau, Alaska 99811

Attention: Marilou Madden

Dear Commissioner Lind:

On November 4, 1976, your Department submitted a Lau plan in response to our March 26, 1976, Title VI Civil Rights Act letter of noncompliance to the Superintendent of the Alaska Unorganized Borough School District. On November 29, 1976, in a meeting in Juneau which you attended, and pursuant to a letter to you of that date, we determined the November 4 plan was unacceptable.

At the November 29 meeting, members of your staff indicated that they would attempt to develop an acceptable Lau plan, and that they might want to prepare a preliminary draft Lau plan for comment by OCR. Such a draft was sent from Marilou Madden of your staff to Virginia Calderrama of this Office on December 16, 1976. Steve Hole of your staff indicated to James Miles of our Office of General Counsel on January 6, 1977, that he preferred a meeting with OCR to discuss any necessary revisions in the December 16 draft, rather than another OCR letter specifically detailing inadequacies such as that sent to you on November 29.

As you are aware, we have received and analyzed a copy of the draft DOE Lau plan dated December 16, 1976. While we believe the draft represents, in some respects, a distinct improvement over the November 4 plan, it does not meet the minimum standards for acceptability as set forth by the Lau Remedies and previous correspondence and meetings with this Office. The plan does not describe in reasonable detail the

acceptable procedures by which DOE and the REAAs will determine the primary or home language of students, nor does it adequately describe the methodology for an assessment of linguistic function. In addition, the draft plan does not set forth clearly articulated, measureable, minimum State standards pursuant to which the REAAs will develop and implement appropriate educational programs. While the draft plan proposed an October 30, 1977, timeframe for completion of a comprehensive language assessment, it set no other timeframes for completing various components of the action steps contemplated nor dates for final submission of educational program plans to OCR.

Rather than set forth an in-depth analysis of the December 16 draft plan, members of my staff responded to your staff's requests for direct, prompt feedback and met with Ramona Suetopka-Duerre and Steve Hole in Seattle on January 20, 1977. During that meeting, Lynda K. Baril of my staff and James Miles of the Office of the General Counsel pointed out those sections which were clearly not acceptable, those which needed further clarification or specificity, those which must be accompanied by a reasonable demonstration or showing of educational justification, and those which seemed to be incomplete or inconsistent with other sections. Two sections of the November 4, 1976, plan--"Required and Elective Courses" and "Racial/Ethnic Isolation and/or Identifiability of Schools and Classes"--had already been determined to be acceptable as minimum State standards for the REAAs.

Both the November 4 plan and the December 16 draft plan lacked timelines for completion of action steps, and lacked timelines within which REAA educational service approaches (in response to the student identification and assessment) would be developed and submitted. Other serious deficiencies in the December 16 draft included the following:

1. Insufficient specificity in describing the language assessment processes, particularly with regard to the observational aspects of the State's proposed identification/assessment procedures.
2. No educational justification or showing which would demonstrate that the identification/assessment approach proposed by DOE will be reasonably valid in meeting the criteria in Part 1 of the OCR "Task Force Findings Specifying Remedies Available for Eliminating Past Educational Practices Unlawful Under Lau v. Nichols".

3. No description of the programmatic elements and characteristics of various educational program options acceptable for responding to the educational needs of limited English-speaking children. (Please see pages 4-6 (Part II-B) of our November 29, 1976, letter to you.)
4. No standards pursuant to which REAAs would develop programs to hire fully qualified staff needed to instruct students of limited English-speaking ability.
5. In addition, in connection with the area of diagnosis and prescription for underachieving students with a primary or home language other than English, we would reaffirm the point made by OCR representatives at the January 20 meeting: If each of the local school districts in the State defines, for students in that district, what is the normal achievement range (in subjects such as mathematics, reading, science, social science) and defines what will be deemed underachievement in such subject; and if the locally developed definitions differ significantly from district to district; and if such variations appear to correlate with the percentage of students in the District who have a primary or home language other than English, then such a pattern or procedure would have serious Constitutional (Fourteenth Amendment) and Title VI implications and would be highly suspect.

The above major concerns do not represent all the concerns, objections, and suggested revisions made by the two HEW representatives on January 20. However, they represent the most serious deficiencies. During the meeting we provided an opportunity to Ms. Suetopka-Duerre and Mr. Hole to ask any questions that they had or to present new materials in order to be certain that they understood the deficiencies we perceived in the December 16 draft. The Department of Education representatives expressed understanding of all the points made during the meeting.

I wish to personally assure you, Dr. Lind, that my staff will continue to be responsive to your requests for assistance and we will give immediate priority to reviewing and analyzing any further drafts or plans developed by DOE. I wish to encourage you to revise the plan pursuant to our January 20 meeting.

Page 4 - Dr. Marshall L. Lind

If you have any questions or concerns, please call me or Virginia Balderamma, Chief, Elementary and Secondary Education Branch at (206) 442-1930.

Sincerely,

*Marlaina Kiner*

Marlaina Kiner  
Director  
Office for Civil Rights  
Region X

# TELEGRAM

*Madden* (78)

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 936-6440

JUNEAU, ALASKA 99801

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PMS ACTION COMMISSIONER MARSHALL L LIND COMMISSIONER OF EDUCATION

STATE DEPT OF EDUCATION POUCH "F" STATE OFC BLDG

PHONE 907 465-2800  
0119

JUNEAU AK

THIS IS TO OFFICIALLY NOTIFY YOU THAT THE OFFICE FOR CIVIL RIGHTS HAS DETERMINED THAT THE LAU PLAN SUBMITTED BY THE ALASKA DEPT OF EDUCATION, MARCH 11, 1977, IS NOT ACCEPTABLE TO ASSURE COMPLIANCE WITH TITLE 6 OF THE CIVIL RIGHTS ACT OF 1964. IN AN ATTEMPT TO ASSIST YOU IN YOUR EFFORTS TO DEVELOP AN ACCEPTABLE PLAN, WE WILL BE FORWARDING TO YOU OUR DETAILED COMMENTS REGARDING THE PLAN AS SOON AS POSSIBLE, HOPEFULLY IN THE NEXT WEEK AND A HALF. UPON RECEIPT OF OUR WRITTEN COMMENTS, WE WOULD BE WILLING TO MEET WITH YOU AND YOUR STAFF TO DISCUSS THEM. I WISH TO ASSURE YOU OF THIS OFFICES COMMITMENT TO WORK WITH YOU IN MEETING COMPLIANCE BY EVALUATING OUR PLAN REVISIONS WHICH YOU MAY WISH TO SUBMIT.

MARLAI A KINER DIR OFC FOR CIVIL TRIGHTS HEW REGION X

1321 2ND AVE SEATTLE WASH HWRC



PUBLIC COMMENT CONCERNING PROPOSED REGULATION

4 AAC 34.010-.080 UNDER CHAPTER 34,  
BILINGUAL-BICULTURAL EDUCATION

INTRODUCTION

- I. Hearing-by-hearing recommendations
- II. Summary of revisions needed
- III. Appendices: Hearing schedule,  
list of participants

Revised draft of regulations attached

October 6, 1977  
Alaska Department of Education

## INTRODUCTION

The purpose of this report is to synthesize public comment concerning proposed regulation 4 AAC 34.010-080 under Chapter 34, entitled Bilingual-Bicultural Education, in such manner as to assist the Alaska State Board of Education in making a decision on whether to adopt, modify, or reject the proposed regulation.

The regulation in question, more specifically, the "Minimum Guidelines" has been highly controversial for two reasons: 1) the regulation is a result of negotiations between the U.S. Office for Civil Rights-Region X and the Alaska Department of Education; and 2) the "guidelines" do not address non-indigenous language groups. In order to present as clear and objective a picture as possible, under these circumstances, the report has been organized into three sections.

The first section deals with major recommendations and concerns brought forth in each of the eleven public hearings. Section two includes a summary of areas needing revisions, cross-referenced to public testimony. Section three, the appendices, includes the schedule of public hearings, opening statements, and lists of participants. Also enclosed with this report is a new draft of revised regulations designed to meet both public concerns and federal and state guidelines.

It is important to note here that the proposed regulation was announced throughout the State. Several informational meetings were held in addition to the public hearings to discuss the regulation prior to the public hearings. It is clear from the response that there are varying views on what the general public expects the proposed regulation to do.

The eleven public hearings were attended by a cross section of concerned parents, bilingual education advocates, bilingual educators, school board members, administrators, elementary and secondary teachers, Alaska Native leaders, interested groups, organizations, and other observers.

It is clear from the testimony received that some people considered the process used in developing the proposed regulation, i.e., negotiations between the U.S. Office for Civil Rights and the Alaska Department of Education more important than the regulation itself while others felt it necessary to draw attention to definitional type issues, such as "Bilingual-Bicultural Education" or "Preservation of Language and Culture."

What follows is a composite narrative which collects the issues in broad subject areas and presents them as if they had been made in one continuous discussion.

## **BILINGUAL-BICULTURAL EDUCATION**

The term "Bilingual-Bicultural Education" has not been adequately defined for general use by the public. Some view the term as an educational goal, others see it as a focus to the total educational offering; while others treat the term as an emotion-raising slogan. Some questioned the effectiveness of the bilingual-bicultural education approach to educating youngsters and have pointed out the lack of evidence that this approach to education is a positive one. The term "bilingual-bicultural education" as used by practitioners simply means the use of two languages and two cultures in instruction.

## **BILINGUAL EDUCATION**

A number of participants in the public hearings pointed out that the "Handbook" emphasizes bilingual education more than it does bicultural education; and that the two could not be distinctly separated. The term "bilingual education" generally used by educators in the field means the use of two languages as a method of instruction.

## **BICULTURAL EDUCATION**

Many participants pointed out the lack of emphasis on "bicultural" education in the "Handbook." Others raised the issue of all students needing multicultural education, not simply those enrolled in bilingual programs.

## **PRESERVATION OF LANGUAGE AND CULTURE**

An overwhelming majority of the testimony offered from rural Alaska underscored the need to "preserve the language and culture." A number of persons testifying stated that their school districts are doing just that without regulations by the State Department of Education.

## **LOCAL CONTROL OF EDUCATION**

This issue was raised not only by Regional Educational Attendance Area (REAA) school board members and administrators but by independent school board members and administrators as well along with some representatives of interested organizations. Although testimony varied, with some feeling that the regulations strengthened local control through local advisory committees, the majority stated that the regulation, as proposed, would usurp local control of educational programs.

## FUNDING

Stable and reliable funding for bilingual-bicultural programs is a major concern throughout the state. The consensus is that such funding needs to come under the state foundation formula.

## STATEWIDE APPLICABILITY

Witnesses repeatedly raised the issue of regulations needing to possess statewide applicability and appropriateness.

## EQUAL EDUCATIONAL OPPORTUNITY/NON COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Testimony raised the issue that adoption of the regulations would possibly contribute to student segregation. In particular, the employment of teachers with little training to teach students appeared to witnesses to be a way of increasing inequitable educational opportunity. Districts also stated that the Office for Civil Rights had yet to demonstrate that they were in non-compliance with Title VI of the Civil Rights Act of 1964.

## OTHER ISSUES

Other issues were raised, including the role and training of paraprofessionals, parental options about student participation, community and parental involvement in educational decision-making, federal encroachment in education, and regulatory format and flexibility. Comment on these issues was extensive and is covered in the hearing-by-hearing recommendations.

HEARING BY HEARING RECOMMENDATIONS:

JUNEAU, 8/24/77 --

1. Strong support of bilingual-bicultural education was given.
2. Funding: funding needs to be outside of foundation formula or in addition to current formula, but with state monies.
3. Paraprofessionals: 1. Paraprofessionals should be adequately paid, but not at par with certificated staff and should be under direction of certificated teacher; 2. Extensive inservice and training for paraprofessionals should be provided; 3. Career ladders should be available to certificated teachers as well as bilingual aides.
4. Compulsory participation: parents should have a choice about whether their children participating in bilingual-bicultural programs.
5. Statewide conference of parents and educators concerning bilingual-bicultural programs should be held.
6. Handbook as regulation: No witness spoke in favor of adopting the handbook as regulation. John Coffee, Juneau superintendent, suggested adopting instead only the checkoff lists from the handbook. Besides the specific recommendations listed above, the witnesses said that the state regs would be more stringent than the federal law requires, are too long, and may prove more harmful than beneficial. Those speaking included Bob VanHoute, executive director for NEA/Alaska, and local teachers.

## HEARING BY HEARING RECOMMENDATIONS:

ANCHORAGE, 8/24/77 -

1. Support of bilingual education was unanimous.
2. Paraprofessionals: 1. Aides should work closely with certificated teachers and all classrooms should have certificated teachers; 2. On-going service program should be provided to elevate paraprofessionals to teaching status and to get bilingual teachers; 3. On-going inservice needed for all teachers, both aides and certificated, to help them meet needs of bilingual students; 4. Any letters of authorization for paraprofessionals should be temporary only; 5. People with only letters of authorization should not be teaching total content in grades 1-3.
3. Compulsory participation: students should not be compelled to take the program(s).
4. Funding: state funding, apart from current foundation formula, is needed.
5. Statewide conference should be held of all interested groups including nonindigenous peoples, department and teachers.
6. Handbook should speak to nonindigenous groups and apply to urban districts.
7. Section B of the proposed regs should read "A district may request authority from the department to create its own bilingual-bicultural program."
8. Lau remedies should be promulgated as federal regulations.
9. Handbook should not be adopted as state regulation according to NEA/Alaska, Anchorage Education Association, Anchorage School District, Roger Lang, and Bob Kemp (president of the Anchorage branch of NAACP). Speaking for the adoption of the handbook as regulation was Neil Thomas, Alaska Human Rights Commission, who said that the state will lose federal monies if it does not adopt regs acceptable to OCR and that the handbook provides equal educational opportunity. He suggested, however, it be amended to take into consideration urban districts' multilingual situations.

Besides the specific recommendations listed above, those who spoke against the handbook as regulation said that it goes far beyond federal requirements, has anonymous authors, would cause more problems, includes philosophy which is out-of-place in regulation, contains contradictions,

was developed without local district or minority group input, includes a language assessment test which is unvalidated and not appropriate for Anchorage, causes unnecessary paperwork, gives OCR authority over matters not included in the Lau decision, encourages federal encroachment, is too long, would destroy local control, and would pit minority groups against one another, due to its rural focus.

## HEARING BY HEARING RECOMMENDATIONS:

FAIRBANKS, 8/25/77

1. Support of bilingual-bicultural education was strong.
2. Paraprofessionals: 1. Minimum training of native language instructors would be to have a second language; 2. All teachers, both bilingual and English-speaking, need training in linguistics; 3. Certificated teachers need training in English as a second language or cross-cultural education (such training should be a condition of hire by the school district, but not a condition of certification by the department); 4. Any emergency certificates should be only temporary. Training of paraprofessionals leading to certification should be available; and training in bilingual-bicultural should be available to certificated staff; 6. Aides should work under the supervision of certificated staff; 7. Credit should be geared to meeting native peoples' needs, not teachers' needs; 8. Certification should be to help meet needs of students, not teachers/aides; 9. Training bilingual should be part of the on-going certification process.
3. Handbook should be translated into those native languages which a majority of students speak upon entering school.
4. Community involvement: Boards should be trained in bilingual-bicultural education.
5. Assessment: Instrument needs to be analyzed.
6. Format: That which is state law and regulation should be separated from that material which is resources and management.
7. Funding: There is a need for state funding apart from the foundation formula.
8. Statewide conference of concerned parents and educators should be held before regs are adopted.
9. State should insure that some central body be consulted to evaluate current materials.
10. The BIA lingual effort should be integrated with what others are doing.
11. Two witnesses, Chad Thompson and Mike Kraus (of the Alaska Native Language Center), both speaking for themselves, spoke in favor of adopting the handbooks as regulation, if certain revisions were made. Thompson was concerned with the handbook's contradictions, its failure to address proper training of bilingual teachers, its listing of specific names on the

specialists' lists, its failure to define "linguist," and its failure to include native writers among the linguists listed. Kraus said that local control may not represent childrens' interests best, but that the handbook does so. The other witnesses did not endorse the handbook as regulation. Besides the specific recommendations listed above, the other witnesses said the handbook needs to be clearer, is inaccurate and incomplete, would promote expensive and time consuming procedures, focuses on native languages without leading to students' gaining English fluency, (as desired in federal guidelines), has an untenable timeframe, was developed without local district input, and dilutes local control.

HEARING BY HEARING RECOMMENDATIONS:

KETCHIKAN, 8/25/77 -

1. Support for language and cultural preservation was expressed.
2. State should consider postponing adoption of regs and rejecting federal funds, and instead develop regs which allow for programs developed with local input.
3. Regs should deal with children who do not speak English as their primary language.
4. Programs should be structured so that children are prepared to work in English by the time they're in the 4th grade.
5. Funding: funding needs to be found other than the current foundation formula. The community needs, said one, to consider putting in local funds.
6. Handbook as regulation: No one spoke in favor of adoption of the handbook as regulation. Those speaking against adoption of the handbooks as regulation said that the regs would promote racial separation or discrimination, that villages without native speaking children would not benefit under the proposed regs, that adoption of the regs would signal a bad practice of letting feds dictate how local programs should function, that the regs go far beyond what the problem calls for, that the timeline for assessment is a concern and that six weeks preparation of non-English instructors is not adequate if that person is to have all responsibility for teaching all subjects to children.

HEARING BY HEARING RECOMMENDATIONS:

BETHEL, 9/19/77 -

1. Strong support for bilingual education was expressed, as was very strong support for language and cultural preservation and maintenance.
2. Programs for Native language and culture preservation and maintenance should be included in the handbook and given funding from the state.
3. Amendments should be made to meet the educational requirements of each district and region.
4. Nonnative children should be able to enter bilingual-bicultural programs.
5. Paraprofessionals/bilingual teachers:
  1. Bilingual teachers should be natives, not outsiders, and from the specific villages of the students;
  2. Village elders should be the teachers and should be certified;
  3. Aides should receive appropriate wages, temporary certification and appropriate training programs;
  4. Bilingual teachers should receive equal pay for equal work;
  5. The proposal for bilingual instructors should follow the position cited in the Alaska certification task force report of April, 1977;
  6. Nonnative teachers should learn of native language and culture, English as a second language methods and native learning styles, and the district should provide that training;
  7. Paraprofessionals should receive a certificate similar to a vocational certificate, or letter of authorization, preferably with a stated salary scale, with staff training for a regular teaching certificate;
  8. Regs should not require districts to provide bilingual teachers and materials that neither districts, state nor the federal government can provide.
6. The Department of Education should better explain the implications of the handbook and provide a synopsis. Also the handbook should have been translated into Yupik.
7. Bilingual programs should be developed with the educator and local board.
8. Handbook should be completely rewritten with the cooperation of school districts. The revision should include accurate descriptions of legal responsibilities, greater information on varieties of acceptable models for inservice, and using the full participation of all affected

- districts. Or each district should be allowed to write its own compliance plan, considering local circumstances and allowing latitude for application of numerous models for services.
9. Yupik should be recognized by institutions and agencies as a viable language in the Calista region, and required of schools in the area.
  10. Native language should be part of the regular program, not an add-on.
  11. English-speaking children with language interference should be in bilingual programs.
  12. Bilingual-bicultural programs should continue at the high school level, not just be available for the first three or four years.
  13. District should be given option to teach or not teach bilingual bicultural programs.
  14. Nonstandard English speakers should not be included in bilingual program unless they are suffering language interference.
  15. OCR or the state should establish that language interference exists and that it causes non-standard English in a specific location.
  16. OCR or the state should establish that dropout rate, failure to achieve and indifference to education are all the result of teaching non-English or limited English speakers in English.
  17. OCR or the state should prove that models I, II and III are workable, viable in terms of the lack of trained teachers, shortage of materials, and excessive demands of the proposed regs.
  18. State and feds should provide funds for materials development.
  19. Bilingual education and bicultural education should be separated and defined, and native people should be educated to distinguish between the two.
  20. Bicultural programs should be voluntary and completely under local control, but state and feds should provide funds, resources and expertise to help regions in program development.
  21. State board should go to court if necessary to resolve issues rather than compromise away more local and state control to federal agencies.
  22. State board should question the need for the proposed regs.
  23. Handbook as regulation: Support for adoption of the handbook as regulation was voiced by

Mark Roye, Alaska Legal Services; Rosemary Porter, self; Diane Carpenter, parent; and Katherine Collier, self. Those supportive of the handbook stated that it was written by Alaskans, not outsiders; that the problem of Village English needs to be addressed; that the handbook is flexible in that a district may try any program it likes, if DOE approves; that local control is insured by the handbook; that the state would pay the entire cost of programs under the handbook; that preservation of language is not required under the law, only equal educational opportunity is required; that the State Board has been prejudiced from the start; that community involvement is vital and required by the handbook, that the handbook is workable and much needed.

Walter Brown, St. Marys superintendent, indicated that district would support the handbook only if it is extended to provide for the continuance and expansion of the districts' current program. Other St. Marys testimony was similar indicating support of regs, only if they provide state foundation funding for language and cultural preservation and maintenance. The suggestion that the handbook be rewritten in its entirety came from Brad Raphael, Central Office administrator for Lower Yukon district, speaking for self and Laverne Etter, Lower Yukon district superintendent. Other speakers basically supported bilingual-bicultural education, often with the aim of cultural and language preservation and maintenance, but did not comment specifically on the handbook's regulation. Besides the specific recommendations listed above, the other concerns witnesses expressed about the handbook included the lack of local input in the handbook development; the need for Alaska's postsecondary institutions to commit themselves to providing needed training for bilingual staff; retention of local control; need for community involvement, the inadequacy of six weeks training for bilingual teachers who would be given full responsibility for a classroom; that the handbook is thick, inconsistent, rigid, confused learning theories and assumptions unsubstantiated by documentation; that the handbook reduces origins of student underachievement to only language interference, a conclusion which conflicts with other research; that the plans are geared to student transition

eventually to English, not native language retention; that local boards and administrators are better qualified to determine need, assess resources and develop programs than OCR or the state; that there is no legal basis for OCR's finding of noncompliance in the Lower Yukon; and that the Department of Education should be service-oriented, not regulatory.

## HEARING BY HEARING RECOMMENDATIONS:

FAIRBANKS, 9/21/77 —

1. Support of bilingual-bicultural education was clear.
2. Regs should be simple, short and separated from resource material. Regs should be put in proper format, clear, concise, without contradictions, without philosophy and without lists of specific individuals and organizations.
3. Evaluation of instruction should be included in regs.
4. Multicultural programs should be promoted on their own as well as where bilingual situations exist. Cultural study should not be limited to just the local culture. Cultural education should be required of all districts, regardless of number of bilingual students.
5. The assessment test must be worked with further to make sure it is sound; also tests outside Alaska should be reviewed to see if any can be adapted for use in Alaska. Regs should allow various types of assessment instruments, not specify only the Dauenhauer test. Student assessment should be by May 31, 1978, with use of a district selected and validated instrument.
6. Paraprofessionals/aides should be paid on scale commensurate with training, education and experience; certified type A teachers should be in charge of programs with bilingual paraprofessionals assigned as needed; paraprofessionals should be paid on a salary scale separate from the certificated salary scale; training time for paraprofessionals should be increased; district plan of service should include staff training program; career ladder should be available for paraprofessionals.
7. Local educators should be involved in making revisions to the regs.
8. Handbook should allow maximum local control and local responsibility, and options for programs, and minimum federal control.
9. Compulsory participation: Parents should have the option of not enrolling their child in bilingual-bicultural programs.
10. Handbook should speak to rights to bilingual education for all children dominant in a language other than English. Regs must be applicable to non-English languages in urban as well as rural Alaska.
11. Funding: Funding should be on the basis of one instructional unit for each 8 students. Failure

to fund by the state would exempt a district from the regulations. Funding should be in addition to current foundation funding.

12. Parents should be involved in developing programs.
13. Goal of regs should be to make students functional in English, but not at the cost of making them monolingual English speakers.
14. Districts and parents should have options about teaching bilingual or English dominant students in non-English or English.
15. Districts with 8 or more limited English-speaking students, in categories A to E, or any combination, should file a bilingual-bicultural plan of service with the Department of Education. The plan should provide for parental involvement in program development, and should reflect students' lingual-cultural background.
16. Districts should make provisions to provide instruction and materials.
17. Districts with less than 8 students in categories should meet student needs by one-on-one tutoring.
18. The Department of Education should establish a language center for materials.

Besides the specific recommendations listed above, those who spoke against adoption of the handbook as state regulation expressed other concerns. Katherine Hecht, for example, noted that if program placement depends on student scores on a nationally normed test, a bright child could score average and not be placed in a bilingual program, although he or she would not be reaching full potential. Hecht also said that the regs, as proposed, are unsatisfactory as a basis for state funding because they are not applicable to multicultural, multilingual programs. Others expressed concerns that the regs were written without input from parents, administrators or classroom teachers; that the test instrument is not validated; that the regs go far beyond federal and state law and court decisions; that the regs take away local responsibility by demanding excessive record keeping and by mandating delegation of bilingual responsibilities to local advisory committees; that the regs are predicated on a false assumption, (i.e. that districts are not interested in providing bilingual-bicultural programs). Other comments centered on the regs inconsistencies which include a recognition of the need of bilingual teachers to have special training contrasted with the shortness of the training period for aides authorized in the regs. The manner in which the regs were developed and proposed for adoption was also a concern, as were the timelines, the lack of materials,

the length of the document, and the lack of flexibility. Another concern is that the regs would create a segregated group of students, taught by noncertified and inadequately trained teachers, thus creating unequal educational opportunity. Of those who testified, only one spoke in favor of adoption of the handbook as regulation – saying that the urban districts can still write alternate plans under the handbook as it is now written. The remainder of the testimony was against adoption of the handbook as regulation, with one speaker urging the state to challenge OCR on the issue and another stating that he would urge a legal injunction against the regulations if they were adopted.

## HEARING BY HEARING RECOMMENDATIONS:

ANCHORAGE 9/22/77 -

1. Support for bilingual-bicultural education was clear in all testimony.
2. Correct page 51 as it indicates that the assessment test must be administered to all students. Test should be given only to students identified on questionnaires and checklist.
3. Regs should be concise and straightforward; philosophy is inappropriate.
4. Regs should provide variety of curriculum models.
5. Parents should have options about children's learning non-English languages, if the children are in categories C, D, E, and F.
6. Time for assessment should be lengthened to May 21, 1978
7. New assessments for new entering students should be upon their entering the district.
8. A validated assessment instrument should be used.
9. Each district should provide students familiarity with all cultures in the state, with a particular focus on the culture of the district.
10. There should be parental, rather than just community, involvement, particularly in program development.
11. There should be more program options for category A and B students than those listed in the handbook.
12. Districts should be able to choose between bilingual-bicultural education and transitional bilingual education curriculum.
13. It should not be mandated that secondary, category B students learn a non-English language.
14. For C and D category students, program options should include bilingual-bicultural education, English as a Second Language, and supplemental English skill and concept development.
15. Districts should implement plan to train or secure certified type A teachers who are bilingual. In the interim, certified type A teachers should have primary responsibility for student learning needs diagnosis, and instructional methodology, with paraprofessionals working under supervision.
16. Training should include linguistics and cultural inservice for teachers.
17. Districts should provide a career ladder for bilingual paraprofessionals which leads to certification.

18. The student-teacher ratio in bilingual-bicultural programs should be no greater than the student-teacher ratio for the district, and the bilingual paraprofessional-student ratio should be no greater than 8 to 1.
19. The Department of Education should establish a language center, including teacher-made as well as commercially produced materials.

Besides the specific recommendations given above, largely by Jean Ann Johnson, a representative from the Instructional and Technical Development Committee of NEA/Alaska, some other concerns were raised. They included the lack of parental and teacher input in the handbook, the difficulty for small districts to generate sufficient materials, the importance of certified type A teachers working with bilingual paraprofessionals in lesson preparation and classroom management, the handbook's failure to speak to bicultural or multicultural programs, and the difficulty of determining what substandard English is (a reference to category E).

Testifying in favor of the handbook, through a letter read at the hearing, was Iditarod superintendent Jim Zuelow who said that its adoption would correct program inadequacies and increase local control through local bilingual committees. The other two witnesses did not speak in favor of adoption of the handbook as regulation.

## HEARING BY HEARING RECOMMENDATIONS:

KOTZEBUE 9/28/77 -

1. A new start in bilingual programming should be made with responsibilities given to local districts, and the Department monitoring and coordinating.
2. Guidelines should list minimum, with regions developing plans to be approved by the department. Local boards/districts should develop own plans as they know needs.
3. The district should submit a plan of service.
4. Do not adopt the handbook as state regulations, but let it be used as a guide as was originally intended.

The rest of the testimony from Kotzebue was directed at weaknesses in the handbook and comments about the district's interaction with the Office for Civil Rights. Witnesses testified that local control was not allowed for in the handbook, that it circumvents part of the educational system, that state agencies have ignored their responsibilities, that the handbook mandates services beyond what law requires, that the district had no input in drafting of the handbook, that the handbook is too confusing, that the handbook assumes that no local programs now exist, that the handbook would segregate students, that the handbook does not meet the needs of kids, that the handbook is a reminder of past paternalism and lack of local control, and the funding is uncertain.

More detailed testimony included that the handbook did not identify sources, that it does not separate information from requirements, that key words are not defined, that 90 pages of the handbook contain no regulatory material, that the language survey is not easy, that instruments have never been field tested, that no crosscheck of instruments is provided, that no definitions of the categories/words on the questionnaire are provided, and that the forms are confusing to the aides administering them.

Other issues raised included the following: that Northwest Arctic has never been found in noncompliance by OCR, that Northwest Arctic wishes to deal directly with OCR, desiring due process given to other districts in other states; that OCR is morally and legally wrong in carrying over the finding from SOS to the districts "arbitrarily and capriciously"; that grounds for noncompliance are not defined; that for the district to sign off would be to admit guilt which it does not accept; that the Lau remedies are not the only solution to language problems; that the Department and the Alaska Unorganized Borough School District should have tried harder earlier to re-

solve the matter.

All the witnesses testified against the adoption of the handbook as state regulation, with board member Evelyn Conwell saying that the handbook, if adopted, would be over the objections of an all-native board.

## HEARING BY HEARING RECOMMENDATIONS:

NOME 9/21/77 -

1. Support of bilingual-bicultural programs was clear. In addition, witnesses testified to the need for cultural and linguistic maintenance and preservation.
2. Funding: there should be an absolute guarantee of financing. Foundation formula should be amended, so that noncompetitive state funding exists.
3. Compulsory participation: Students and/or parents should have options about participation in the programs.
4. Parent and community involvement: Handbook needs to be strengthened in area of parent participation. (One speaker mentioned that a "wants" assessment should be done with kids, to find out what they want).
5. Format: regs should be separated from other material. Only the compliance checklists and language assessment tests are necessary in regs. Handbook should be only a handbook, not formal regs, so program details are decided locally. Regs should be simple, concise and should not list experts or private organizations.
6. Source of studies cited in handbook should be listed and include list of schools with bilingual-bicultural programs.
7. Regs should not include schools' responsibility for materials development.
8. Statewide language cultural center should be established as a clearing house for materials and ideas
9. Handbook should have been summarized and distributed more widely.
10. State should develop policy whereby districts would develop their own needs assessments and bilingual programs implementation.
11. A career ladder for paraprofessionals is needed, with certification as the goal.
12. The definition of bilingual should include students who come from homes where the language is other than English, even if students speak English as a first language.
13. Programs are needed for "village English" students.
14. Checklist should include curriculum and evaluation.

NOME page 2

Besides these recommendations, witnesses voiced several other concerns: A major concern expressed is that the handbook does not address bicultural education, only bilingual; that multiculturalism would be more meaningful than biculturalism; and that non-native children, as well as native children, should be involved in the programs.

Speaking to the staffing mandated in the handbook, Ron Gerton, NEA/Alaska representative, objected to the rapid certification of bilingual people, saying it would not benefit teacher or students. He also pointed out, as did Nome superintendent Darroll Hargraves, that the regs do not allow for making regular teachers bilingual. Other concerns included the mandated use of an unvalidated assessment instrument, the ambiguous responsibilities of local bilingual committees, the unavailability of training programs cited in the appendix of the handbook, the mixture of language transition philosophy with language maintenance philosophy, the lack of citations for sources, the misuse of information gathered from other sources, that the regs go far beyond the Lau remedies, the handbook's length, and that its adoption would take away local control. Also mentioned were that the handbook contains no definition of bilingual education, is emotionally pitched, and could lead to segregation.

Several speakers felt comfortable with the handbook as a resource tool, and some felt it could increase local control through local committees. Linguist David Shinen testified that the three models handle the range of bilingual education and that the materials development section is flexible. Testifying for Alaska Legal Services, Chris Pelky said that the regs do not go far enough.

## HEARING BY HEARING RECOMMENDATIONS:

DILLINGHAM 10/3/77 --

1. Strong support given for bilingual-bicultural education, with comment on the importance of cultural and lingual preservation.
2. Bilingual programs should be developed by school boards and districts, with input from experienced teachers and citizens.
3. Parents or students should decide about students being placed in a bilingual program.
4. There should be a variety of program options.
5. Purpose of regs should be to guarantee non-English speaking students equal educational opportunity, not to teach students in non-English languages.
6. Funding should be through the state foundation formula.
7. Bilingual aides should be certified only if they meet the same standards as regularly certificated teachers.
8. Training programs in local language, customs and cultures should be implemented for regularly certificated teachers.
9. This state should undertake comprehensive program to develop and disseminate materials.
10. Authority for local direction should be with local school board.
11. Handbook needs to be completely redone, in Alaska and by Alaskans, so regs are more realistic, shorter and to the point.
12. Throw out the phrase "non-standard English" as it's undefinable.
13. Regs should include what is necessary to protect rights of individual students and no more, leaving the development of specific programs to local boards and people.
14. Regs should not include philosophy.

Besides the more specific recommendations given above, testimony at Dillingham was largely directed to the concern that the adoption of the handbook as regulation would usurp local control, much valued by the people of the region. Much comment was also directed to the lack of provision for funding of programs. Other concerns included that the regs were written without any input from classroom teachers, school boards community members or administrator; that learning a non-English language is mandated for some students; that aides would become certificated teachers

with very little training to the detriment of students; that parents should be involved in curriculum development for their children; that it is inequitable to pay the same salaries to people without certification as are paid to those certified; that the regs may go against the concept of Indian self-determination; that the handbook far exceeds Lau remedies; and that the handbook turns guidance of rural education over to linguists rather than parents, educators and boards. In addition, the Southwest Region district maintains that it is in compliance with Title VI and Lau, and that OCR has yet to make an on-site investigation of its programs.

Testimony aimed at handbook details included the following: that using tests normed in the Lower 48, not Alaska, is not a good measure of Alaskan students achievement; that the concept of dialect is confusing; that the handbook assumes that teaching children standard English will in itself raise academic achievement, a questionable claim; that the handbook does not accept ELNAS for language assessment, despite research showing its validity; and that the handbook subjects Alaska to different regulations than those presented by the Lau task force.

Opposition to adoption of the handbook as regulation was unanimous.

## HEARING BY HEARING RECOMMENDATIONS:

SOLDOTNA 10/5/77 --

1. Support for bilingual education was consistently expressed.
2. Any bilingual program adopted by the state contain provisions for funding on foundation formula type basis.
3. Department of Education should provide resources to assist local districts developing bilingual and multilingual programs which meet state and federal requirements.
4. A bilingual referral system should be developed and implemented in all districts, for use in place of the assessment procedure outlined in the handbook.
5. Where the proposed regs are not applicable, districts should develop procedures consistent with the intent of the Lau remedies.
6. Regs should be developed in the spirit of the Civil Rights Act of 1964 and appropriate elements of the Lau decision, but involving a broad representation of people in the development.
7. OCR should not be involved in actual educational programs.

Six of the witnesses spoke in opposition to adoption of the regulations as proposed. Their concerns included that the regs do not provide the flexibility necessary for local control of programs, nor assured state funding; that the blanket assessment is unnecessary and wasteful; that the handbook does not speak to nonnative, nonrural problems; that districts are already active in providing bilingual programs; that the parent questionnaire asks questions which are "none of your business;" that parents have right to decide what is taught to children; that the handbook has inaccurate and inappropriate generalization, fails to cite sources, bases conclusions on opinions or interpretations, lacks objectivity and organization; and uses highly accusatory language. Other concerns were that the handbook exceeds Lau remedies, has no bibliography and no resource list and contains erroneous information. The lack of parental input into developing the regs, the use of an unstandardized assessment test and the mandatory participation of children regardless of parental wishes were other areas of concern.

The witness testifying for adoption of the handbook as regulation spoke of the necessity for regulation, the presence of students who speak English but with native grammatical patterns, and of the need for bilingual education.

WRITTEN TESTIMONY:

Copies of much of the written testimony have already been provided to the members of the State Board of Education for their review. Included with this report are additional pieces of written testimony which were not also presented orally and which give specific recommendations about further action. All written testimony was considered by the Department of Education staff as they analyzed public comment before the redrafting of the proposed regulations.

## SUMMARY OF REVISIONS NEEDED:

The existing handbook needs to be revised to:

1. Include, as a program option, the learning of skills pertinent to the culture as well as the language. JUNEAU, FAIRBANKS, BETHEL, DILLINGHAM, ANCHORAGE, SOLDOTNA, AND NOME testimony.
2. Include more program options. JUNEAU, FAIRBANKS, BETHEL, ANCHORAGE, DILLINGHAM, SOLDOTNA, NOME, AND KOTZEBUE testimony.
3. A. Increase the amount of direct parent involvement in program planning.  
B. Allow parents and/or secondary students the privilege of opting-out from the bilingual program. NOME, JUNEAU, FAIRBANKS, BETHEL, ANCHORAGE, DILLINGHAM, AND SOLDOTNA testimony.
4. Reflect the needs of both indigenous and non-indigenous language groups. JUNEAU, FAIRBANKS, SOLDOTNA, ANCHORAGE testimony.
5. Reflect more closely the HEW Task Force findings on practices ruled unlawful under Lau vs. Nichols. BETHEL, ANCHORAGE, JUNEAU, FAIRBANKS, DILLINGHAM, SOLDOTNA, AND KOTZEBUE testimony.
6. Reflect a greater emphasis on both materials and curriculum development. NOME, JUNEAU, FAIRBANKS, AND ANCHORAGE testimony.
7. Delete philosophy and advisory language from the content of actual regulation. ALL SITES testimony.
8. Include a requirement for an evaluation component which speaks to student performance. FAIRBANKS, NOME, KOTZEBUE testimony.
9. Eliminate from the assessment process, on the basis of prior knowledge, those students who are not in categories A through E. JUNEAU, FAIRBANKS, SOLDOTNA, AND ANCHORAGE testimony.
10. Clarify category E. JUNEAU, FAIRBANKS, DILLINGHAM, BETHEL, AND NORTH SLOPE testimony.
11. Reflect the traditional and legal roles and responsibilities of school boards. JUNEAU, FAIRBANKS, BETHEL, NOME, AND KOTZEBUE testimony.
12. Allow options in language assessment instrumentation. Eliminate contradictory language in reference to non-traditional norm-referenced and standardized tests. FAIRBANKS, KOTZEBUE, ANCHORAGE, DILLINGHAM, AND SOLDOTNA testimony.
13. Insure that staff skills are commensurate with program requirements. JUNEAU, FAIRBANKS, BETHEL, KOTZEBUE, ANCHORAGE, DILLINGHAM, AND SOLDOTNA testimony.
14. Describe acceptable procedures for identifying Category E students. NOME, FAIRBANKS, AND ANCHORAGE testimony.

15. Clarify the acceptability of language maintenance program. BETHEL AND SOLDOTNA testimony.
16. Speak to "equal work, equal pay" issue. FAIRBANKS, BETHEL, AND ANCHORAGE testimony.
17. Reduce the level of restriction on variety in district plans. NOME, BETHEL, AND KOTZEBUE testimony.
18. Strengthen that section of the regulations which speaks to staff training and development. NOME, JUNEAU, FAIRBANKS, BETHEL, ANCHORAGE, DILLINGHAM, AND SOLDOTNA testimony.
19. Require local plans to include provisions for the integration of A through E students in the regular program. FAIRBANKS, KOTZEBUE, AND BETHEL testimony.

HEARINGS SCHEDULE:

- A. ANCHORAGE – AUGUST 24, 1977
- B. JUNEAU – AUGUST 24, 1977
- C. FAIRBANKS – AUGUST 25, 1977
- D. KETCHIKAN – AUGUST 25, 1977
- E. BETHEL – SEPTEMBER 19, 1977
- F. FAIRBANKS – SEPTEMBER 21, 1977
- G. NOME – SEPTEMBER 21, 1977
- H. ANCHORAGE – SEPTEMBER 22, 1977
- I. KOTZEBUE – SEPTEMBER 28, 1977
- J. DILLINGHAM – OCTOBER 3, 1977
- K. SOLDOTNA – OCTOBER 5, 1977

TESTIMONY WAS GIVEN BY THE FOLLOWING:

Anchorage, August 24, 1977

1. Carolyn Doggett, president, NEA/Alaska
2. Lori Sears, president, Anchorage Education Association
3. Gene Davis, Anchorage School District
4. Luis Gonzalez, president, Hispanic American Society of Anchorage
5. Pat Pletnikoff, Aleutian/Pribilof Islands Association
6. Roger Lang
7. Bob Kemp, president, NAACP, Anchorage branch
8. Bill Bankston, attorney for Southwest Region, Lake & Peninsula, Pribilof Islands, and Aleutian School Districts, of Anchorage
9. Neil Thomas, director, Alaska State Commission for Human Rights

Juneau, August 24, 1977

1. Mary Borthwick, Box 857, Juneau; Juneau teacher
2. John Coffee, president, Alaska Association of School Administrators; Box 803, Juneau School District, Douglas, Ak. 99824
3. Bob Van Houte, NEA/Alaska
4. Mary Becker, Box 522, Douglas; Juneau schools

Fairbanks, August 25, 1977

1. Michael Travis
2. Dermot Collins
3. Mike Flora, federal programs director, Yukon Flats School District, speaking for self
4. Gayle Pierce, Fairbanks Education Association, Ryan Jr. High teacher and member State Executive Board of NEA/Alaska, speaking for self
5. Chad Thompson
6. Georgianna Lincoln, Athabascan, speaking for self and also speaking for Doyon, Ltd.

Fairbanks, August 25, 1977 - continued

7. Leland Clune, Fairbanks North Star Borough School District
8. Mike Krauss, Alaska Native Language Center, speaking for self
9. Virginia Wilson

Ketchikan, August 25, 1977

1. Elvie Brinson
2. Robert Peratrovich, Klawok District board president and retired teacher
3. Bob Weinstein, Southeast Island School District
4. R.W. Stekl, superintendent, Ketchikan Gateway School District
5. Elbie Gann, superintendent, Hydaburg School District
6. Sarajustine Black, president, Ketchikan Education Association
7. Vesta Johnson, vicepresident, Haida Society, Hydaburg
8. Eluore Corbett, member of native parent committee
9. Marjorie Nix, bilingual assistant

Bethel, September 19, 1977

1. Anna Angalak, St. Marys student, and student body president
2. Peter Angalak, St. Marys student
3. Paul Jumbo, St. Marys student
4. Timothy Stanislaus, St. Marys student
5. James Murrin, St. Marys student
6. Thelma Beans, St. Marys student
7. Nancy Lake, St. Marys student
8. Andy Paukan, St. Marys bilingual teacher
9. Maggie Paukan, St. Marys, district employee

TESTIMONY GIVEN - 3

Bethel, September 19, 1977, continued -

10. John Thompson, Sr., St. Marys, parent committee member
11. Mary Paukan, St. Marys
12. Sophie Beans, St. Marys, president of bilingual-bicultural programs parent comm.
13. Mrs. Margaret Andrews, St. Marys
14. Larry Beans, St. Marys school district, administrative assistant
15. Walter Brown, superintendent, St. Marys School District
16. Chuck Hunt, Bethel, Kuskokwim Community College student
17. John T. Jones, Bethel, parent
18. Ivan Ivan, Bethel, parent
19. Mark Roye, Alaska Legal Services attorney, Bethel
20. Rosemary Porter, Bethel
21. Ray Virgin, Marshall, educator and president of Lower Yukon Education Association, and parent
22. Alvin Owletuck, Marshall, Community School Committee member
23. Brad Raphael, Mt. Village, Central office administrator, speaking for self
24. Peter Atchak, village liason for Yupiktak Bista
25. Anthony Vaska, Upper Kalskag, Kuskokwim Community College village teacher
26. Esther Green, Bethel, bilingual teacher at elementary school
27. Diane Carpenter, parent
28. Natasia Markham, Bethel
29. Katherine Collier, Bethel

TESTIMONY GIVEN - 4

Fairbanks, September 21, 1977

1. Katherine Hecht, Center for Northern Educational Research, University of Alaska, speaking for self
2. Ken Smith, elementary teacher, speaking for Fairbanks Education Association
3. Cayle Harbo, teacher, speaking for Fairbanks Education Association
4. John Michael, administrative assistant, Alaska Gateway School District
5. Paul Milanowski, Summer Institute of Linguistics, speaking for Alaska Gateway School District
6. Carolyn Gray, Fairbanks Education Association
7. Larry Nyland, superintendent, Alaska Central Railbelt School District
8. Dave Lannigan, assistant superintendent, Fairbanks North Star Borough School District
9. Jess Holloway, assistant superintendent, North Slope Borough School District
10. Patsy Aamodt, North Slope Borough School District
11. Nolan Soloman, North Slope Borough School District board
12. Cayle Pierce, teacher, NEA/Alaska executive board
13. Dick Mueller, president, Yukon Flats School Board
14. Doris Ray, NEA Council on Instructional and Professional Development, speaking for NEA/Alaska
15. Ron Nichalin, counselor, Fairbanks Education Association

Nome, September 21, 1977

1. Jim Engwall, Nome District School Board, Box 131, Nome
2. Darlene Francis, Nome District, bilingual-bicultural resource teacher, Box 364, Nome
3. Enid Lincoln, Bering Strait School District Board, White Mountain, Ak. 99784
4. Ron Gerton, NEA/Alaska, Box 449, Nome 99762
5. Chris Pelkey, Alaska Legal Services, Box 397, Nome
6. Darroll Hargraves, superintendent, Nome School District, box 131, Nome

TESTIMONY GIVEN - 5

7. Dan Levinson, Nome-Beltz teacher, general delivery, Nome
8. Perry Mendenhall, Nome, native, Box 1141, Nome
9. Nancy Mendenhall, educator, Box 1141, Nome
10. Jenny Alowa, former bilingual teacher and bilingual Eskimo, Box 1007, Nome
11. Teresa Sockpealuk, Nome
12. Edna Apatika, bilingual teacher.
13. Tom Ellama, native, former boarding home director, Nome
14. Cheryl Richardson, former bilingual program worker, Nome
15. Joe Murphy, Nome Elementary School principal, Nome
16. Carolyn Schubert, Council
17. David Shinen, language specialist with Summer Institute of Linguistics, Box 629, Nome

Anchorage, September 22, 1977

1. Francis Mitchell, speaking for Jim Zuelow, supt., Iditarod Area School District, Box 105, McGrath, Ak. 99627
2. Jean Ann Johnson, NEA/Alaska IPD, 1526 K St., Anchorage 99501
3. Lori Sears, Anchorage Education Association, 1515 Tudor Road, Anchorage 99507

Kotzebue, September 28, 1977

1. Dennis J. Tiepelman, Mauneluk Association, Box 256, Kotzebue 99752
2. Jan Cardwell, Northwest Arctic School District, Box 51, Kotzebue 99752
3. Frank Ferguson, state senator and parent, Box 131, Kotzebue, Ak. 99752
4. Evelyn Conwell, Northwest Arctic school board member, Box 125, Kotzebue 99752
5. June Nelson, Northwest Arctic school board member, Box 158, Kotzebue 99752
6. Mary Schaeffer, Northwest Arctic board member and parent, Box 106, Kotzebue 99752
7. Rachael Craig, Box 131, Kotzebue 99752

Kotzebue, September 28, 1977 - continued

8. Linda Harris, program administrator, Northwest Arctic School District
9. Hannah Loon, Selawick
10. Violet Pungalik, Noorvik, bilingual instructor
11. Judith Allen, Kotzebue, bilingual instructor
12. Tom McKenna, Maneluk Association, Box 256, Kotzebue 99752

Dillingham, October 3, 1977

1. Ted Eastwood, Southwest Region schools
2. Lena Andre, Box 77, Dillingham 99576
3. Carolyn Gustafson, Dillingham Education Association, reading letter from DEA president Jerry Adkinson
4. Roy Warner, Dillingham district employee
5. Jeri Nelson, Dillingham school board member, speaking for self; Box 199, Dillingham
6. Joan Nelson, Box 85, Dillingham
7. Robert Clark, Box 233, Dillingham; Southwest Region board president
8. Dennis Andrew, New Stuyahok
9. Joe Hiratsuka, Box 10053, Dillingham; Southwest Region board
10. Stanley Active, Box 81, Togiak; Southwest Region board
11. Frank Wood, New Stuyahok 99636; parent
12. Wassillie Petla, Jr.; Portage Creek 99576
13. Jerry Arthur, New Stuyahok, teacher, speaking for self
14. Thomas Tild, Dillingham
15. Keefa Moxie, Aleknagik; Southwest Region board
16. Petla Apalayak, Manokotak
17. Gust Barthman, Dillingham
18. Dora Gauthier, bilingual teacher, Dillingham

TESTIMONY GIVEN - 7

Dillingham, October 3, 1977 - continued

19. Mike Gloko, Manokotak; Southwest Region board
20. Rich Dine, Southwest Region, speaking for district
21. Herb Oba, Dillingham school superintendent
22. Dave Dickerson, Southwest Region superintendent

Soldotna, October 5, 1977

1. Dale Lunsford, speaking for Alaska Association of School Administrators
2. Charles Craig, Kenai School District
3. Stan Long, parent
4. Dick Bower, Aleutian Islands district superintendent
5. Charles White, Lake and Peninsula district superintendent
6. Sara Hornberger, Lake and Peninsula district board president
7. Will Riggen, Yukon Flats district superintendent

WRITTEN TESTIMONY INCLUDES:

Anchorage, 8/24/77 -

1. Testimony of Niel Thomas, Alaska State Commission for Human Rights  
(also testified orally)

Juneau, 8/24/77 -

No written testimony

Ketchikan, 8/25/77 -

No written testimony

Fairbanks, 8/25/77 -

No written testimony

Bethel, 9/19/77 -

1. Letters from St. Marys students, parents, and teachers who also testified orally:

Anna Angaiak, student  
Peter Angaiak, student  
Paul Jumbo, student  
Timothy Stanislaus, student  
James Murrin, student  
Thelma Beans, student  
Nancy Luke, student  
Larry Beans, administrative assistant for school district  
Walter Brown, district superintendent

2. Letters from St. Marys community members, board members who did not testify in person:

Lena Long, parent  
Flora Paukan, president school board  
Stan Paukan, parent and city council member  
Mary Andrews, secretary, school board  
Martha Paukan, parent committee member for bilingual-bicultural  
Sr. Francis X. Porter, OSU, St. Marys High school principal  
Cammie Okitkun, student  
Carolyn Patsy, student  
Henry Moses, student  
Lillian Beans, student  
Moses Paukan Jr., student  
Morris Teeluk, student  
Bernadette Kilongak, student  
Francis Mike, student  
Laura Vaska, student  
Elizabeth Joe, student  
Pauline Charlie, student  
Joan Johnson, student

Gordon Sallison, student

3. Tape recording from St. Marys' community members:
  1. Yupik speaker (needs to be translated and transcribed)
  2. Yupik speaker (needs to be translated and transcribed)
  3. Peter Andrews, parent
  4. Yupik speaker (needs to be translated and transcribed)
4. Charles Hunt, lands coordinator for Nunam Kitlutsisti and college student at Kuskokwim Community College (also testified orally)
5. Resolution of the State Board of Education, submitted by Alaska Legal Services, Bethel
6. Laverne Etter, Superintendent of Lower Yukon School District
7. Position paper by Alaska Legal Services (also testified orally)

Fairbanks, 9/21/77 -

1. NEA/Alaska Position Paper on Proposed Bilingual/Bicultural Regulations (also testified orally)
2. Kathryn Hecht, speaking for self (also testified orally)
3. Tok Area Teachers' Association

Nome, 9/21/77 -

1. Nome City School District board positions (also testified orally)
2. Bering Strait School District Position Paper (also testified orally)
3. Darlene Francis, Nome district employee (also testified orally)
4. Cheryl Richardson, speaking for self (also testified orally)

Anchorage, 9/22/77 -

1. NEA/Alaska Position Paper on Proposed Bilingual/Bicultural Regulations (also testified orally)
2. Anchorage Education Association position paper (also testified orally)

Kotzebue, 9/28/77 -

1. A Brief Critique of A Handbook for Bilingual/Bicultural Education Programs in Alaska, submitted by Jan Cardwell, Northwest Arctic Asst. Superintendent for Instruction
2. Position of administration and board of Northwest Arctic School District (also testified orally)
3. Dennis Tiepelman, president, Mameluk Association (also testified orally)
4. Linda Harris, Northwest Arctic School District program administrator (also oral)
5. Rachael Craig, self (also testified orally)

Dillingham, 10/3/77 -

1. Jerry Arthur (also testified orally)
2. Joanne Nelson (also testified orally)
3. Jeri Nelson (also testified orally)
4. Perry Adkison (testimony read orally also)
5. NEA/Alaska position paper
6. Anna Maria Cenaro
7. Resolution of Southwest Region Schools (also presented orally)
8. Richard Dine, Asst. Supt., Southwest Region Schools (also testified orally)
9. Southwest REAA memo, with analysis and critique of CEOS/DCE handbook

OTHER WRITTEN TESTIMONY RECEIVED:

1. North Slope Borough School District letter, submitted by Don Renfroe, Supt.
2. Alaska Gateway School District position paper
3. Alaska Central Railbelt School District position, submitted by Larry Nyland, supt
4. B.A. Weinberg, Lower Kuskokwim superintendent
5. Russell Tabbert, Associate Professor of English, University of Alaska
6. Roberta Dowell, chief educational standards, Department of Education
7. A Brief Critique, submitted by Brad Raphel, Lower Yukon administrator
8. Cynde Grubis, Dillingham
9. Kenai Peninsula Borough School District administration position paper
10. Alaska Association of School Administrators resolution 10-77
11. Bristol Bay Borough School District 78-1
12. Marshall Elementary School Staff
13. Lake and Peninsula School District
14. Yup'ik Language Workshop and Cultural Studies Center, Bethel
15. Charles Gustafson
16. State Executive Board of Alaska Community College Federation of Teachers
17. Kuskokwim Community College faculty members
18. Copper River School District letter and resolution 77-25
19. Don Sagmola, Dillingham
20. Norma Adkison, Dillingham
21. William M. Darling, Dillingham
22. B. Hoxum, Dillingham
23. Jackie Wren, Dillingham
24. Betty Oia, Dillingham
25. Annte Liu Calderera, Bethel
26. Lower Yukon Education Association
27. Professional Teaching Practices Commission
28. James Hall, Kenai Peninsula Borough School District

29. Kuskokwim Community College faculty members (received October 13, 1977)
20. Alaska Community College Federation of Teachers (received October 13, 1977)

493.1.2.8 Chronological  
Events - State  
L24 copy, plot

## BACKGROUND INFORMATION

### CHRONOLOGY OF EVENTS RELATING TO THE CURRENT NEGOTIATIONS BETWEEN THE ALASKAN SCHOOL DISTRICTS AND ALASKA DEPARTMENT OF EDUCATION, AND THE FEDERAL OFFICE FOR CIVIL RIGHTS

- 1964: Title VI, Civil Rights Act enacted on federal level
- 1968: Bilingual Education Act, enacted on federal level
- 1972: Alaska state legislature passed law calling for the establishment of bilingual education programs in those schools of the State-Operated-Schools-System with 15 or more students of limited English-speaking ability.
- 1974: The U.S. Supreme Court ruled in *Lau v. Nichols* that schools must provide equal educational opportunity for those students with language difficulties.

January, 1975: The U.S. Department of Health, Education and Welfare Office for Civil Rights (OCR) sent forms (OS/CR 101) to three school systems in Alaska: Alaska State-Operated-Schools System, Anchorage School District and North Star Borough School district (Fairbanks). The three districts were selected at random by OCR, apparently on the basis of their enrollment size.

The forms were to determine whether there were any compliance problems with the Civil Rights Act of 1964 in any of the districts; more specifically, the forms required the districts to show how many students with language difficulty problems were being served in each district and how those students were being served.

March, 1975: Alaska State-Operated-Schools submitted data to OCR, Washington, D.C. office.

June, 1975: Alaska Senate Bill 35, decentralizing the Alaska-State-Operated-School System, was signed into law. The ASOSS was abolished and in its place was created a one-year interim school district known as the Alaska Unorganized Borough School District (AUBSD). The district was to function only until July 1, 1976, when the new districts were to take over.

The legislation also changed the state's bilingual education law, calling for bilingual-bicultural education programs in those schools with eight or more students of limited English-speaking ability.

August, 1975: OCR-Region X, in Seattle, requested additional information regarding data submitted by ASOSS on the form. At this point, however, ASOSS was no longer existing and had been replaced by a new governing body, a new administration and the new organization known as AUBSD. That administration submitted information about the transition being caused by Alaska Senate Bill 35 and, in particular, about the interim function of AUBSD.

Summer, 1975: The OCR convened a national task force to specify remedies to eliminate educational practices ruled unlawful under the *Lau* decision. The result was a set of minimum guidelines labeled the "Lau remedies."

November, 1975: AUBSD was notified by OCR-Region X that it had been found in "presumptive noncompliance" with Title VI of the Civil Rights Act of 1964. More specifically, according to OCR, ASOSS/AUBSD had failed to serve its students who had language problems. The finding by OCR was based on an analysis of the data submitted by the now defunct organization ASOSS.

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AUBSD was also informed that it would have 30 days in which to rebut the evidence and was put on notice that resolution of the finding would require them to (1) assess the number of students with language problems; (2) develop a comprehensive educational plan specifically detailing how children with language problems would be served, with approval of the plan to be made by OCR; and (3) impose on the districts then forming under Senate Bill 35, the comprehensive educational plan developed by AUBSD and approved by OCR.

January, 1976: AUBSD submitted arguments to OCR-Region X that it did not have the authority, resources, personnel, funding or time left, given its six remaining months of existence, to answer the charges as outlined in the finding of presumptive noncompliance. AUBSD also argued that the new districts, scheduled to begin operation July 1, 1976, should be given the opportunity to assess their students, develop and implement educational plans within their own districts and, thus, exercise local control of education.

March, 1976: AUBSD was notified that it had been found in noncompliance with Title VI of the Civil Rights Act of 1964; that it must take action to remedy the earlier-stated problems — more specifically, it must assess students, develop educational plans, obtain approval from OCR of plans and impose plans upon the new districts taking over on July 1. OCR stated that failure to comply would result in a withdrawal of federal funds from AUBSD and the new districts. AUBSD had less than four months of legal existence left.

April, 1976: At the request of AUBSD, representatives from AUBSD, the Alaska Department of Education (DOE), University of Alaska and OCR met in Juneau. DOE agreed to assume a leadership role in resolving the issue, if that action met with the approval of the State Board of Education.

May, 1976: The State Board of Education approved a resolution stating that DOE would enter into negotiations with OCR in behalf of all school districts in the state, in the matters pertaining to compliance with Title VI of the Civil Rights Act of 1964. In particular, the board directed the department to:

- (1) identify and assess the primary or home language of the state's students;
- (2) develop minimal guidelines for use by all school districts;
- (3) prepare a time schedule of events for the assessment, development and implementation of a plan

July 1, 1976: AUBSD was ended and 21 new school districts formed in its place, each guided by a locally elected district school board.

September, 1976: OCR notified DOE that it was being held in noncompliance with Title VI of the Civil Rights Act of 1964; that it would have to submit a comprehensive educational plan detailing (1) assessment of students; (2) programs to remedy needs of children with linguistic problems; (3) staffing; (4) funding resources. In effect, the plan on which DOE was working shifted from being a set of guidelines for bilingual education programs to being a compliance document.

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November, 1976: DOE submitted its first plan to OCR. It was rejected by OCR. With its rejection of the first plan, OCR also put into action the mechanism for deferring federal funds and notified the 21 districts of that action.

December, 1976: DOE's second plan was submitted to OCR.

January, 1977: OCR found the second plan unacceptable.

February, 1977: OCR notified the districts that a deferral on application for federal funds was being placed on them.

March, 1977: DOE submitted another plan to OCR.

March 6, 1977: The General Counsel of the U.S. Department of Health, Education and Welfare notified the districts of the official deferral of federal funds, under Title VI of the Civil Rights Act.

March 22, 1977: The deferral of federal funds led to the initiation of a federal administrative hearing process. The process began with a prehearing conference on March 22. It was attended by attorneys for the districts still involved in litigation, the DOE attorney and legal representatives for OCR.

April 26, 1977: DOE was notified that its third plan was unacceptable.

Late April, 1977: DOE requested the assistance of the Center for Equal Opportunity in Education to develop the next version of the plan. Negotiations between DOE, the Center and OCR resulted in the development of the handbook entitled "A Handbook for Bilingual-Bicultural Education Programs in Alaska."

The administrative hearing was rescheduled for July 20, 1977.

June, 1977: OCR and DOE reached agreement on a plan for compliance. The plan contains three parts: 1) the handbook, to be adopted by the State Board of Education as regulation and used by the state's 51 school districts in resolving noncompliance issues; 2) the DOE management plan spelling out how the handbook will be implemented; 3) a memorandum of agreement between DOE and OCR on the handbook and the management portion of the process. All three parts of the plan have to be ratified by the State Board of Education.

Contents of both the management plan and the memorandum of agreement are still not set. The handbook, however, is being promulgated through the public hearing process.

June 13-14, 1977: The proposed handbook was presented to a meeting of district administrators from the new districts.

June 27, 1977: The State Board of Education directed the Department to ask for public input on the plan by promulgating a regulation calling for the adoption of the handbook as state regulation. The Board also directed the Department to go ahead with language assessment activities and a cost analysis of full implementation of the plan.

The Board also requested from OCR a postponement of the administrative hearing then scheduled for July 20, asking that the hearing be postponed until no earlier than October 31.

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In June, 1977, the OCR also made public that the Anchorage school district has been found in presumptive noncompliance with the Lau remedies. At stake are approximately \$3.5 million in federal funds. (At stake in the other regional districts are some \$15 to \$16 million in federal funds for the coming year.)

Also, in June, 1977, the OCR found the North Star Borough School District (Fairbanks) in presumptive noncompliance with the Lau remedies. At stake are some \$400,000 in federal funds.

The administrative hearing is now set for October 31, 1977.

Public hearings on the handbook begin August 24 and continue through October 5. (Schedule attached).

During the lengthy negotiations, five of the 21 districts originally involved have been released, at least temporarily, by OCR. The sixteen districts still affected are Northwest Arctic, Bering Straits, Lower Yukon, Lower Kuskokwim, Kuspuk, Southwest Region, Lake and Peninsula, Aleutian Chain, Pribilofs, Iditarod Area, Yukon Koyukuk, Yukon Flats, Alaska Central Railbelt, Delta-Greely, Alaska Gateway and Copper River.