

HB

488

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB-488 (Revised 5/20/80)
 Title An Act relating to class size.
 Requested by House HESS Date 5/20/80

II. FISCAL DETAIL

Agency Affected Department of Education
 Program Category Affected Elementary and Secondary
 BRU, Program, or Subprogram(s) Affected Foundation Support Programs
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		136,670.0	23,874.0*	28,648.8	34,378.6	41,254.3
TOTAL						

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		136,670.0	23,874.0*	28,648.8	34,378.6	41,254.3
FEDERAL FUNDS						
OTHER (Specify Fund Source)						


POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME	N/A					
PART TIME						
TEMPORARY						

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

See Attached.

*Inflation rate of 20% is used to reflect increase in operation and maintenance costs of added facilities.

IV. DATE 5/20/80 PREPARED BY 
 AGENCY Department of Education
 Original: Legislative Finance PHONE 465-2800
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Minimum Fiscal Impact

- Assumptions:
1. All additional teachers will enter on lowest salary placement with lowest benefit schedule (\$20,000 + 15%)
 2. Weighting factor average for special education students is absolute minimum (1.5)
 3. Weighting adjustment accommodates all PTR reductions required by the bill, i.e., this fiscal note does not include the cumulative cost of dispersing mainstreamed special education students required by sec. 14.30.248 of the bill.
 4. All present K-3 classes have a PTR of 1-20 or fewer. While we know this assumption is erroneous (Juneau's K-3 classes run between 1-19 and 1-30) we do not have data for all districts.
 5. All districts will construct required classrooms during FY-81, and suitable excess space does not presently exist.
 6. The Legislature will fully fund all costs of the bill during FY-81, rather than pick up debt retirement in third fiscal year.
 7. Teachers will not negotiate lower special education PTRs, permitted by sec. 14.30.249(b) of the bill.
 8. Adjustment of urban district PTR to state average will accommodate class size limitations imposed by the bill.

Teacher Costs

FY-79 Final ADM	87,300	
FY-79 Classroom Teachers	5,057	
FY-79 Special Ed. students	13,000	
Adjusted Special Education Count (13,000 x 1.5)	= 19,500	
Total Adjusted ADM	93,800	
Additional Teachers at state average	(93,800 ÷ 17.3 - 5,057)	= 365
Urban district PTR adjustment required to reduce PTRs to state average		500
Total Teacher cost (865 teachers x 23,000 minimum salary)	= 19,895,000	

Facility Costs

865 classrooms (minimum) x 900 square feet x \$150 per square foot (minimum cost in state) = 116,775,000

Minimum Fiscal Impact (based upon assumptions) FY-81 \$136,670,000



ASSOCIATION OF ALASKA SCHOOL BOARDS

SUITE 3, 204 NORTH FRANKLIN STREET • JUNEAU, ALASKA 99801 • PHONE 586-1083

May 20, 1980

The Honorable Thelma Buchholdt & Members
of House HESS Committee
Pouch V, State Capitol Building
Juneau, Alaska 99811

Dear Representative Buchholdt:

I am writing to express strong opposition to HB 488 regarding class size for several reasons which I will attempt to describe to you here.

One reason for AASB's opposition is the potential extreme high costs. I say potential because it is extremely difficult to assess the cost of the weighting factor and the impact on negotiating the number of exceptional children in a class. A number of school districts have attempted, however, to cost out the known quantities of the bill and I would like to share these with you.

Anchorage assesses its needs under the bill at requiring one hundred and seventy-four additional classroom teachers. They feel that they would have to construct approximately one hundred and fourteen additional teaching stations. Suffice it to say, it would certainly solve the school closure problem in Anchorage. This bill would use up all existing space available plus requiring approximately six additional schools at an estimated cost of \$30 million.

Salaries for the additional teachers would require \$5,863,800 if the figure of \$33,700 per teacher is used to cover salary plus fringe benefits. No estimate is included here for increases in support services or materials required to enable these additional teachers to function. Nothing is included to cover the potential for negotiations to limit exceptional children in each class.

A conservative cost estimate for additional required support services would be an additional \$3 million.

In summary, this bill has a potential impact well in excess of \$38 million on Anchorage in the first year with an additional \$10 million annually thereafter.

Kodiak reports requiring a minimum of \$1.5 million in operating funds adding 43 additional classrooms and teachers. Construction costs were not reported.

Ketchikan did not do an in-depth study, but indicated a cost figure of approximately \$1.5 million.

Delta Junction would need to add eight teachers to its existing 61 at a direct cost of \$240,000 and would require five additional teaching stations at an estimated construction cost of a half million dollars.

The Matanuska-Susitna Borough School District estimates their needs at thirty-six added elementary teachers costing \$1,195,992 for salary and fringe benefits with an additional thirty-six teachers in the secondary program for a total of 72 teachers costing \$2,391,984. No support service costs were figured, but can be estimated at \$1.5 million. Mat-Su's construction needs would require fifty-two additional classrooms.

School districts reviewing the bill expressed particular concern that the provisions contained therein would eliminate the concept of large group instruction. Traditionally band, chorus, P.E., and vocational classes such as typing are set up on a scale that exceeds the maximum 25 in secondary schools as proposed. This bill would essentially eliminate the effectiveness of the above-mentioned programs and require duplication of the schools most expensive facilities.

The section of the bill permitting the negotiation of the number of exceptional children in a single classroom has the greatest potential of all sections to create a problem, probably because of unknown factors. One potential might be to cause districts to be in violation of Federal Statute 94-142 requiring handicapped children be placed in the "least restrictive environment", i.e., the regular classroom. This section has the potential of making all other sections of the bill unnecessary.

In summary, it would appear that exclusive of construction costs required to provide additional teaching stations, this bill should require an average of 10 to 20 percent increases in school budgets at a conservative estimate of \$30 million statewide.

The Association of Alaska School Boards would urge you to oppose passage of this legislation contained in HB 488.

Sincerely,



Robert C. Greene
Executive Secretary

TO: House HESS CMTE
FOR: HEARING ON 22MA, AT 1:30PM
RE: HB488



May 21, 1980

I wish to testify in opposition to House Bill #488. Should such a bill be passed it will have the effect of eroding local school board authority. Certainly such issues as size of classes are the kinds of decisions school boards are expected to make by their constituents who elect them. The portion of the bill that calls for weighted counts of special education students who are in regular classes for a portion of the day only has the effect of making a bad bill worse. School Districts in Alaska are by law obligated to adhere to the stringent special education laws embodied in P. L. 94-142 to insure that proper programs are being offered. This we are doing in most districts in a conscientious, effective manner in my view.

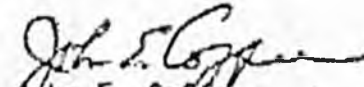
The various studies that have attempted to look at optimal class size have usually come to the conclusion that class size has very little to do with educational productivity. However, most school boards and school administrators still work hard to keep class sizes small. Average class sizes in most Alaska districts are very small. Such decisions should be made locally by the elected school board and must be based upon available funding and the wishes of local residents.

Special education accounting, necessarily, involves tremendous amounts of paperwork. H.B. #488 will simply compound that. It will also result in endless grievances from teachers regarding the various



"weighted children" in their classes. I can anticipate being unable to add one more child to a class because we have reached the arbitrary, maximum number. I contend that this would be absolutely ridiculous! The teacher, with the help of the law, should not be dictating to the employer how many children will be assigned to his or her classroom.

This proposed bill will undoubtedly have the strong backing of teachers since it would reduce class size. It would also increase costs in many districts drastically and, in my view, result in no improvements for children. The worst feature is that school boards would be prohibited from making decisions that I contend only they should make.


John E. Coffee
Superintendent
Sitka School District

JEC:vhv

THE LEGISLATURE OF THE STATE OF ALASKA
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FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB-488
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 Requested by House HESS Date 5-6-80

II. FISCAL DETAIL

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 Program Category Affected Elementary and Secondary
 BRU, Program, or Subprogram(s) Affected Foundation Support, Special Education Adjustment
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

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TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

While we cannot estimate in an accurate fashion the impact of this bill, we can state that it likely would require additional classroom space construction and it would undoubtedly have a substantial impact on the number of teachers districts must employ to conform to the limitations of the bill. This is not a zero fiscal note, it is rather, merely impossible to estimate the true cost of the bill.

IV. DATE 5/6/80 PREPARED BY *Stan Kole*
 AGENCY Department of Education
 PHONE 465-2800
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

GOVERNOR'S COUNCIL FOR THE HANDICAPPED AND GIFTED
Meeting of January 24-25, 1980
Centennial Building
Sitka, Alaska

MINUTES

MEMBERS PRESENT:

Marsha Buck
Joe Betit
Alistair Chalmers
Ro Chatterton
Mike Cummings
Wes Doran
Bob Gregovich
Ludy Jacobs
Glenn Johnson
Joan Jordan
John Nuttal
Dave Spence
Carol Welsh
Blanche Walters (arrived Friday)
Caroline Wolf

STAFF PRESENT:

Dorothy Truran
Laurie Goggin

GUESTS:

Tom Buckner, representing the Office
for Exceptional Children
Pat Young, representing Mike Morgan,
Office of Vocational Rehabilitation
Dave Canterbury
Lizette Burns-Stiehr
Jane Brodie
Jeff Hubbard
Terry Coon, Director of Special Education,
Sitka
John Coffee, Supt. of Schools, Sitka
Diane LeResche, DOE/OEC Gifted Programs
Sam Granato, Osborne/Granato Associates
Debra Gilbreath, Sitka School District
Roy Anderson, Alaska Resources for the
Moderately/Severely Impaired
Janice Rhoades, G/T teacher, Sitka

The roll was called. Thirteen members were present and a quorum was established. Chairperson Marsha Buck welcomed members and introduced guests. The agenda was adopted. It was noted that Allan Korhonen and Vern Stillner of the Department of Health and Social Services would not be able to address the Council since bad weather caused their flight from Juneau to be cancelled. Carol Welsh informed members that Wanda Gnerich is in the hospital and unable to attend the meeting. Carol encouraged members to call or visit Wanda.

APPROVAL OF MINUTES

The minutes of the October, 1979 Council meeting were approved as amended.
(Motion: Nuttal/Jordan)

[Attachment "A" - January Council meeting minutes]

COMMUNICATIONS

Pertinent information was available for members and guests at the display table.

Debra Gilbreath, Terry Coon, and Superintendent John Coffee were unable to address the Council in the morning. Arrangements were made to hear from them later during the meeting.

5. that the Council adopt the "State Plan Development Policies-January 1980" as amended. (Chalmers/Welsh) [Carried]

Laurie Goggin asked that Council members review the "State Plan Development Policies" information which was distributed during yesterday's meeting. She stated that basically the resolution sets down some statements about the expectations & relationship between the Council and various state agencies providing services to the developmentally disabled for the purpose of developing the state plan this year. Laurie briefly went over the resolution with the Council. Dot Truran advised that basically it just puts in writing the procedures that the Council has been following in developing the state plan over the last three years.

6. that the Council adopt the "Classification of Services into Federal Priority Areas - FY81-83 State Plan" as amended. (Chalmers/Jacobs) [Carried]

Alistair Chalmers pointed out the following amendments:

- Transportation and recreation were previously listed under "Support Services" for both children and adults. It was proposed that transportation and recreation be deleted under "Support Services" and inserted under the classification of "Alternative Community Living Arrangements" for both children and adults.
- Infant learning was unintentionally included under adults and this has been deleted.

Laurie Goggin advised that there is no intent to prioritize services in terms of the Council's activities. The only intent is to develop a "dictionary" to be used in developing the state plan that places the different services that we have called support, etc. into the new federal categories.

Membership and Nominating

7. that the nominations for Executive Committee member-at-large to fill the vacancy left by John Stamm be closed and that a unanimous ballot be cast for Dave Spence to fill that position. (Welsh/Betit) [Carried]

Legislative Committee

8. that the Council write a position against HJ 488 and submit that position paper to the House HESS and Senate Committees and the Commissioner of Education. (Spence/Wolf) [Amended below]

Amendment #1

that the words "position paper" be deleted from Motion #8 and "written statement" inserted. (Welsh/Johnson) [See final motion below]

Final Motion

that the Council issue a statement in opposition to HB 488. (Spence/Wolf) [Carried]

Dave Spence advised that HB 488 is a one page bill now before the legislature which relates to class size and legislates maximum class size for regular education as well as special education. With regard to special education, it gives a weighting of handicaps - a formula by which only a limited number of exceptional children can be in any one classroom. It limits the number to four exceptional children as individuals or, if there is a weighting consideration, a multiply handicapped student would perhaps limit the number of exceptional children to less than four.

By legislating a maximum number of handicapped children to be served in any one classroom, teachers could then cite class size as a collective bargaining issue. The Legislative Committee feels that class size is not an appropriate factor to legislate because class size limitation has not been proven to be directly related to the quality of education.

John Nuttal feels its not wise for the Council to go on record opposing a maximum class size for special education children. He feels that if the Council states its opposition to limit special education class sizes, the Council will be negating its goal of increasing the quality of education to special education children. However, he stated that he does not agree with weighting children and does not feel that because a deaf child is placed in one class that two other children should be placed elsewhere. If that child is qualified to be in the classroom than he should be there, if not he shouldn't be there.

Marsha Buck advised that some school districts have policies which attempt to limit class size. According to state regulation, no special education teacher may work with more than 15 full time equivalency students. In regular education there are no set regulations at present.

Carol Welsh stated that she does not think the Council should oppose a realistic limitation on class sizes for exceptional children. The reason this bill is not one the Council should support is because it is a politically oriented bill with a hidden agenda which attempts to legislate class size so that teacher's unions can use such legislation as a bargaining lever. Carol stated that this bill definitely labels children. There are times when you have to label children according to their disabilities for reporting purposes, but to do it in the manner prescribed in this bill is unacceptable. For example, hyperactive children are given a weighted factor of 2.5 which is more than a deaf child who is weighted at 2.0.

Pat Young stated that he would like to have some limitation on class sizes so the teachers know what they have to deal with on a day-to-day basis.

Ludy Jacobs feels there should be some type of class size limitation based on the severity of handicap.

Carol Welsh pointed out that the problem with this bill is that it is poorly designed and poorly written and has other agendas built into it. These factors should be the reason for Council opposition.

Glenn Johnson pointed out that the bill also is discriminatory in that it sets a maximum limit of exceptional children in an integrated class at

four. Lizette Burns-Stiehr pointed out that the way the bill weighs children, an orthopedically handicapped and an emotionally disturbed child could not be in the same class. In some cases this weighting may work, but in rural areas the weighting should be individually determined and not legislated.

Dave Spence clarified that his motion simply stated that the Council opposes this bill and in speaking to the motion he gave some rationale that would presumably be built into such a statement on the bill as to why the Council was opposed to the bill.

John Nuttal does not feel the Council should say it has not been proven that maximum class size does not show better education. He feels that is a poor thing for the Council to go against.

Marsha Buck stated that if the motion passes, she would direct that the entire conversation just held be considered and included in the written statement.

9. that the Council's Position Paper favoring SB 339 and HB 572 be forwarded to the House and Senate Judiciary Committees and to the Commissioner of the Department of Health & Social Services. (Spence/Chatterton)
[Carried]

Bob Gregovich questioned whether the fiscal impact was the same as last year - with most of the expenditures involving the Court System. Dot replied that the fiscal statement deals mostly with the cost of the public guardian function and that the Council has not dealt with the present court system costs for all the guardianship cases that presently come before the court system. That is an on-going cost of the Court System and we are not addressing that. We are addressing the fiscal impact of this bill which will not impact on the number of guardianship cases directly but will result in having a new office perform some duties that were not formerly performed by state government.

Dave Spence pointed out that the effect of this bill in establishing priorities for guardians and setting up an office of public guardian would give a mechanism to drum up support and public awareness for the need for those first five priorities of guardians. At the present time the problem is there, but there is no organized way to address it. This would at least establish one state position and get us further along the road of getting more people to come forward and volunteer to be guardians. The legislation structures the whole guardianship process so that you could get a partial guardianship and have guardianship tailored to the person's needs.

Discussion followed regarding the fiscal note on the bill. Dot suggested she and Dave Spence review the fiscal note and obtain information from Debbie Behr prior to submitting the attachments to the position paper.

Bob Gregovich reported that Debbie Behr has just assigned him the responsibility for doing the fiscal note and that much of the fiscal note will come from the information already available. He stated it is next to impossible to guess what the Court System is going to have as their fiscal note without doing their fiscal note for them. He feels the current fiscal note is

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

To: HOUSE HESS CMTE. May 21, 1980
FOR: HEARING ON 22 MAY AT 1:30 PM
RE: HB 488

My name is Carol Welsh from Sitka and I would like to offer testimony to the committee in opposition to HB 488. I address my objections from two perspectives: first, as a school board member, and second, as the parent of three developmentally disabled children, two of whom are adopted.

HB 488 is clearly an attempt to legislate class size and/or make it statutorily permissible to include class size as part of the bargaining process. I oppose both of these attempts to solve what is felt to be a problem for our educators.

Legislating class size not only removes fiscal and administrative responsibility from the LEA's, but also has the potential of financially hamstringing districts where space or budget restraints may develop, and in the event of unexpected enrollment increases.

As a parent, I would be quite wary of allowing class size to be part of the negotiating process especially when it may involve special education students. It has been my observation that MONEY is generally the ultimate item of concern at the bargaining table and I must voice my disapproval of my state government implying that it would be OK for retarded or otherwise handicapped children to be used as pawns and tradeoffs, especially when those involved in the bargaining process do not always have the sensitivity towards and understanding of special education needs and requirements.

The weighted average daily membership concept as suggested in HB 488 is not the answer to achieving appropriate integration procedures in our school districts. The weight schedule as outlined in this bill does not permit equitable class balance and I take great exception to children being statutorily classified by disability which implies that all children of a given disability learn, behave, and develop in the same way, at the same rate, and with the same expected outcomes. Placement in any classroom situation, whether it be integration into a regular classroom or a self-contained special education setting, must depend on the "unique needs of the individual child" as mandated by both P.L. 94-142 and Sec. 504 of the Vocational Rehabilitation Law Amendments of 1973. To categorize children by specific disability with a corresponding weight factor ignores the requirement of an individualized placement determination and would seem to be in violation of existing state and federal mandates. To me, this represents a gross example of stereotyping that could render an "appropriate" placement nearly impossible to achieve.

I feel it is important for all of us to be aware of the many problems that surround the education of exceptional children, especially in the areas of funding inequities, cost of related services, and the achieving of "least restrictive environment." It is understandable that regular classroom teachers feel threatened and overburdened at the prospect of having handicapped children returned to the "mainstream" of education. However, properly handled integration does not mean the indiscriminate dumping of exceptional children into the regular classroom; if this is occurring, proper placement procedures are not being used very well. In addition, regular classroom teachers should rightfully expect and receive support services from special education in order to facilitate a good integration process for both them and the special education students being placed in their classrooms.

in conclusion, I feel HF 488 to be a self-serving piece of legislation that has the potential of causing more problems in special education than we are currently experiencing and does nothing to improve educational opportunities for children. The fiscal impact of this proposal would probably drive the cost of special education up considerably. It would seem far more prudent to have these and related problem areas in special education studied in depth with the purpose in mind of developing a future comprehensive piece of legislation that would bring benefit to all. Such an effort would be of even greater benefit if it were addressed jointly by the various entities currently dealing with special education issues.

Thank you.