

HB352

SENATE FINANCE COMMITTEE REPORT

DATE: 5/1/92

FURTHER: *rule* *OR*

DATE TURNED INTO OFFICE: 5/11/92

The Finance Committee considered CS SSB 352 (FINANCE) am

"An Act relating to a curriculum for Native language education; and providing for an effective date."

may replace

and recommends:

replace with S CS SSB 352 (FINANCE) same title
 or adopt previous CS new title
 attaches amendment(s) technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

P HD & FAV

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes EDUCATION 5.1 4-30-92

DO PASS:

[Signatures]

OTHER RECOMMENDATIONS:

1. *[Signature]*
Co-Chair: Signature/Recommendation

2. _____
Co-Chair: Signature/Recommendation

FISCAL NOTE

No. 2

Bill Version CSSSHB352(FIN)am

(S) Publish Date: 5-1-92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: 4-29-92

Department Affected: Education

Title: An Act relating to curriculum for Native Language Education.

BRU: K-12 Support

Sponsor: Representative Lincoln

Component: Data Management

Requestor: (S) HESS

COMPONENT SERIAL NO.

| | | | |
|---|---|---|---|
| 1 | 2 | 4 | 1 |
|---|---|---|---|

Expenditures/Revenues: (Thousands of Dollars)

| OPERATING | FY 93 | FY 94 | FY 95 | FY 96 | FY 97 | FY 98 |
|------------------------|------------|----------|----------|----------|----------|----------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | 5.1 | 0 | 0 | 0 | 0 | 0 |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 5.1 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|---------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|---------|--|--|--|--|--|--|

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| REVENUE FUND SOURCE: | | | | | | |
|----------------------|--|--|--|--|--|--|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|--------------------|------------|----------|----------|----------|----------|----------|
| GENERAL FUND | 5.1 | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER FUND SOURCE: | | | | | | |
| TOTAL | 5.1 | 0 | 0 | 0 | 0 | 0 |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.) Even though this bill has been amended, the Department of Education will still incur implementation costs. A standard reporting format will be developed to meet the requirements of the law. This format will specify the information that must be reported and the form in which the information must appear. To develop this format a team of Alaskans will meet over a two day time period in Anchorage to review alternatives and reach consensus on a reporting model. See attached.

Prepared by: Mike Maher
Division: Commissioner's Office

Phone: 465-2800
Date: 4-30-92

Approved by Commissioner: 
Agency: Education

Jerry Covey
Date: 4-30-92

Fiscal Note
CS for SS for HB 352
(Finance) Amended

To keep costs at a minimum, travel costs will be shared with participating school districts. The state share of the travel costs incurred by this bill is \$3,600. The department will pay travel costs for its own staff who will attend this meeting by holding the meeting at a time when staff will be in Anchorage. The department will attempt to obtain free services from an external consultant with outstanding skills in bilingual program evaluation through networking with regional and national bilingual networks. It is anticipated that the only costs to be borne by the department will be travel costs for the consultant. These travel costs will not exceed \$1,500.

Costs associated with redesigning and reprinting materials currently used by the department for implementing the Report Card Legislation will be borne by the department by delaying the revision and reprinting of materials until after its planned for evaluation cycle.

Total costs: \$5,100.

Costs to School Districts:

In addition, HB 352 may pose a cost to school districts. At the least, districts will have to incur the cost of conducting meetings of the Native Language Curriculum Advisory Boards to discuss the feasibility of implementing a Native Language curriculum. This cost will vary among districts according to the composition and location of the group. For those districts which chose to implement such a program, K-12, the Department estimates an additional implementation cost of \$60,000 per site.

POSITION PAPER: DEPARTMENT OF EDUCATION

Division Educational Program Support Bill Number CS for SS for HB 352
(Finance) Amended

Bill Title An Act relating to curriculum for Native Language Education.

Sponsor Representative Lincoln

Position Statement: Explain briefly what the bill does, its impacts and Department's position, i.e., a) support, b) do not support, c) neutral or d) oppose.

In concept the Department of Education supports this bill. While we support and encourage Native language programs, we believe that it is inappropriate for the state to mandate that schools with a majority of Alaska Native students must have Native language advisory committees.

This is a decision best made at the local level.

APPROVED:

Director Ed Westlund Division Educational Program Support

Signature *Mal Melton for EW* Date 4-30-92

Commissioner/Deputy Jerry Covev/Karen R. Crane

Signature *Karen R. Crane* Date 4-30-92

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 352 (FINANCE)**IN THE LEGISLATURE OF THE STATE OF ALASKA****SEVENTEENTH LEGISLATURE - SECOND SESSION****BY THE SENATE FINANCE COMMITTEE**

Offered: 5/12/92

Referred: Rules

Sponsor(s): REPRESENTATIVES LINCOLN, Ellis, B.Davis, Mackie, Koponen, Kubina, Ivan, Gruenberg, Leman, Donley, Finkelstein, Ulmer, Bruckman

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to a curriculum for Native language education; and providing for an
2 effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. SHORT TITLE. This Act may be known as the Native Language Education Act.

5 * Sec. 2. FINDINGS. The legislature finds that

6 (1) Alaska's indigenous Native cultures and languages are unique, essential elements of
7 Alaska's heritage;

8 (2) Alaska's indigenous Native languages are an integral part of Alaska Native people's
9 culture and well being;

10 (3) knowledge of one's indigenous language is important for the development of social
11 skills and self-esteem; it further contributes to the development of the individual, and the ability to
12 communicate;

13 (4) translations from a Native language into English result in the loss of context and
14 deprivation of the full range of social and cultural understanding necessary to function in the individual's

1 environment;

2 (5) when Native children are proficient in their primary indigenous language, they are
3 more likely to do better in school; they also develop a higher degree of proficiency in English;

4 (6) historically, Alaska Native children first learned their Native language in their homes
5 and communities but with the passing of Native elders and with a current generation of parents who are
6 not fluent in their Native language, younger generations are less knowledgeable about their language and
7 culture;

8 (7) the loss of indigenous Native languages dates back to the late 1800's when
9 mainstream American missionaries enforced federal policies that forbade the use of Native languages,
10 punished children for speaking their own language, and urged parents to speak only English to their
11 children;

12 (8) the continuation of "no Native language" policies in federal, territorial, and state
13 school systems between 1910 and 1970 resulted in the loss of many Native languages;

14 (9) the fact that only two of the 20 Alaska Native languages are fluently spoken by
15 children today is an indicator of the impending extinction of Native languages;

16 (10) unless action is taken, by the year 2055 only five of the 20 Alaska Native languages
17 will be spoken by anyone, and soon thereafter the Native languages of Alaska may vanish.

18 * Sec. 3. AS 14.03.120(e) is amended to read:

19 (e) A district shall, by October 31 of each year, provide to the state board, and make
20 available to the public, a report on the performance of each public school and public school
21 students in the district. The report must be entitled "School District Report Card To The Public"
22 and must be prepared on a form prescribed by the department. The report must include

23 (1) the percent of district students in the top and bottom quarter of standardized
24 national achievement examinations; results under this paragraph shall be disclosed in a manner
25 that does not reveal the individual identities of students;

26 (2) the percent of students who are not promoted to the next grade;

27 (3) student, parent, and community member comments on the school's
28 performance;

29 (4) the annual percent change in enrollment and the percent of enrollment change
30 due to student transfers into and out of the district;

31 (5) attendance, retention, and graduation rates;

1 (6) the ways in which meaningful parent involvement in school performance was
2 achieved;

3 (7) if Native language education is provided, a summary and evaluation of
4 the curriculum described in AS 14.30.420;

5 (8) other indicators of school performance required by the state board; and

6 (9) [(8)] other indicators of school performance selected by the district.

7 * Sec. 4. AS 14.30 is amended by adding a new section to read:

8 Sec. 14.30.420. NATIVE LANGUAGE EDUCATION. (a) A school board in a district
9 in which a majority of the students are Alaska Natives may establish a local Native language
10 curriculum advisory board for each school in the district in which a majority of the students are
11 Alaska Natives. A school board in a municipality may also establish a local Native language
12 curriculum advisory committee. If the local Native language curriculum advisory board
13 recommends the establishment of a Native language education curriculum for a school, the school
14 board may initiate and conduct a Native language education curriculum for grades K through 12
15 at that school. The program must include Native languages traditionally spoken in the
16 community in which the school is located. Each school board conducting a program of Native
17 language education may implement the program as a part of regular classroom studies and shall
18 utilize

19 (1) certified instructors or instructors who have knowledge and adequate training
20 in teaching the Native language of the community in which the school is located;

21 (2) to the extent possible

22 (A) instructors and instructional materials available through the University
23 of Alaska; and

24 (B) audio-visual, computer and satellite technology.

25 (b) In this section,

26 (1) "district" has the meaning given in AS 14.17.250;

27 (2) "Native" means a person of one-fourth degree or more Alaskan Indian,
28 Eskimo, or Aleut blood.

29 * Sec. 5. This Act takes effect July 1, 1993.

STATE OF ALASKA
1992 LEGISLATIVE SES. JN

No. 2
Bill Version: CSSSHB 352 (FIN)
(H) Publish Date: 4-23-92

Revision Date: _____ Department Affected: EDUCATION
Title: A CURRICULUM FOR NATIVE LANGUAGE BRU: K - 12 SUPPORT
EDUCATION Component: DATA MANAGEMENT
Sponsor: REPRESENTATIVE LINCOLN
Requestor: HOUSE FINANCE COMMITTEE COMPONENT SERIAL NO.

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING | FY 93 | FY 94 | FY 95 | FY 96 | FY 97 | FY 98 |
|-------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|---------|---|---|---|---|---|---|
| CAPITAL | 0 | 0 | 0 | 0 | 0 | 0 |
|---------|---|---|---|---|---|---|

| | | | | | | |
|-------------------------|---|---|---|---|---|---|
| REVENUE FUND SOURCE: | 0 | 0 | 0 | 0 | 0 | 0 |
|-------------------------|---|---|---|---|---|---|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|-----------------------|---|---|---|---|---|---|
| GENERAL FUND | 0 | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER FUND SOURCE: | | | | | | |
| TOTAL | 0 | 0 | 0 | 0 | 0 | 0 |

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Co-Chair Eileen MacLean *Eileen MacLean* Phone: 465-4813
Co-Chair Mike Navarre *Mike Navarre* Phone: 465-3779
Division: House Finance Committee Date: 4/22/92

Approved by Commissioner: _____ Date: _____
Agency: _____

POSITION PAPER: DEPARTMENT OF EDUCATION

Division Educational Program Support Bill Number CS for SS for HB 352
(Finance) Amended

Bill Title An Act relating to curriculum for Native Language Education.

Sponsor Representative Lincoln

Position Statement: Explain briefly what the bill does, its impacts and Department's position, i.e., a) support, b) do not support, c) neutral or d) oppose.

In concept the Department of Education supports this bill. While we support and encourage Native language programs, we believe that it is inappropriate for the state to mandate that schools with a majority of Alaska Native students must have Native language advisory committees.

This is a decision best made at the local level.

APPROVED:

Director Ed Westlund Division Educational Program Support

Signature *Ed Westlund for CW* Date 4-30-92

Commissioner/Deputy Jerry Covey/Karen R. Crane

Signature *Karen R. Crane* Date 4-30-92

ALASKA STATE LEGISLATURE

Representative Georgianna Lincoln

HESS Committee, Co-Chair
Resources Committee, Vice-Chair

Budget Subcommittees
Health and Social Services
Revenue



P.O. Box V
Juneau, Alaska 99811

Phone: (907) 465-3732
FAX: (907) 465-2652

MEMORANDUM

- Alatna
- Allakaket
- Aniak
- Anvik
- Arctic Village
- Beaver
- Bettles
- Birch Creek
- Chalkyitsik
- Chuathbaluk
- Crooked Creek
- Evansville
- Fort Yukon
- Galena
- Grayling
- Holy Cross
- Hughes
- Huslia
- Kalskag
- Kaltag
- Koyukuk
- Lake Minchumina
- Lime Village
- Lower Kalskag
- Manley Hot Springs
- Marshall
- McGrath
- Minto
- Mountain Village
- Nikolai
- Nulato
- Pilot Station
- Pitkas Point
- Rampart
- Red Devil
- Ruby
- Russian Mission
- Shageluk
- Sleetmute
- St. Mary's
- Stevens Village
- Stony River
- Takotna
- Tanana
- Telida
- Tuluksak
- Tyonek
- Venetie
- Wiseman

TO: Senator Jay Kerttula, Co-Chair
Senator Pat Pourchot, Co-Chair
Senate Finance Committee

FROM: Representative Georgianna Lincoln *geom*

DATE: May 4, 1992

RE: CSSSHB 352 (FIN) AM
Native Language Education Act

CSSSHB 352 (FIN) AM provides that schools where a majority of the students are Alaska Natives may teach the language that is traditional within the community. A local Native curriculum advisory committee would be **selected by the school board** to review and make recommendations about the teaching of the Native language. It further provides that the Native language **may** be incorporated into the school curriculum and taught by certified or trained instructors. The bill allows for the delivery of language instruction by existing satellite instruction or other distance delivery technology, including computer programs and audio distance delivery. The effective date of this legislation is July 1, 1993.

Many of Alaska's Native languages are on the brink of extinction. Linguists tell us that unless corrective action is taken soon, by the year 2055--not very long from now--at least 15, and possibly 18, Native languages will be lost. Eyak, the Athabascan language of a people who thrived for 3,500 years along the Gulf of Alaska, has one remaining Native speaker; she is 73 years old. Dr. Michael Krauss, professor of linguistics at the University of Alaska Fairbanks predicts that "short of a miracle or radical social change" we will lose 15, and possibly 18, of our 20 Native languages by the year 2055.

Sadly, the loss of Alaska Native languages is rooted in anti-Native language educational policies promoted by American missionaries and educators around the turn of the century. Schools played a critical role in efforts to

May 4, 1992
Page 2

assimilate Alaska Natives into the Western/Anglo religion, language and culture; in fact, children were punished for speaking their Native language.

Schools cannot, nor should they, carry the burden of Native language preservation alone. Parents, extended family members, and communities have important roles as well. In many villages, however, many of those tools are lost. We must have our schools involved and committed to teaching and preserving our Native languages. Presently, our schools are teaching Spanish, Russian, and Japanese to our children. Many who have the capability to extend their programs to include Native languages have not.

As a complement to this bill, Senator Murkowski is working with Congress to secure federal funding to help preserve Alaska's Native languages. S. 1595, the "Alaska Native Languages Preservation and Enhancement Act of 1991" has passed the Senate and is awaiting House action. It will provide \$2.5 million per year for five years, to assist in Native language preservation and education efforts in Alaska.

HB 352 has received strong support from the Alaska Federation of Natives, the White House Conference on Indian Education, the Denakkanaaga Elders Conference, the Tanana Chiefs Conference, Bristol Bay Area Health Corporation, and the Association of Village Council Presidents, the Interior Education Council, the Village Participation Conference, the Rural Alaska Community Action Program, and by numerous village corporations and associations.

Sectional Analysis

CSSSHB 352 (FIN) am

- Sec. 1. Short Title: Native Language Education Act
- Sec. 2. Findings.
- Sec. 3. Amends School District Report Card statute to include summary and evaluation of Native language education, if provided by the district.
- Sec. 4 (a). Adds a new section to Educational Programs statute related to Native Language Education.

A local Native language curriculum **advisory** board would be established for each school where a majority of the students are Alaska Native.

A school board in a municipality may also establish a local Native language curriculum advisory committee.

Upon recommendation of the local Native language curriculum advisory board, the district **may** teach Native language in the schools, grades K-12.

Directs school boards to utilize certified instructors or individuals with knowledge and training in teaching the language, and **to the extent possible**, instructors and materials available through the University and satellite technologies when Native language education program is implemented.

- Sec. 4(b). Defines "Native" Alaskan for the purposes of this bill, to be a person with one-fourth degree or more Alaska Indian, Eskimo or Aleut blood.
- Sec. 5. Effective date: July 1, 1993.



Administrative
& Support Offices
P.O. Box 00309
Nenana, Alaska 99760

Fred L. Lau
Superintendent

(907) 832-5594

BY FAX TRANSMISSION

April 30, 1992

Senator Arliss Sturgulewski
Chair, Senate HESS Committee
Alaska State Legislature
Juneau, Alaska 99811

Dear Senator Sturgulewski and Members
of the Senate HESS Committee:

Please accept this letter in opposition to CSSSHB 352 (FIN) am, regarding the Native language education. It should be noted that as a school board we are not opposed to the teaching or the preservation of any minority languages, especially those in Alaska. Our objection has always been the way in which this bill by-passes the school district, ignores the constituents who elected the school board, and implies that the Board and District are unable to or do not fully represent their constituents.

The superintendent, administration and publicly elected board members have a responsibility that forces them to balance wants, desires and needs against the realities of budgets and funding. To take away their purpose by mandating the creation of another board, absent any fiscal responsibility, is a disservice to the School Board and the District.

It may be possible that the committee does not understand the full impact of rural concerns and procedures. Once the advisory boards are formed by mandate, they will recommend that Native languages be provided because that is what they were appointed to do. This will be without regard to local funding sources and will have a financial impact on the district even though the programs are not mandated by law. If you think you are not mandating, you do not understand how closely rural communities and districts affect each other.

As I am sure you are aware, each rural district has an elected school board and each rural school in REAA districts have local advisory boards in place. In our district local advisory boards allocate funds for local programs. They presently have the power to provide funds for language programs. Those communities that want language programs already have the power to put them in place.

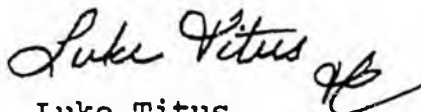
We strongly believe that our Board is composed of competent people who represent the constituents of our district.

There is no need for another mandated board or program. If you pass this bill in its present form, you will have chosen to ignore the consequences of this mandate and will have undermined the duly elected members of our school board and advisory school boards.

We respectfully request that you change the word shall in line 9, page 3 of the bill to may.

Thank you for this opportunity to respond.

Sincerely,



Luke Titus
Board Chairperson
Yukon Koyukuk School District

ASSOCIATION OF ALASKA SCHOOL BOARDS

316 West 11th Street, Juneau, Alaska 99801-1510 • Tel. (907) 586-1083 • Fax (907) 586-2995

Advocates for Alaska's Youth

OFFICERS

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Percy Frisby
Hydaburg

PRESIDENT-ELECT
Carole Huntington
Galena

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Sue Arce

NEENAH

NORTH SLOPE
Roy Nageak

NORTHWEST ARCTIC
Reggie Joule

YUKON-KOYUKUK
Luke Titus

YUPIIT
Michael Williams

EX-OFFICIO DIRECTOR
Dick Anderson
Delta-Greely

EXECUTIVE DIRECTOR
Carl F.N. Rose

HB 352

Curriculum for Native Language

Support for local options

The Association of Alaska School Boards (AASB) is sensitive to the concerns addressed in HB 352 and supports the concept of allowing districts to implement a curriculum for Native language, but is greatly concerned over the impact of mandating such programs.

The Association of Alaska School Boards is on record as supporting a bonafide postsecondary education certification program in the area of Alaska Native Language & Culture to provide opportunities for Alaskan students to pursue a career in teaching, and to provide students in the classroom with the opportunity to explore Alaska's rich Native Culture. (AASB Resolution 92-29)

Support for funding of HB 352

In light of the five-year moratorium on education funding increases, AASB has consistently urged the Legislature to refrain from mandating educational programs without providing commensurate funding to implement them. Mandating programs without funding—and the additional requirements and costs associated with implementing new programs—have the effect of promoting one program at the expense of another (by diverting funds from one program into another).

2/12/92

Northwest Arctic Borough School District
BOX 51
KOTZESUE, ALASKA 99752
(907) 442-3472

| | | |
|----------|-------|----------|
| NGATAK | _____ | KANA |
| KVALINA | _____ | AMLER |
| KOTZEBUE | _____ | KOBUK |
| DEERNO | _____ | SHANONAK |
| BUCKLAND | _____ | ELAWAK |
| | _____ | MOORAK |

RESOLUTION 92-006
RE: House Bill 352/Senate Bill 421

Whereas, the House and Senate are considering legislation entitled "A Native Language Education Act", and;

Whereas, the current draft of the legislation does not provide funding for implementation of the act, and;

Whereas, the legislation mandates the establishment of additional advisory committees, reporting, and expanded instructional programs, and;

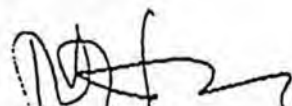
Whereas, the Northwest Arctic Borough School District is already governed by a Board of elected public representatives;

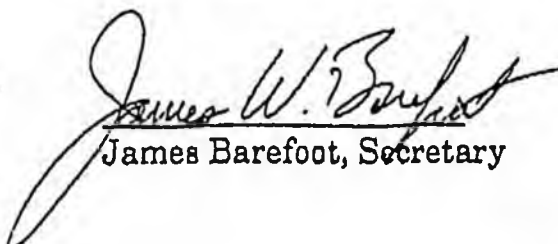
Therefore be it resolved, that the Northwest Arctic Borough School District Board of Education will be able to support House Bill 352 and Senate Bill 421 only if the following revisions are included in the legislation:

- Funding to implement programs is attached to the bill
- Public Boards of Education, rather than newly created advisory boards, would be responsible for determining bilingual program needs
- The scope of the bilingual programs would be determined locally rather than mandated by the state

Adopted February 27, 1992 at a duly convened regular meeting of the Northwest Arctic Borough Board of Education at which a quorum was present and voting.

ATTEST:


Pete Schaeffer, President


James Barefoot, Secretary

Post-It™ brand fax transmittal memo 7671 # of pages 5

| | |
|-----------------|------------------|
| To John Sackett | From Ed Gannon |
| Co. | Co. NWABSD |
| Dept. | Phone # 442-3472 |
| Fax # 463-6773 | Fax # 442-3858 |