

HJR

13

# *Alaska State Legislature*

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## House Special Committee on Education

Representative Carl Gatto, Chair

### SPONSOR STATEMENT

#### HOUSE JOINT RESOLUTION 13

Urging adoption of the Alaska recommendations for implementing the No Child Left Behind Act of 2001.

The No Child Left Behind Act is a mammoth piece of federal legislation the implications of which encompass nearly every facet of the educational system in the state of Alaska. The implementation of the NCLB Act is a daunting task for every state, however, it is vital that the Federal Department of Education recognize the true uniqueness of Alaska.

The Alaska Department of Education and Early Development have been working on Alaska's application for two years and have submitted a proposal for peer-review. It is important that Alaska be allowed to develop a plan, which works well in this extremely large, diverse state of Alaska. I ask your support of HJR 13, which urges prompt approval of the Alaska consolidated state application accountability workbook so that the children of Alaska may experience the full benefits that the No Child Left Behind Act promises for each and every child of our state.

## Differences Between NCLB and Alaska Plan

Element	NCLB	Alaska Plan	Rationale
AYP Determination	Status	Status & Growth	Increase Validity
AYP Determination	Two separate scores: (1) reading/writing; (2) math	One score: combined reading, writing & math	Include all schools & increase reliability
Reliability	Minimum N	Confidence Interval	To include all schools and subgroups of students
Identify School For Improvement Status	Any one subgroup of students not demonstrating AYP for two consecutive years	Same subgroup of students not demonstrating AYP for two consecutive years	Increase reliability of decisions to include all subgroups of students
Participation Rate	95% of enrolled students must have valid test scores	100% of students counted in accountability system; non- participants test scores counted as zero	To include all small enrollment schools
Participation rate	95% of all enrolled students	Excluding students with serious extended illnesses or parent refusal to take exam	Fairness and practicality
Limited English Proficient/Special Education Definition	Only students currently receiving services as LEP or SpEd	Students currently or have been served as LEP or SpEd	Make sure former LEP & SpEd students are succeeding after they exit LEP & SpEd program
Alternate Assessment for severe cognitive disabilities (1% or 2% of all students)	All students taking alternate assessment counted as "not proficient"	Students demonstrating proficiency on alternate assessment counted as proficient	Give credit to students who make progress in spite of their profound disabilities
New Schools	Include new schools during first year of operation	Include new schools during second year of operation	To make compatible with status/growth & to give time for school to show improvement
Alternative & Special Mission Schools	Treat these schools as regular schools	Provide for additional measures of student progress that are aligned with the school's special mission.	Gives credit for these schools as "last chance" opportunities to save drop outs

# Fairbanks Daily News-Miner

## Federal education official to tour schools in rural Alaska

By Sam Bishop  
News-Miner Washington Bureau

**Wednesday, April 02, 2003** - WASHINGTON—U.S. Secretary of Education Rod Paige has agreed to visit some rural schools in Alaska to see the trouble such institutions have complying with a new federal education law, Sen. Ted Stevens said Tuesday.

Stevens told Paige in a hearing on the Department of Education's budget last week that he was not happy with the way the law applied to Alaska. Staff who visited the state never got to rural areas, he said.

"I'm pleased that Secretary Paige has accepted my invitation to visit the rural areas of our state," Stevens said in a news release Tuesday. "Seeing these schools, their teachers, and students is critical to understanding the challenges we face in applying the No Child Left Behind Act in Alaska."

Stevens said staff from his and Paige's offices will work out details of the visit.

Stevens said Paige has promised to set up a task force under a deputy secretary to see how rural areas could best be served under the act.

Alaska's rural schools need more funding because they have an inadequate tax base to raise their own, Stevens said. The senator also called for more regional education centers because he believes small schools cannot meet the standards.

The state last year wrote to Paige asking for more time to qualify teachers and teacher aides in Alaska and to bring young students up to speed in English.

A spokesman at the Department of Education could not be reached Tuesday.

Washington, D.C., reporter Sam Bishop can be reached at [sbishop@newsminer.com](mailto:sbishop@newsminer.com) or (202) 662-8721.

# Fairbanks Daily News-Miner

## Stevens: Schools a nonwar priority

By DAN RICE  
Staff Writer

Distributed By:  
Representative Gatto  
3/31/03

Monday, March 31, 2003 - With the attention of Congress centered on the war in Iraq, Sen. Ted Stevens, R-Alaska, says his focus on other national issues affecting Alaska remains at the forefront.

"We just are now working about four hours more a day," said Stevens, who was in Fairbanks Saturday for the annual military appreciation banquet held at the Westmark Fairbanks Hotel. "When I see requests come in for a supplemental appropriation for some of the departments for overtime, my question is: Why should anyone get overtime right now if you got those guys out in the desert who aren't getting paid for overtime?"

Near the top of Stevens' nonwar priority list is trying to find "flexibility" for rural Alaska schools in the No Child Left Behind Act, which the senator said contains many requirements that would be next to impossible for village schools to meet.

Stevens harshly criticized the act and its likely effect on Alaska in front of Education Secretary Rod Paige during a hearing last Thursday on the U.S. Department of Education budget. Stevens said that he is scheduled to meet with Paige again on Tuesday to talk about the new law.

Before leaving Alaska, Stevens said he will also meet with the state Legislature in Juneau today and talk about some of the specific requests he has made of Paige to try to "give us some flexibility in that law or at least approve of Congress giving us some flexibility."

Stevens declined to talk at length Saturday about how he thinks No Child Left Behind should be applied to Alaska because he said he didn't want to steal his thunder for when he speaks to the Legislature.

"We just cannot meet the restrictions of that law," he said. "For instance, one of the provisions of the law says that if a child is not doing well, then his parents have the right to demand that the child go to another school. Nice in downtown Chicago, right? But it just doesn't work too well in Unalakleet and Shishmaref."

Stevens added that he wants Paige to address his concerns before Congress considers the Education Department's funding requests for the next fiscal year. "I'm sure we're going to have some answers before he gets his money this year," he said.

During Thursday's hearing, Stevens also criticized Paige for the locations his staff visited during a recent tour of Alaska, according to a press release from the senator's office.

"I again ask you to come up and take a look at the villages and see the problems. Your staff came up and didn't leave the main cities. They didn't go to the villages and our problems are in the villages," the release states.

Reporter Dan Rice can be reached at [drice@newsminer.com](mailto:drice@newsminer.com) or 459-7503.

March 27, 2003

For Immediate Release

Contact: Melanie Alvord (202) 224-1028

## Stevens Expresses Deep Concern Over Education Department's Lack of Flexibility in Applying No Child Left Behind in Alaska

### *Urges Education Secretary to Visit Rural Alaska Schools*

At an Appropriations Subcommittee hearing today on the Department of Education's Fiscal Year 2004 budget, Senator Stevens took the opportunity to share his concern with Education Secretary Rod Paige over his department's lack of flexibility when applying the No Child Left Behind Act to Alaska's rural schools.

"Alaska Natives make up 25 percent of the enrollment of our schools. The bulk of it is in small villages and it's just impossible for us to follow the bill we support, which is the No Child Left Behind Act, from the point-of-view of getting the people necessary to carry it out. If we can't hire teachers, how can we hire teachers' assistants and special people to qualify those (children) who are not keeping up? In many cases it's a cultural language problem, where the parents refuse to allow the children to study in English. We don't have BIA schools, and yet we find that your (proposed) budget has reduced the funding for two basic programs – the Education Equity Act, from \$31 million to \$14 million, and the Alaska Native and Hawaiian Native-serving Institution program from \$8.2 million to \$4 million," said Stevens. Stevens also expressed concern that the entire \$60 million in funding for the Carol M. White Physical Education for Progress program had been eliminated in favor of a new administration initiative to be funded at \$10 million.

Stevens also expressed his dismay at the locations Secretary Paige's staff chose to visit while touring Alaska, "I again ask you to come up and take a look at the villages and see the problems. Your staff came up and didn't leave the main cities. They didn't go to the villages and our problems are in the villages. Even our small Barrow College, the college that is there for Native children, was ignored entirely (by your staff's visit)."

Stevens also urged Secretary Paige to find room for flexibility for Alaska villages or face restrictions in their funding when the Education Department's Fiscal Year 2004 budget is considered by the Appropriations Committee. "By the time this mark-up comes, Mr. Chairman, I'm going to ask you to put some severe restrictions on the Department of Education with regard to use of funds unless they pay attention to the rural areas that cannot comply with this law," said Stevens to Senator Arlen Specter, Subcommittee Chairman.

In addition, Stevens urged the Secretary to review the statement he submitted for the hearing record; following is Senator Stevens written statement:

Thank you Mr. Chairman, and I'm pleased to welcome Secretary Paige to our subcommittee.

Mr. Secretary, I thank you for the leadership you are demonstrating in working to ensure that no child in America is left behind in getting an education that will prepare him or her to lead a productive life in the 21st century.

Yours is not an easy task, especially in times like these when our ability to provide funding for these programs is severely challenged by the needs of homeland security and supporting our

defense needs.

I do have some concerns about how your department is responding to our State of Alaska's need for flexibility in meeting the standards of the "No Child Left Behind" Act.

Last June, Alaska's Education Commissioner sent you a letter requesting flexibility for our State in meeting time lines for qualifications of teachers and teacher aides, and testing in English of students at early ages.

To the best of my knowledge, the Department has yet to receive a written response from the Department to its request.

In January, Alaska's Governor, Frank Murkowski, met personally with you and your senior staff to discuss the issues raised in the June 2002 letter.

I understand that the Department has taken the position that it will not grant any waivers for the "No Child Left Behind" Act requirements.

I also understand that when the Department sent up a team to Alaska to "peer review" its proposed state plan, that the team did not choose to accept the State's invitation to visit remote rural communities to see just how different conditions in my State are from those in the South-48.

Alaska has 54 school districts, with the largest 5 enrolling 70% of students. Thirty-nine school districts in my State each enroll less than one percent of the student body.

My State has a large number of very small schools, each with only a handful of teachers. Of 506 schools, 135 schools have fewer than 50 students and 82 enroll 25 or fewer students.

Many of these schools are located in villages not served by roads, where the only means of transport among villages is via plane or dog sled.

i am concerned about what my State perceives as a lack of responsiveness by your Department to these issues.

Last year I invited you to come to Alaska and see these conditions for yourself. Once again, I extend the same invitation.

I also ask that within the next 30 to 60 days you send appropriate members of your staff to my State to visit representative schools in rural Alaska and to work with Governor Murkowski's administration to arrive at an equitable solution to these issues.

I'm also disturbed about several decreases and program eliminations in your budget proposal.

Alaska's Native population is almost 25% of total enrollment in our schools. Our State has assumed the responsibility for educating all of its students, and we do not receive any Indian education funding, nor do we have BIA schools.

Alaska's Native children need the resources provided under the Alaska Native Education Equity Act to provide the extra help many of them need to succeed in school.

Yet, for the second year in a row, your Department is proposing to cut this funding to \$14 million from its present FY03 level of \$31 million.

In the higher education area, your budget proposes to cut funding for the Alaska Native - Native Hawaiian Serving Institutions program from its present level of \$8.234 million to only \$4 million.

You have eliminated entirely funding for the ECHO Act, which provides funding for cultural enrichment and job training activities for our Alaska Native Heritage Center and our Inupiat Heritage Center.

All of these programs are authorized in law.

Mr. Secretary, I would like to have you share with this subcommittee why your department persists in slashing funding and even eliminating programs which are desperately needed by my State's Native people.

On another topic, the department has also zeroed out funding for the "Carol M. White Physical Education for Progress" (PEP) program – also authorized in law – from its current level of \$60 million.

I am particularly disturbed by this, because you and the administration have publicly voiced support for physical education programs as a means of combating our epidemic of obesity among America's children, and your budget proposes a similar initiative to be funded at \$10 million.

Mr. Secretary – what's wrong with my PEP program – one that is supported by most of the advocacy groups supporting increased emphasis on physical fitness for kids?

Mr. Secretary, I'm also concerned over significant cuts to the Impact Aid Program, which is of great benefit to many schools in Alaska, and I hope your staff will work with our subcommittee to restore this important source of support to federally-impacted school districts.

I look forward to your testimony Mr. Secretary and to your visiting Alaska in the near future.

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# FISCAL NOTE

STATE OF ALASKA  
CSHJR 13(HES)

Fiscal Note Number: 1  
 Bill Version: CSHJR 13(HES)  
 (H) Publish Date: 3/14/2003

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
 Title Federal Education Law 2001 BRU \_\_\_\_\_  
 Component \_\_\_\_\_  
 Sponsor Special Committee on Education Component No. \_\_\_\_\_  
 Requester \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

Prepared by: Jean Ellis - staff Phone \_\_\_\_\_  
 Division: House Health Education and Social Services Committee Date/Time 3/14/03 10:12 AM  
 Approved by: Representative Peggy Wilson - Chair Date 3/14/2003  
 Agency: House Health Education and Social Services Committee