

SB

102

<TARGET><BILL>SB 102</BILL><SUBJECT>SB
102</SUBJECT><COMM>SEDC29</COMM></TARGET>

ALASKA STATE LEGISLATURE

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Mike Dunleavy
Senator

SPONSOR STATEMENT

Senate Bill 102 Unfunded Education Mandates; Training; Teachers

For many years local school districts have expressed concern that both the state and federal governments have imposed unfunded mandates on school districts. Senate Bill 102 modifies current statutes in response to suggestions offered by school district officials statewide. The propose changes are as follows:

- Amends current statutes that allow secondary students to demonstrate mastery in mathematics, language arts, science, social studies and world languages in the following ways:
 - Defines secondary school in this context to mean grades nine through 12
 - Clarifies that school districts are not required to establish a challenge test for every course that is offered in mathematics, language arts, science, social studies and world languages
 - Requires the Department of Education provide districts with a list of approve assessment tools
- Requires the Department of Education to place on the web a sortable spreadsheet used to calculate school funding for each school district
- Requires the Department of Education to provide a fiscal note that estimates the fiscal impact of a regulation or statute on local school districts
- Allows school districts flexibility in scheduling required educator training, every five years on a staggered schedule
- Removes two restrictions when a school district may implement a layoff plan to reduce the number of tenured teachers
- Repeals the requirement that school districts spend at least seventy percent of state aid on instruction

LEGAL SERVICES

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MEMORANDUM

April 6, 2015

SUBJECT: Sectional summary (Work Order No. 29-LS0752\W)

TO: Senator Mike Dunleavy
Attn: Sheila Peterson

FROM: Kate S. Glover 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Limits AS 14.03.073, which allows students to challenge courses for credit, to apply only to students in grades nine through 12.

Section 2. Clarifies that school districts do not have to establish assessment tools for all courses offered in grades nine through 12.

Section 3. Requires the state Board of Education and Early Development (the board) to adopt regulations that include a list of approved organizations that offer assessment tools meeting the requirements of AS 14.03.075(b).

Section 4. Requires the Department of Education and Early Development (the department) to provide an annual report that includes a summary of school district revenues and estimated funding for each school district.

Section 5. Requires the board, before adopting, amending, or repealing a regulation, to prepare a fiscal note estimating the effect of the action on school district budgets for the next fiscal year.

Section 6. Requires regional school boards to establish procedures to provide required training for school employees.

Section 7. Requires borough and city school boards to establish procedures to provide required training for school employees.

Section 8. Requires the board to establish procedures for training employees of state boarding schools.

Section 9. Allows school districts to determine how frequently to provide training related to selection of nondiscriminatory textbook and educational materials.

Section 10. Allows school districts to determine how frequently to provide employee evaluation training for certificated school employees.

Section 11. Allows a school district to implement a layoff plan for tenured teachers without a decrease in school attendance or a decrease in the school district's basic need.

Section 12. Allows a school district to determine how frequently to provide alcohol and drug related disabilities training for school teachers, administrators, counselors, and specialists.

Section 13. Allows school districts to determine how frequently to provide school crisis response training.

Section 14. Requires continuing education related to domestic violence and sexual assault to be provided once every five years for state or local public employees.

Section 15. Requires the department to prepare a fiscal note describing the effect of a bill or resolution on each school district in the state, if the bill or resolution would affect schools.

Section 16. Requires agencies to describe the effect of a proposed action on each school district in the state, if the proposed action will affect schools.

Section 17. Modifies state agency training intervals for recognition and reporting of child abuse for mandatory reporters of child abuse and neglect and allows school districts to determine how frequently to provide the training.

Section 18. Repeals AS 14.17.520, relating to the minimum expenditure for instruction required for school districts.

If I may be of further assistance, please advise.

KSG:lem
15-225.lem

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: SB 102
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB102-EED-SFF-4-10-15
Title: UNFUNDED ED. MANDATES; TRAINING;
TEACHERS
Sponsor: DUNLEAVY
Requester: Senate Education Committee

Department: Department of Education and Early Development
Appropriation: Education Support Services
Allocation: School Finance & Facilities
OMB Component Number: 2737

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates					
			FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES								
Personal Services	124.0		124.0	124.0	124.0	124.0	124.0	124.0
Travel								
Services	1,159.5		92.5	92.5	92.5	92.5	92.5	92.5
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	1,283.5	0.0	216.5	216.5	216.5	216.5	216.5	216.5

Fund Source (Operating Only)

1004 Gen Fund	1,283.5		216.5	216.5	216.5	216.5	216.5	216.5
Total	1,283.5	0.0	216.5	216.5	216.5	216.5	216.5	216.5

Positions

Full-time	1.0		1.0	1.0	1.0	1.0	1.0	1.0
Part-time								
Temporary								

Change in Revenues								
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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 12/31/15

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By:	Elizabeth Nudelman, Director	Phone:	(907)465-8679
Division:	School Finance & Facilities	Date:	04/10/2015 03:30 PM
Approved By:	Mike Hanley, Commissioner	Date:	04/10/15
Agency:	Department of Education & Early Development		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. SB102

Analysis

Section 4, amends AS 14.03.120(b), which currently requires statewide sortable average daily membership, categorical revenue reporting, and that the department complies by providing this report on the department's website. In addition, the required report is summarized as a sortable average daily membership and total revenue component into the statewide report.

The changes at AS 14.03.120(b)(1) directs the department to place the non-summarized report into the statewide report.

AS 14.03.120(b)(2) is added. The department currently provides this annual report in portable document format (pdf) on the department's website. This statute would require the department to change from a pdf to a sortable format.

AS 14.03.120(b)(3) is added. The initial raw data generated from district submittals through the department's State Reporting Manager (SRM) system is not easily transportable to a public webpage and includes components that are legally protected from being distributed.

Costs associated with the legislation are estimated as follows: DEED's data system was initially planned with seven phases of which phase five is the school finance module for data solutions. The school finance module has not been addressed due to other data priorities and lack of available funding, therefore school finance continues to use stand-alone systems to manipulate and present data. Based on the historical costs of four of the seven modules, the phase five school finance portion fiscal costs are estimated to be \$1,000.0. In addition, a range 22 Analyst Programmer V position at approximately \$124.0 and services of \$9.5 for department chargebacks is needed. Also, there would be service costs for vendor hosting, licensing, and maintenance of \$150.0 in the first year and \$83.0 annually after the first year.

Section 18, repeals the minimum expenditure for instruction requirement in AS 14.17.520.

The repeal of AS 14.17.520 would remove the requirement for districts to budget and expend at least 70% of their operating fund for instructional functions and would remove the requirement for districts to seek a waiver from the State Board of Education if they are not able to budget or expend at least 70% for instructional functions.

If this law is repealed, the department is still directed under statute to review the district operating budgets for compliance including format, a balanced budget between revenues and expenditures, meeting the required local effort provisions of AS 14.17, and other standards. There is no fiscal impact on the department from this section.

The repeal of AS 14.17.520 would require the repeal of regulation 4 AAC 09.115, minimum expenditure for instruction, and the amending of 4 AAC 09.120, budget review.

No effective date is provided in the legislation.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: SB 102
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB102-EED-SSA-4-10-15
Title: UNFUNDED ED. MANDATES; TRAINING;
TEACHERS
Sponsor: DUNLEAVY
Requester: Senate Education

Department: Department of Education and Early Development
Appropriation: Teaching and Learning Support
Allocation: Student and School Achievement
OMB Component Number: 2796

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2016 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016					
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	***	0.0	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	0.0	***	***	***	***	***

Positions

Full-time	1.0		1.0	1.0	1.0	1.0	1.0
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **Yes**
If yes, by what date are the regulations to be adopted, amended or repealed? **12/31/15**

Why this fiscal note differs from previous version:

Not applicable, initial version

Prepared By:	Paul R. Prussing	Phone:	(907)465-8721
Division:	Deputy Director, TLS	Date:	04/10/2015 11:47 PM
Approved By:	Mike Hanley, Commissioner	Date:	04/10/15
Agency:	Department of Education & Early Development		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. SB102

Analysis

Section 1 amends AS 14.03.073 Secondary school course credit (a) by requiring districts to provide students in grades 9 through 12 the opportunity to challenge courses. Previously, this was required for all secondary students which AS 14.03.060 defines as students in grades seven through twelve. For this section, there is no fiscal impact to the department.

Section 2 amends AS 14.03.073 Secondary school course credit (b) by removing secondary school and adding grades nine through twelve and provides districts with the ability to limit the number and types of courses that can be challenged. For this section, there is no fiscal impact to the department.

Section 3 amends AS 14.03.073 Secondary school course credit (c) to require the department to adopt regulations identifying organizations that are approved by the department to offer challenge course assessments. The department would need to create a review process, including possible procurement requirements to allow vendors to submit materials for review, to include district representation and content specialists for the five content areas identified in the legislation. A Project Coordinator would be needed to oversee this review process. Project Coordinator = \$131.1 and \$9.5 for department chargebacks, totaling = \$140.6.

Section 5 and 16 amends AS 14.07.060 Regulations by adding a section that all regulations must include an estimate of the effect, if any, on school district budgets for the fiscal year following adoption of the regulation. Currently, in a notice of proposed regulation, the state agency must include the estimated annual costs, based on a good faith effort to estimate the costs in the aggregate using the information available to the state agency for multiple groups, including municipalities, to comply with the proposed action, AS 44.62.190(d)(3). We interpret municipalities to include any and all school districts (including REAAs). In keeping with the intent of the law, therefore, this amendment is currently being implemented and is not needed.

Sections 6, 7, 8, 9, 10, 12, 13, 14, and 17 amend the duties of local school boards regarding the timing and frequency of required staff training. Generally this bill takes seven mandatory trainings and changes the frequency of them. The main concept of these sections is to turn over to local districts the decision for training frequency. In most cases, the legislation requires the training within the first 45 days for new staff, then at whatever frequency the local board decides for other staff as long as the training occurs at least every five years. With one exception, the department does not have concern with this section. Trainings associated with Crisis Response Training required by AS 14.33.100, a frequency of once every five years may be too infrequent to ensure effective crisis response. Regarding the other training requirements, while this legislation does decrease the frequency of training for some requirements, it actually increases it for others. For these sections, there is no fiscal impact to the department.

Section 11 amends AS 14.20.177(a) by removing requirements of a district layoff plan. Currently, a district must have a decrease in attendance or the basic need must have decreased by 3% or more in order to implement a layoff plan. This section removes these two requirements. For this section, there is no fiscal impact to the department.

Section 15 amends AS 44.62.190 to require the department to prepare a fiscal note for a bill or resolution that contains information regarding fiscal effects on each school district. This is indeterminate because the requirements to develop a system and methodology to gather data from school districts on the fiscal effects of bills is resource intensive. The development of fiscal notes for legislative bills follows a short timeline from bill introduction, deadlines for fiscal notes and bill hearings. Such a timeline will require significant infrastructure and human resources at the state and local level to comply with this section.



OFFICE OF THE SUPERINTENDENT

Dr. Deena M. Paramo

Mission: Mat-Su Borough School District prepares students for success

April 14, 2015

Legislature of the State of Alaska
Twenty-Ninth Legislature – First Session

Dear Committee Members,

I am writing as the Superintendent of the Mat-Su Borough School District in support of SB 84, "An act relating to language immersion charter school; relating to teacher certification; and relating to standards-based assessment in language immersion charter schools and language immersion programs." As a district who highly values choice in educational programs and delivery, this Bill provides for specific certification and recognition of teachers at language immersion charter schools.

Immersion programs are unique in that they require educators to have language fluency in addition to content knowledge and teacher preparation. SB 84 formally recognizes through certification all those components of a successful immersion teacher and provides additional flexibility for school districts to hire non-traditional teachers who have the necessary language skills. Similar to the Type M certificate that currently exists for Career & Technical Education, this certificate values not only the preparation of teachers but provides for the recognition of fluency in the language for which the immersion is grounded. It is the district for whom the applicant of this certificate will be hired and teach. While Mat-Su's first priority is always to secure fully certified teachers, there is not always a sufficient candidate pool in these specialized areas. SB 84 will allow school districts the flexibility needed to provide the best instructors for their courses and schools. SB 84 additionally benefits school districts in the statutory process for retaining staff during times of shortage, which is an important consideration for the long term maintenance of a choice program.

Finally, in summary, MSBSD's understanding of SB 84 is that an effective date for transitioning to this new certificate for language immersion charter schools would be ample time to communicate to our employees for which the certificate applies.

Thank you,

Dr. Deena M. Paramo
Superintendent

Sheila Peterson

From: Sen. Mike Dunleavy
Sent: Tuesday, April 14, 2015 2:39 PM
To: Sheila Peterson
Subject: FW: SB 102 Unfunded Ed. Mandates; Training; Teachers

From: Eric Gebhart [mailto:supt@nenanalynx.org]
Sent: Tuesday, April 14, 2015 2:32 PM
To: Sen. Mike Dunleavy; Sen. Charlie Huggins; Sen. Cathy Giessel; Sen. Gary Stevens; Sen. Berta Gardner
Cc: Sen. Click Bishop; Rep. David Talerico
Subject: SB 102 Unfunded Ed. Mandates; Training; Teachers

Dear Senate Education Committee Members,

It has come to my attention that SB 102 Unfunded Ed. Mandates; Training; Teachers is on the agenda for the Senate Education Meeting taking place today at 3:30 p.m. I will not be available to call in and testify, so I am sending this e-mail to express my support for the passage of this bill. I would like to thank the committee and the drafters of this bill for hearing and addressing these needs and for working closely with AASB to draft this bill.

Please let me know if there is anything else I can do to support the passage of this bill.

Sincerely,

Eric Gebhart Superintendent, *Nenana City School District*

"A Community of Opportunity . . . Preparing Students for Life"
Tel: (907) 832-5464 | Fax: (907) 832-5625
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