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**WRANGELL
PUBLIC SCHOOLS
DISTRICT OFFICE**

GATEWAY TO THE STIKINE

P.O. BOX 2319
WRANGELL, ALASKA 99929
Telephone (907) 874-2347
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January 28, 2002

The Honorable Con Bunde
Room 501
Capital Building
Juneau AK 99801

Dear Representative Bunde:

Thank you for your interest in our Service Learning at Wrangell Public Schools. We believe it is a part of our curriculum that teaches citizenship and caring for others. I have attached an executive summary of our program along with a more thorough explanation.

We will be at the Wrangell LIO at 8:00 a.m. Wednesday morning if you have questions or wish to speak to us further.

We believe our program is good for our community but would caution against mandating it for others. Each community is different and one size does not fit all. Furthermore, it is not without cost. In our small high school it costs us the equivalent of one eighth of a teacher's salary at a minimum to teach this class. Mandating this program would have a significant fiscal note for the state of Alaska.

As always we are pleased to be at your service.

Sincerely yours,

Woody Wilson
Superintendent

Service Learning Executive Summary

Wrangell High School

- **Senior Project** - All seniors are required to select and complete a senior project in order to graduate. This is a semester (or year-long) course that originated to repay the community for their support over the past 12-13 years of their education. Students are required to select a project that gives something back to the community. They participate during that class period and/or after school depending on the project. As a culminating activity, the student sends out invitations to their presentation. They are required to have a multi-media presentation with the use of power point, digital pictures, or video. They present this to the community.
- **Activity participation** - Due to budget restraints, the community provides much monetary support through raffles, auctions, bake sales, etc. for activities. Thus, a requirement for participation in an extra-curricular activity (i.e., cross country, volleyball, wrestling, basketball, DDF, BPA, FCCLA, cheerleading, music) to repay the community is to complete 16 hours of approved community service for each activity. These hours are in addition to senior projects.
- **STW/OJT** - For Juniors and Seniors to go out into the community to work with businesses to learn skills. This is at no cost to the employer.

Service Learning Explanation

Thank you for asking us about our Service Learning Program at Wrangell Public Schools. Many districts across the state and nation recognize the value in Service Learning. Community service is taught to students in an effort to build character and help them understand that being a member of society comes with a responsibility. Service learning is taught by teachers at different levels from elementary students who perform plays and sing for the elderly, middle school children who collect food for the Salvation Army, to the more formal program of study at the high school level. When students are taught to contribute, it may be one of the most important lessons they will learn.

Senior Projects

Wrangell High School implemented the senior project program in 1997 and continually increases and improves the variety of projects that connect the community with the school environment. The goals and objectives address performance standards within vocational education and Alaska State Standards while successfully impacting special populations. A teacher(s) has a class period designated as senior project hour. Although a specific period is assigned per senior to meet with the teacher, many of the project hours are spent outside of the classroom.

The course is one semester, however, because of the training needed or the interest level, the project could continue into a full year course. In one way or another the project must contribute to the community or provide a needed service.

Some of the project examples over the last two years include:

- Completing Emergency Trauma Training
- Completing Junior Fire Fighting
- Completing Certified Nurses Assistant Training
- Teaching a Community Photography Class
- Organizing Youth Court
- Organizing and teaching preschool 'Safety Town'
- Organizing Pee Wee Wrestling Camp
- Teaching special needs students swimming
- Teaching an American Sign Language class for community
- Administering the Fighting Youth Crime Survey
- Assisting middle school volleyball coach

- Assisting preschool and elementary teachers
- Organizing the annual Southeast Art Festival
- Producing a major musical for the community
- Manufacturing custom signage for the Wrangell golf course and Wrangell Fire Department
- Organizing track and field day activities in the elementary school
- Recycling projects
- Assisting the Wrangell Harbor Department
- Producing videos for beginning guitar lessons, high school year book, metal and wood shop safety, and historical events in the community

Students present their proposal to the project teacher. They are then presented to the high school principal for approval. It is important that connections made with the community be reasonable and worth pursuing.

These exit goals are presented to each student. They must be demonstrated during the course of the semester.

- Collaborative worker
- Aesthetic Appreciator
- Self Directed Learner
- Quality Producer
- Complex Thinker
- Effective Communicator
- Community Contributor

To complete the course, students must give a power point presentation of their project to invited guest which include community members, school board members, administrators, teachers, parents, and students. Technology is used as part of the grading rubric, which includes audio and video productions and/or pictures in the power point. The presentation tests students' public speaking skills of voice projection, eye contact, appearance, organizational skills and etiquette.

True student ownership is a major goal of the course. Students, whether in college courses or in the special education programs, are required to complete their own individual senior project. They are the ones to brainstorm, plan and organize their project. Sometimes their first ideas do not work as smoothly as originally thought. Students learn that there are often barriers. But, overcoming these challenges is a worthwhile experience.

Students are a thoughtful and caring group of contributing community members. They willingly offer their services to help individuals and groups and improve the quality of life in our community.

History

The first year of the senior project program met with complaints from the students and faculty members. Some faculty members felt that it would give students, especially seniors with senioritis, an excuse to leave campus without supervision. However, with support from the administration by holding students accountable for their whereabouts, students have learned even greater responsibility. In addition to the 'attendance' issue, some students felt that grading was unfair since some students chose more demanding and time consuming projects. However, each student selects an approved project that meets his or her individual strengths, interests, and abilities. Now, underclassmen are planning ahead for their senior projects, which should enhance our program even further. All projects are now graded "Pass/Fail".

The Wrangell community is well aware of the senior projects since students are required to wear a photo name badge when leaving the school building. The local media has provided excellent coverage. The radio station often interviews students, which enhances their public speaking skills. Also, the local newspaper features weekly articles that highlight senior projects. This is truly a sense of accomplishment for students while promoting high self-esteem and providing valuable services to the community.

The Senior Project Program is a way for students to acknowledge the past 12 or 13 years of community support and return something to their community. Service learning helps students to realize that community service is a life-long venture that positively molds a community.

Community Service for Extra-Curricular Activities

(Excerpt from Student Handbook)

All high school students must perform 16 hours of community service for each sport or activity, per year.

- All community service projects will be approved by the Booster Club.
- An adult must verify that community service work was accomplished.
- Community service work may be done in groups or as an individual.
- Community service hours may be earned in advance of an activity.
- Community service hours may accumulate beginning March 15.
- Community service time is not transferable to another individual.

The following organizations, business and activities have been approved for community service hours. You cannot serve in any other capacity with the organization, business, etc. other than as a volunteer. You cannot receive any form of payment, compensation or credit applied to graduation requirements. If you wish to serve your community service hours in any other manner, it must be approved by the Booster Club prior to performing the service. (This list is for the Booster Club ONLY and does not have any connection with any court appointed community service.)

Boy Scouts	Girl Scouts	Community Clean-Up
Education Fair	KSTK	Elementary Crossing Guards
Library Assistant	4-H	JOM
Long Term Care	Museum	Preschool
Swim Team	Headstart	Little League
Health Fair	Special Olympics	Salvation Army
Muskeg Meadows	March of Dimes	Senior Center
Vacation Bible School	Parks & Rec Youth Activities	
Church Activities-Carnival, chaperoning Youth activities		
Chamber of Commerce-4th of July, Garnet Festival, Tent City, Eternal Reign		
Community Orchestra, Chorale and Plays-approved for performance time only		

Regional Learning Centers/Regional Boarding Schools

Legislative Budget and Audit's Report on Regional Learning Centers

Galena's Project Education

- 72 students from primarily interior villages
150 applications for 32 openings
- 97% return rate and 75% placement rate of students after graduation
- Paid for out of ADM and business partnerships
Business partnerships are formed to forward the public education the students receive, allowing for the enhancement of programs, particularly VoTech programs.
- Providing education to grades 9-14
Allows adult education opportunities while providing the infrastructure for students who do not pass the HSGQE by their 12th year, to continue their education the additional two years allowed.
- Attendance Policies
Students may not miss more than 10 days in a 90 day period (unless they receive a waiver)
- Excellence is expected
Students who are earning less than a "C" in a class, or who fail to pass any portion of the HSGQE are required to attend 1 hour of tutoring after school, every day.
4 years required Math, Science, English

Challenges/benefits of boarding school settings

Education in both formal, and informal sense
School as a community
Helps rural students transition to work
Costs to state
Finding qualified, willing teachers/administrators/non-certified staff
Providing a living environment that is as good as the educational environment

Costs involved in running a Boarding School/Regional Learning Center

Look to Galena's Project Education

Level of interest in establishing Regional Learning Centers

Concerns districts have regarding Regional Learning Centers/Boarding Schools

Loss of funds to small districts
Needs of communities and families impacted
Optional vs. compulsory

What some districts are doing now to meet the needs of their students

- Live, interactive video teaching – Aleutians East School District (e-rate)
- Nome/Beltz facility

**ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON EDUCATION**

February 6, 2002

8:03 a.m.

MEMBERS PRESENT

Representative Con Bunde, Chair
Representative Brian Porter
Representative Peggy Wilson
Representative Gary Stevens
Representative Reggie Joule
Representative Gretchen Guess

MEMBERS ABSENT

Representative Joe Green

COMMITTEE CALENDAR

WORK SESSION ON TEACHER SHORTAGE:

Service Learning Report
Regional Training Centers Report

- HEARD

HOUSE BILL NO. 211

"An Act requiring an annual inflation adjustment of the base student allocation used in the formula for state funding of public education; and providing for an effective date."

- MOVED CSHB 211(EDU) OUT OF COMMITTEE

WORK SESSION ON TEACHER SHORTAGE:

Rehiring RIP-Retired Teachers [what became HB 416]

- HEARD

HOUSE CONCURRENT RESOLUTION NO. 11

Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to the Education Committee, a standing committee of the legislature.

- HEARD BUT NOT SCHEDULED

DISCUSSION OF POSSIBLE COMMITTEE BILL ON STUDENT SURVEYS [what became HB 408]

- HEARD

REPORT ON EED AND THE ADMINISTRATIVE PROCEDURE ACT

- HEARD

WORK SESSION ON TEACHER SHORTAGE:

Health & Liability Insurance Costs Report

- SCHEDULED BUT NOT HEARD

PREVIOUS ACTION

BILL: HB 211

SHORT TITLE: FOUNDATION FORMULA INCREASE

SPONSOR(S): REPRESENTATIVE(S) GUESS

Jrn-Date	Jrn-Page		Action
03/26/01	0729	(H)	READ THE FIRST TIME - REFERRALS
03/26/01	0729	(H)	EDU, HES, FIN
04/11/01		(H)	EDU AT 8:00 AM CAPITOL 106
04/11/01		(H)	Heard & Held -- Location Change --
04/11/01		(H)	MINUTE(EDU)
04/25/01		(H)	MINUTE(L&C)
02/06/02		(H)	EDU AT 8:00 AM CAPITOL 120

BILL: HCR 11

SHORT TITLE: UNIFORM RULES: STANDING COMMITTEES

SPONSOR(S): REPRESENTATIVE(S) GUESS

Jrn-Date	Jrn-Page		Action
03/26/01	0728	(H)	READ THE FIRST TIME - REFERRALS
03/26/01	0728	(H)	EDU, HES
03/26/01	0728	(H)	REFERRED TO EDU
01/16/02	1990	(H)	COSPONSOR(S): STEVENS
01/22/02	2034	(H)	COSPONSOR(S): GREEN

WITNESS REGISTER

WOODY WILSON, Superintendent

Wrangell City School District

P.O. Box 2319

Wrangell, Alaska 99929

POSITION STATEMENT: Reported on Wrangell's service learning program.

K.D. ROOPE, Student

Wrangell City School District

P.O. Box 2176

Wrangell, Alaska 99929

POSITION STATEMENT: During the service learning report, briefed members on her experience with service learning in the Wrangell School District.

CAROL KANE, Executive Director

Alaska Association of Secondary School Principals

P.O. Box 2889

Palmer, Alaska 99645

POSITION STATEMENT: Testified in support of rehiring RIP-retired teachers.

MARK JONES, UniServe Director

National Education Association - Alaska (NEA-Alaska)

1840 South Bragaw Street, Suite 100

Anchorage, Alaska 99508

POSITION STATEMENT: During discussion of rehiring RIP-retired teachers, informed members of NEA-Alaska's efforts in establishing teacher mentoring programs.

ELMER LINDSTROM, Deputy Commissioner

Department of Health and Social Services

P.O. Box 110601

Juneau, Alaska 99811-0601

POSITION STATEMENT: Presented the department's position on consent for student surveys; recommended passive parental consent.

LARRY WIGET, Executive Director

Public Affairs

Anchorage School District (ASD)

P.O. Box 196614

Anchorage, Alaska 99519-6614

POSITION STATEMENT: During discussion of student surveys, expressed support for modifying the current requirements for parental consent; reported that the ASD has had difficulty obtaining active parental consent.

JEAN MISCHEL, Assistant Attorney General
Human Services Section
Civil Division (Juneau)
Department of Law
P.O. Box 110300

Juneau, Alaska 99811-0300

POSITION STATEMENT: Briefed members on the Administrative Procedure Act (APA) and how it applies to the Department of Education and Early Development.

BETH NORDLUND, Special Assistant
Office of the Commissioner
Department of Education and Early Development
801 West Tenth Street, Suite 200
Juneau, Alaska 99801-1894

POSITION STATEMENT: During report to the committee on the APA, offered to obtain more detailed information.

ACTION NARRATIVE

TAPE 02-4, SIDE A
Number 0001

CHAIR CON BUNDE called the House Special Committee on Education meeting to order at 8:03 a.m. Representatives Bunde, Porter, Wilson, Stevens, Joule, and Guess were present at the call to order.

WORK SESSION ON TEACHER SHORTAGE: Service Learning Report

CHAIR BUNDE announced the first order of business would be the Service Learning Report.

Number 0130

REPRESENTATIVE WILSON reported that the Wrangell School District requires a service learning component for seniors and participants in extracurricular activities.

CHAIR BUNDE indicated his concerns about youths' lack of "attachment" to society. Service learning has helped to establish an attachment in some areas of the country, he offered.

Number 0255

WOODY WILSON, Superintendent, Wrangell City School District, reported on Wrangell's service learning program. He stated that service learning "draws a connection from the students to the community, and [from] the community to the school." One of the primary reasons Wrangell has a service learning program is to ensure that the community recognizes the work it does for the students. The program also helps students recognize the community's contribution to their lives, and it gives them a chance to reciprocate. He referenced materials given to members outlining the three kinds of service learning in Wrangell.

Number 0343

MR. WILSON said the first kind is the senior project required for graduation. Each senior must complete a project that gives something back to the community. State standards are integrated into these projects, he indicated. Public speaking and presenting is one requirement of the senior project that targets a standard. He noted that presentations must be electronic; PowerPoint and electronic video are just two examples of the use of technology in the senior project presentations.

MR. WILSON explained that the second type of service learning in Wrangell is the activity participation. Due to budget constraints, the Wrangell district does not pay for state travel for students in extracurricular activities. All travel expenses are paid through fundraising in the community. A student gives back to the community by performing 16 hours of community service for each activity in which he/she is involved. This is in addition to the senior project, he added.

Number 0524

MR. WILSON pointed out that service learning is not provided without cost. Facilitation of the service learning programs requires at least one-eighth of a teacher's time and sometimes in excess of one-fourth of a teacher's time, depending on the number of students, he indicated.

Number 0574

CHAIR BUNDE inquired how much one-eighth of a teacher costs in Wrangell.

MR. WILSON responded that with benefits, the cost would be \$8,000 to \$12,000.

CHAIR BUNDE suggested that this figure could be used to extrapolate costs for larger schools.

MR. WILSON noted that Wrangell's service learning programs require a great deal of organization with recordkeeping and oversight.

Number 0665

K.D. ROOPE, Student, Wrangell City School District, reported on her senior project. She explained that she worked with the swim team coach after school several times a week. She assisted with the coaching of younger swimmers. She observed that a student's knowledge and past experience often play a role in benefiting the community through his/her senior project. She indicated her presentation would include an "iMovie" [using Apple Computer software] about her work with swimmers.

Number 0730

CHAIR BUNDE asked if students experience difficulty finding projects.

MS. ROOPE responded that some students are temporarily "up in the air" about project selection. She noted a large range of activities for students to choose from. Students have taught photography and sign language classes; assisted preschool and elementary teachers; and organized art festivals, plays, musicals, and wrestling tournaments. She indicated she didn't know of any student unable to identify a project.

Number 0794

CHAIR BUNDE inquired if students chose projects such as cleaning up parks or vandalized property.

MS. ROOPE replied that some students train for their emergency trauma training (ETT) certification or become junior firefighters. Students have done recycling projects, she added.

Number 0838

REPRESENTATIVE STEVENS commended Ms. Roope for her presentation, and expressed his appreciation for hearing from a student. He asked her to identify the value she had received from her senior project.

MS. ROOPE acknowledged that students might initially be reluctant to do a senior project. She suggested that one value of the project is the identifying of interests on the part of the seniors. Students also receive satisfaction from their work on the projects.

Number 0927

CHAIR BUNDE asked whether many students felt frustrated or angry about the requirement.

MS. ROOPE responded, "We might complain a little bit, but I really don't think there's anyone who would absolutely not do it."

Number 0953

REPRESENTATIVE JOULE commented that the roles within a family have changed over the years, especially in outlying areas. The introduction of modern amenities to villages has eliminated the need for some important contributions by family members, he explained; these roles gave family members a "sense of where their place" was. He observed that much idle time resulted from this change. He emphasized that when a meaningful role [for a person] is found in the community, it adds value for the individual. He commended the Wrangell City School District for its efforts. He surmised that this validation of students through service learning programs contributes to higher self-esteem. He expressed his wish for more districts to do the same. He emphasized that an important issue is idle time.

Number 1065

REPRESENTATIVE WILSON commented that the community of Wrangell looks forward to the community service projects and presentations by the seniors.

CHAIR BUNDE noted that community support is a vital ingredient in this type of program. He congratulated Ms. Roope for her leadership.

Number 1191

CHAIR BUNDE closed public testimony on service learning.

Number 1232

REPRESENTATIVE STEVENS observed that Wrangell's service learning program offsets student travel costs. Although the program requires administration costs, it results in a savings to the district. He noted that many districts might be addressing the cost of travel.

WORK SESSION ON TEACHER SHORTAGE: Regional Training Centers Report

CHAIR BUNDE announced that the next order of business would be the Regional Training Centers Report.

Number 1362

REPRESENTATIVE JOULE thanked Gwen Cornelius for researching this topic. He described the current situation as including few teachers, little opportunity to feel a part of the workforce, and a limited frame of reference for students. He said part of this concept of regional learning centers is to utilize hub communities to give students a chance to address academic issues as well as career and job opportunities. Opportunities provided by regional learning centers include the exposure to a different environment, the potential to earn college credit or vocational [certification], and the chance to gain experience as part of the workforce.

REPRESENTATIVE JOULE suggested that using grades beyond grade 12 would assist some students with a more seamless transition to postsecondary education. It would also allow students who are unable to pass the qualifying exam by grade 12 additional opportunities to advance their education, either through certification through vocational education programs or by earning college credit.

Number 1472

REPRESENTATIVE JOULE highlighted what some districts are currently doing to address this issue. He pointed out that the Chugach School District has won some national awards and, in his opinion, has been a model for smaller schools. The Anchorage House, run by the Chugach district, provides rural students with an opportunity to live short-term in the city and be responsible for their own living by following a budget. Students also have educational opportunities while in Anchorage, he stated. Students as young as fifth grade begin by visiting Anchorage for three days at a time; older students visit Anchorage to participate in on-the-job mentoring and other activities.

Number 1560

CHAIR BUNDE added that participating in the Anchorage House is a requirement, especially for older students. They must get hands-on experience at jobs and be responsible for their own room and board, he said.

Number 1590

REPRESENTATIVE JOULE added that parents are now being brought in to be more supportive of their children. This program is now open to students in other districts as well. The Lower Kuskokwim School District (LKSD) has the Bethel Alternative Boarding School (BABS) program; it was begun in 1997 to meet the needs of at-risk students. He said he visited the school several years ago and met with staff and students, many of whom were from smaller villages. He pointed out that later in the day he saw students working at jobs. The program is open to 35 students.

Number 1663

REPRESENTATIVE JOULE discussed a forthcoming LKSD program, Yuut Elit Naur Diat, for grades 9-12, which is open to students in the region, not just those in the school district. The district foresees a 200-250 student capacity, he indicated. The program is funded by a United States Department of Agriculture and United States Department of the Interior grant; the governor's budget proposes an allocation for this program, he stated. Yuut Elit Naur Diat is a consortium of 19 organizations to provide vocational education in areas needed in the region including health, construction trades, technology, and education fields. The program will run year-round, he added.

REPRESENTATIVE JOULE stated that Project Education in Galena boards 72 students from all over the state; it has been running for five years and has a 97-percent return rate. The focus of the program is postsecondary education and careers. The district has gone beyond state funding and partnered with other entities such as the U.S. Air Force, Suzuki, General Motors, Compaq, and Frontier Flying. Project Education has strict policies on attendance and grade-point average. He also noted that students in the program who fail to pass any portion of the exit exam must attend daily, after-school tutoring.

Number 1752

REPRESENTATIVE JOULE referenced legislation sponsored by Representative Richard Foster last year that addressed the creation of a regional learning center. The Northwest Arctic Borough School District is considering an expansion to grade 14, he said. One concern with students coming in [from remote villages] is the lack of housing. Students would be placed in the community; a stipend for this housing is a matter that needs to be addressed. He added that the vo-tech center and the University of Alaska Fairbanks, College of Rural Alaska, Chukchi Campus would be used to obtain credits and work toward certification.

REPRESENTATIVE JOULE expressed his interest in the interactive TV provided in the Aleutians East Borough School District. Students in remote sites are able to participate in live classes taught by instructors in a different location; this is 90-percent funded by E-Rate monies. He stated that this is a way to utilize teacher expertise and deliver instruction to remote students. He referenced a report by the Joint Legislative Budget and Audit Committee that indicates an increased interest in additional boarding schools. These regional schools allow for opportunities for instruction and employment in these hub centers.

REPRESENTATIVE JOULE noted that job opportunities in the villages are limited. He expressed his opinion that some people might be interested in job sharing in a hub community; this has worked well in the oil and mining industries. "There may be some innovative things that we can do in terms of stimulating the economies ... in those communities," he concluded.

Number 2002

CHAIR BUNDE recognized that Representative Joule had addressed potential concern that a resurgence in boarding schools would be a step back to "pre-Molly Hootch" days. He noted that Representative Joule had also addressed the issue of a "brain drain" created in villages when people move away to work.

Number 2040

REPRESENTATIVE JOULE agreed these are important issues. He pointed out that the doctors in Kotzebue are not from the region; these positions could be job-shared by local residents trained at a regional learning center run by nonprofits. "I think the health boards would be tickled pink to ... be able to

hire people from their area, and allow them to come in on a rotating schedule and job share," he said. Half of a doctor's salary goes a long way in a village, he added. Subsidized housing in the hub community would help offset the cost of living for job-sharing medical workers, he said. He stated that there are other questions that need to be answered.

Number 2133

REPRESENTATIVE STEVENS emphasized the importance of learning from the past regarding regional boarding schools. He agreed boarding schools can give students some advantages, but noted that some disadvantages also exist. He offered that much of the Native leadership in the state had attended Mount Edgecumbe High School. He urged members to identify what went wrong with boarding schools in the past.

Number 2173

REPRESENTATIVE JOULE suggested the committee's role might be to foster districts' plans for boarding schools, but not to dictate that regional boarding schools be put in place. He said this regional learning center concept is different from a boarding school concept. He added that Native corporations would play a central role in the regional boarding schools. He continued:

Aviation and ... the federal government, in many parts of the state, [are] a major employer. We're continuing to import a lot of our workforce. And this allows us the opportunity ... to show our students what their opportunities are right there. ... I think we'd be remiss not to afford some of those districts that are willing to take this kind of a step to do that. ... We have to find a way to grow our own, and we won't if people do not understand that those opportunities exist.

Number 2274

CHAIR BUNDE observed that this information gives members and the public a good understanding of what is happening now and what could happen. He agreed that the state should not try to impose boarding schools, but should facilitate ideas from the "bottom up."

Number 2296

REPRESENTATIVE WILSON offered that individual school district's plans would spring from a specific need within the district. Wrangell's service learning program was developed out of a need for extracurricular funding, she said. She stated that districts are responding to the need for students who wish to remain near home to receive their education. Districts have accounted for shortcomings in the old boarding school model and are shaping new programs to transition students smoothly from home. She suggested the committee's role might be to encourage and allow for districts' development of plans, but not mandate the formation of boarding schools.

HB 211-FOUNDATION FORMULA INCREASE

Number 2386

CHAIR BUNDE announced the next order of business, HOUSE BILL NO. 211, "An Act requiring an annual inflation adjustment of the base student allocation used in the formula for state funding of public education; and providing for an effective date."

TAPE 02-4, SIDE B

Number 2400

REPRESENTATIVE GUESS, sponsor of HB 211, drew members' attention to Amendment 1, noting that it simply makes HB 211 current. Amendment 1 reads [original punctuation provided]:

Page 1, line 6, Delete **[\$3,940]**, Insert **\$4010**

Page 1, line 10, Delete **[1999]**, Insert **2000**

Page 1, line 11, Delete **[2001]**, Insert **2002**

REPRESENTATIVE WILSON moved to adopt Amendment 1. There being no objection, Amendment 1 was adopted.

REPRESENTATIVE GUESS stated her intent to move HB 211 out of committee with members' concurrence. She expressed her belief that HB 211 is good education policy by inflation-proofing the Foundation Formula. She expressed her desire for the House Finance Committee to debate whether HB 211 is good fiscal policy; she believes it is.

Number 2359

REPRESENTATIVE WILSON commented that she approves of HB 211. She noted that per-pupil funding in Wrangell has decreased in

the last 11 years, while inflation during that period was 35 percent.

Number 2301

CHAIR BUNDE asked for clarification on the inflation figure.

REPRESENTATIVE WILSON responded that this figure resulted from adding the state's annual inflation rate over those 11 years.

CHAIR BUNDE noted that school funding during the 1980s might have been an excessive figure on which to base these calculations. He expressed his opinion that should the legislature spend any additional money this year, it should be in education; he said, however, that he thought this money had already been spent.

REPRESENTATIVE JOULE moved to report CSHB 211 [HB 211, as amended] out of committee with individual recommendations and the accompanying fiscal notes.

CHAIR BUNDE objected.

A roll call vote was taken. Representatives Wilson, Stevens, Joule, Guess, and Porter voted to move the bill from committee. Representative Bunde voted against it. Therefore, CSHB 211(EDU) was moved out of the House Special Committee on Education by a vote of 5-1.

WORK SESSION ON TEACHER SHORTAGE: Rehiring RIP-Retired Teachers

[Contains discussion of what became HB 416]

Number 2222

CHAIR BUNDE announced that the next order of business would be the Rehiring of RIP-Retired Teachers.

Number 2167

CAROL KANE, Executive Director, Alaska Association of Secondary School Principals, testified via teleconference in favor of the rehiring eligibility for teachers who retired under the Retirement Incentive Program (RIP). She said she thinks it is important to include administrators in that eligibility. There is a critical shortage of teachers, principals, and other school personnel. This proposed inclusion would help districts meet

needs in special education, counseling, and administration, she stated; it might also entice people into the profession. Rehired, experienced teachers and administrators could serve as mentors to those new to the field. She also noted that districts would save money on salaries and retirement benefits.

Number 2129

MS. KANE said Alaska no longer has competitive teachers' salaries when compared to other states. Other states are offering signing bonuses, living expenses, and loan advantages to teachers and administrators; these states are taking away some of Alaska's best retirees, who could benefit Alaska. She stated that Alaska has exemplary teachers and administrators, and she encouraged members to help districts retain [these employees]. She pointed out that principals would be visiting Juneau and meeting with legislators on April 1 and 2; she offered the principals' assistance to members.

Number 2079

CHAIR BUNDE asked Ms. Kane how many teachers would have been hired under this bill's provisions, had it already been in law.

MS. KANE responded that she didn't have specific numbers, but said it would have helped her human resources director in his acquisition of special education teachers and school counselors.

Number 2050

CHAIR BUNDE asked about current shortages in Ms. Kane's district.

MS. KANE replied that she didn't have specific numbers and offered to provide them to the committee later.

CHAIR BUNDE indicated these figures would be made part of the proposed bill's record. He offered that in most cases, districts have rehired just one or two retired teachers. Earlier comments suggested that this inclusion of RIP-retired teachers would not solve the entire problem but would provide an additional tool, he concluded.

Number 2010

MARK JONES, UniServe Director, National Education Association - Alaska (NEA-Alaska), pointed out several problems pertaining to

education that are facing all states: How do we enhance the quality of instruction? How do we attract and retain the best and the brightest? How do we continually improve the quality of instruction in the classroom? He offered that he believes mentoring is a tool that will address most of the aforementioned issues. Mr. Jones noted that in order to appreciate this point, one needs to look at the teaching profession historically. He said:

Historically, teaching is a very lonely and isolated profession. It's one of the few professions that I know of where a person comes out of school, is placed into a confined classroom with four walls and a door, and is expected to take off and produce high-quality outcomes from the get-go.

Very few opportunities are built into the school setting for teachers to interact with each other, to share ideas, to nurture each other, to learn together. So, in the bigger picture, mentoring is part of the creation, I believe, of a learning environment within a school. It is the creation of a collegial environment with professional teachers providing tutoring, mentoring, and educational or instructional leadership to their colleagues.

Number 1900

MR. JONES noted that he has been working to establish mentor programs throughout the state. National Education Association-Alaska has been concerned about new teachers coming into the state and the correlated high turnover rate when these teachers arrive ill prepared. Ketchikan has a mentor program in place that was established by NEA-Alaska about five years ago.

MR. JONES offered insight into mentoring based on NEA-Alaska's experience. Mentoring is not a casual relationship or a "buddy" system. Selection of mentors must be based on well-defined criteria; these mentors must receive a curriculum of study that helps them understand adult-learning processes; and both mentor and protégé need time during the day to interact with each other for demonstration, observation, exchange of ideas, and to address problems and concerns.

MR. JONES referenced private-sector studies of mentoring programs that indicate confidentiality in the mentor-protégé relationship is critical. In several ad-hoc mentoring programs

in the state, administrators are asking mentors for input for the protégé's evaluation, he noted. As a result, the trust has deteriorated between the mentor and protégé, so it is an ineffective relationship.

Number 1829

MR. JONES cited statistics from a study conducted by Marshall Goldsmith, a well-known mentor trainer. In comparison studies, the progress of protégés in confidential mentor relationships is 35 percent greater than in mentoring situations in which the mentor is part of the evaluation process. He said NEA-Alaska is interested in creating Alaska Native paraprofessional partnerships with teachers who are new to the community. He told the committee:

We believe that teachers coming from outside the state into an Alaska Native village have no concept of what they're dealing with. Often, by the time they have discovered what the cultural distinctions are, they have made mistakes that have alienated them from the community. They have become ... dissatisfied because they don't know how to interact with people effectively, and, as a result, many of them leave. We believe that if we could effectively train and prepare Alaska Native paraprofessionals to serve as mentors, ... we would deal with the cultural conflicts that occur when new teachers arrive in the state.

MR. JONES indicated NEA-Alaska's goal of organizing communities and bringing them into the mentoring process. He concluded by stating that mentorship touches on the retention, educational quality, and induction issues facing members. He offered to submit written testimony pertaining to these issues.

Number 1707

CHAIR BUNDE asked Mr. Jones about NEA-Alaska's position on the rehiring of RIP-retired teachers.

MR. JONES replied that NEA-Alaska is concerned about the use of the retirement system as a supplementary compensation program for teachers. However, the organization is sensitive to the shortage issues schools are facing in special education, speech [therapy], occupational therapy, school psychology, and some higher-level math and science courses. He offered that bringing back retirees as a short-term solution is a critical tool. He

emphasized that long-term solutions to these problems must be found.

Number 1645

REPRESENTATIVE PORTER asked Mr. Jones to elaborate on the statistics presented regarding results of mentor programs and the inclusion of the mentor in the protégé's evaluation.

MR. JONES said he could provide more information in written form. In general, the success rates in the study were determined by criteria defined by the employer, the employee, and the mentor. For example, a protégé might identify classroom management as a primary concern and then specify particular classroom management issues with which he/she has problems. The mentoring partnership would systematically work at remedying each specific problem. He explained that in situations in which the protégé knows confidentiality exists, he/she would be more forthcoming with perceptions and weaknesses. According to these studies, a 35 percent better success rate in meeting those defined goals existed in mentoring situations where confidentiality existed than in situations where the mentor was involved in the protégé's evaluation process. The definition of success is individualized in each mentoring situation.

Number 1530

REPRESENTATIVE PORTER asked for clarification on the parties setting the goals for improvement.

MR. JONES answered that the goals in most of the studies were set [collaboratively] by the mentor, the protégé, and the employer. In private-sector mentoring situations, the mentoring program is generally established because certain performance criteria are not being met. In education, he pointed out, NEA-Alaska is advocating mentoring as a general course in the induction process.

Number 1433

CHAIR BUNDE closed public testimony on the subject of rehiring RIP-retired teachers. He requested direction from members regarding potential committee-sponsored legislation to repeal the RIP prohibition. He recounted that the report from the Division of Retirement and Benefits is that such a bill would have no negative actuarial impact on the retirement fund.

Number 1421

REPRESENTATIVE STEVENS offered that the committee has studied this subject quite carefully. He said [a bill to this end] would provide an additional option to school districts. He noted the uncertainty regarding how many teachers might actually be rehired under this proposed legislation, but said it would be a value to districts. He suggested that the House Special Committee on Education should sponsor such a bill.

CHAIR BUNDE asked if there was any objection. He noted that there was no objection and that a committee bill would be drafted. [The legislation under discussion later was introduced as HB 416.]

HCR 11-UNIFORM RULES: STANDING COMMITTEES

[Contains discussion of what became HCR 23]

Number 1366

CHAIR BUNDE announced the next order of business to be HOUSE CONCURRENT RESOLUTION NO. 11, Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to the Education Committee, a standing committee of the legislature.

Number 1326

REPRESENTATIVE GUESS, sponsor of HCR 11, noted that she was not present for previous committee discussion on this subject. She indicated many committee members have communicated to her their interest in seeing this bill move forward. She announced her willingness to reintroduce this as a committee bill and offered to do the work necessary.

CHAIR BUNDE noted his understanding that HCR 11 would require adjustments [to become a committee resolution].

Number 1291

REPRESENTATIVE GUESS offered that she would seek direction from more seasoned members. House Concurrent Resolution 11 has a companion in the Senate [SCR 3]. She outlined two options: The committee could go forward with this resolution, see what the Senate does, and perhaps amend it later; or the committee could amend it now [to address the establishment of a House Education

Standing Committee]. She said that she has not explored this subject with the Senate; she noted her willingness to do so.

CHAIR BUNDE requested members' comments on the subject.

Number 1238

REPRESENTATIVE PORTER suggested that if the House wished to consider a standing education committee for the House alone, a resolution would be needed to establish a special committee.

CHAIR BUNDE clarified that it would be a standing committee.

REPRESENTATIVE PORTER offered that he didn't have a preference regarding [the education committee's remaining a special committee or becoming a standing committee], but said it is a worthwhile discussion.

Number 1180

REPRESENTATIVE WILSON said her experience as a member of both the House Special Committee on Education (HEDU) and the House Health, Education and Social Services Standing Committee (HHES) is that both committees "have their hands full." So many issues exist that it is difficult to adequately address them all in one committee. She pointed out that most states separate education and health and social services, as two committees.

CHAIR BUNDE concurred with Representative Wilson. He noted that as a former chair of HHES, he'd received surprised responses from legislators of other states upon their discovery that [Alaska's legislature combines education with health and social services].

Number 1124

REPRESENTATIVE GUESS echoed Representative Wilson's remarks in response to Representative Porter's comment. She offered an example. There was a good policy debate in HEDU on HB 211; the resolution will now move to HHES for the same policy debate. However, the debate now should be a fiscal policy issue. She expressed concern that if HEDU remains a special committee, the policy debate will continue to be duplicated in HHES; she questioned whether this is the best thing for the House. With two standing committees, one group would focus on education and the other on health and social services matters.

Number 1089

REPRESENTATIVE STEVENS furnished that much had already been said that he had wanted to say. He noted that the three freshmen members on HEDU might not have the same perspective as longer-serving members. He conveyed his appreciation for the establishment of the HEDU committee, where members have been able to concentrate on important issues. These issues are not going away, he said, and education is a large portion of the budget. The education issues would have been cumbersome in HHES in combination with health and social services issues. He indicated his support for establishing a standing education committee.

CHAIR BUNDE requested that this be addressed as only a House issue to be brought before HEDU for consideration.

Number 1020

REPRESENTATIVE GUESS inquired whether Chair Bunde preferred a House committee resolution or for her to resubmit this resolution.

CHAIR BUNDE indicated his preference to create a resolution to establish a standing education committee in the House; the Senate can do likewise if it deems it necessary.

Number 0978

REPRESENTATIVE PORTER raised the question of whether the House can establish a standing committee that requires a rule change without affecting the Senate. He suggested this issue be broached with Legislative Legal and Research Services.

CHAIR BUNDE agreed with Representative Porter's suggestion. He added that this proposed resolution might be stronger as a committee resolution.

REPRESENTATIVE GUESS indicated her concurrence to make this a committee resolution.

Number 0927

REPRESENTATIVE WILSON inquired about the committee placement of early-development issues; she said she was not present for that discussion. She offered her understanding that most states put it in a health and social services committee.

REPRESENTATIVE PORTER offered that this administration has given the Department of Education and Early Development (EED) a title that includes early development; this may not always be the case, however. He remarked, "I don't think we should probably get that adventurous at this stage."

Number 0865

REPRESENTATIVE GUESS expressed her understanding that the Uniform Rules specify the departments; right now, early development is in with education. If that changes, then the Uniform Rules would change, she said. [The committee resolution under discussion was introduced later as HCR 23.]

DISCUSSION OF POSSIBLE COMMITTEE BILL ON STUDENT SURVEYS

[Contains discussion of what became HB 408]

CHAIR BUNDE turned attention to discussion of another possible committee bill, on student surveys. He explained that the administration had asked him to address this issue, so he'd chosen to bring it before the committee.

Number 0802

ELMER LINDSTROM, Deputy Commissioner, Department of Health and Social Services, offered that the department is interested, for a variety of reasons, in gathering reliable health data through anonymous health surveys conducted in the schools. Such surveys are a longstanding practice, he observed; the Youth Risk Behavior Survey is the "gold standard" among these surveys.

MR. LINDSTROM explained that several years ago legislation was passed to change the consent mechanism from passive to active. The passive consent requires parents to opt out if they do not want their children to participate in the survey. Active consent requires parents to choose to have their children participate in the survey. He stated that this has proven impossible for school districts to garner a level of participation that provides for valid data. He pointed to nationwide research regarding anonymous surveys; information about this is in the committee packet.

Number 0712

MR. LINDSTROM summarized that most of the research concludes that parents don't typically object to these surveys being conducted. "Leakage" occurs between the time a child is given a document in school and the time it should return to the school. In most instances, parents do not object to these types of surveys; parents who object can opt out.

MR. LINDSTROM noted that the department is interested in returning to the passive parental consent mechanism. Districts' ability to apply for significant funding is what is at stake; data from these surveys is used to bolster the need for funding. He stated that the Department of Education and Early Development (EED), the public health infrastructure, and other state agencies have similar uses for this data. He emphasized that this is valuable information. The current system is not working, and the department wishes to return to a system that does work.

Number 0628

MR. LINDSTROM reported that he's had extensive conversations with the sponsor of the legislation that changed the consent to active; he said concern was expressed when the legislation was introduced that active parental consent would prove to be problematic. Mr. Lindstrom offered that the sponsor had assured the department at the time that if it proved to be problematic, he would be willing to revisit the issue. "He is a man ... of his word and has indicated that he understands how problematic it has been," Mr. Lindstrom said. He noted that he felt awkward, as a Department of Health and Social Services representative, testifying before the House Special Committee on Education. This is a [proposed] bill that would affect education statutes, he pointed out. It is an issue important to both departments.

Number 0554

CHAIR BUNDE related his confidence in Mr. Lindstrom's testimony. He inquired, however, about a memo from the governor's chief of staff which indicated, he said, that the Office of the Governor is going to do what it can to make the governor look good and the legislative majority look bad. He sought Mr. Lindstrom's assurance that this was not an attempt to put the legislative majority "in a box."

MR. LINDSTROM replied, "You have my absolute guarantee on that, Mr. Chairman, and I will be sitting here at this table speaking

for the administration in support of this [proposed] legislation every step of the way."

Number 0509

REPRESENTATIVE GUESS asked if this [proposed] legislation would give the option to school districts to choose passive or active parental consent.

MR. LINDSTROM noted his uncertainty regarding whether a bill had yet been drafted.

CHAIR BUNDE confirmed that it had not yet been drafted. He clarified that the question was how the system of passive consent had worked before it was changed.

MR. LINDSTROM offered his recollection that districts were allowed to choose the consent mechanism. He indicated that this is the department's preference. He stated that he would be surprised if many districts chose active consent because it is extremely expensive.

Number 0430

REPRESENTATIVE PORTER recounted that the change from passive to active consent included specific wording that would exclude asking students what they had for breakfast, for example. He asked for more details on the language.

MR. LINDSTROM replied that there are a number of surveys, but most discussion centered on the Youth Risk Behavior Survey that surveys topics such as alcohol and drug use, sexual activity, and other topics. He acknowledged that concerns about that were understandable. He emphasized that these are anonymous surveys; in no way are they ever attributable to any individual. A child always has the ability to not answer a specific question or simply not take the survey.

Number 0337

REPRESENTATIVE PORTER asked whether the active consent law automatically precluded Alaska's receipt of federal grants.

MR. LINDSTROM responded that the lack of a valid, representative sample results in the survey's uselessness for the purpose of suggesting to a granting agency that this is what the data indicates.

CHAIR BUNDE offered his understanding that it was an issue of the number of students actually participating in the survey.

Number 0264

REPRESENTATIVE STEVENS noted the importance of remembering why education exists. He characterized not knowing what is happening with students as "flying blind"; changes in student behavior need to be monitored. He said, "As long as ... it's anonymous, it seems like it is necessary that we have these facts so we can help students, which is why we are spending so much of our money and our energy and our time in education. So, I think it's a very appropriate thing for us to make this change."

REPRESENTATIVE GUESS stated, "I think we should do this. I think not only is it important to have the data, it's important for local control." She added that the state should not be telling districts they must do this one way or the other.

TAPE 02-5, SIDE A
Number 0001

LARRY WIGET, Executive Director, Public Affairs, Anchorage School District, testified via teleconference. He indicated that the Anchorage School District School Board supports modifying the requirements for parental permission for student participation in surveys. He noted that it is difficult to obtain [reliable] data from surveys and questionnaires with the use of active parental consent. He pointed to the ASD's Safe and Drug-Free School (SDFS) program that currently has seven grants requiring survey data. During the fall of 1999, federal auditors put the ASD's SDFS program on notice that it was bordering on noncompliance due to lack of current data. The SDFS program lost three grants totaling \$296,916. Other grants have not been applied for because the criteria indicated that without contemporary data, the application would not be competitive.

Number 0097

MR. WIGET explained that the ASD has tried a number of strategies to fulfill the requirements of the current statute. The district's return rates on secondary school surveys are low - from 5 to 30 percent. He indicated that the district had spent a substantive amount to gain permission to survey students

with little success. He concluded that the inability for the district to obtain the necessary data from anonymous surveys is impeding its ability to successfully compete for federal grants.

CHAIR BUNDE requested that Mr. Wiget submit his written testimony. He mentioned that Bruce Johnson, Association of Alaska School Boards, had distributed testimony pertaining to this matter. Chair Bunde closed public testimony and asked members for input on pursuing this subject as a committee bill.

Number 0217

REPRESENTATIVE WILSON stated that she thinks this is very important, and [districts] should be given the option to choose passive consent.

REPRESENTATIVE PORTER noted that he would be asking, upon the bill's hearing by the committee, whether this is just an easier way for this information to be obtained, although the school districts might have done a better job of informing parents. This [proposed change] would enable both active parent participation and the [requisite return rate for reliable] data. He observed, "It would certainly be easy to say, 'Well, it's not working, because we sent Johnny home with a piece of paper and it didn't come back.' There's got to be ... a better way of getting that active permission." He stated his desire to hear about some strategies that have been tried.

Number 0316

REPRESENTATIVE STEVENS asked if the permission currently required is blanket permission [for the entire school year] or is required for each survey administered.

CHAIR BUNDE suggested that questions be reserved to the time of the bill's hearing. [The legislation under discussion later was introduced as HB 408.]

REPORT ON EED AND THE ADMINISTRATIVE PROCEDURE ACT

CHAIR BUNDE announced the final order of business, a report on the Department of Education and Early Development (EED) and the Administrative Procedure Act (APA).

CHAIR BUNDE explained that his office has received inquiries about why the EED isn't under the APA. He pointed out the logic of having a uniform way for citizens to appeal decisions by any

department. He noted that Department of Law personnel were present to give a legal perspective on this matter.

Number 0440

JEAN MISCHÉL, Assistant Attorney General, Human Services Section, Civil Division (Juneau), Department of Law, told members she represents EED and was present to explain the APA's applicability to EED programs. She clarified that the APA does apply to EED in part; it applies to some decisions the department makes. She noted that this is fairly typical for state agencies. She referenced Appendix A of the Hearing Officer's Manual, provided to members, which outlines the types of agency decisions that are under the APA and those that aren't; she said that is covered in the [APA] "applicability section."

Number 0534

CHAIR BUNDE inquired whether "under APA" indicated the [agency] was fully under the APA, and whether "not under APA" implies the agency is fully or partially not under the APA.

MS. MISCHÉL replied:

Unless there is a specific category of decision-making, it is total ... for those decisions requiring due process. Agencies make all kinds of decisions that don't require due process proceedings. An example of that from the Department of Education and Early Development's perspective is special education complaints.

MS. MISCHÉL reported that [EED] does independent complaint investigation that is not a due process hearing, per se; it is an independent investigation. Expert consultants are hired to conduct these investigations; these experts recommend corrective actions, if any are required. She compared this to [EED's] oversight, nondecision-making role in special education identification and placement. These decisions are made at the local district level.

MS. MISCHÉL drew attention to page A-2, wherein a school district is not under the APA. She said it would be a major shift in policy to place local decisions under the APA. She added, "What HB 71 did last year was assign the appointment responsibilities for hearing officers for those due process

hearings to the state. But the decision itself is a local decision that's appealed under separate due process rules."

Number 0679

MS. MISCHEL offered that those [separate] due process rules are largely dictated by federal rules. She stated that it is a compliance issue for accepting large amounts of federal funding. It is important to note, she said, that this listing [in Appendix A] is somewhat incomplete; EED must follow the APA for teacher certification and child-care facility licensing decisions. These fit well in the APA because the APA is geared toward licensing decisions, she added.

CHAIR BUNDE offered his understanding that some functions of the department are under APA, while others - specifically in the special [education] arena - aren't.

MS. MISCHEL replied, "That's right." She added that in the special education arena, there are two types of procedures: one involves a local decision, and one involves a department recommendation. She explained that there are many other decisions that do not fall under the APA. Those decisions include school funding allocation decisions, capital improvement project priority decisions, some transportation [decisions], and bid procedure [decisions]. Regulations, however, set out the bid procedures and the appeal rights. She added that another example of a non-APA decision is the future waivers pertaining to the High School Graduation Qualifying Exam (HSGQE).

Number 0833

MS. MISCHEL said one difficulty with putting the current list of non-APA decisions in the APA column relates to the lack of efficiency built into the APA process. She suggested members compare the requirements between special education due process requirements and APA requirements. The special education due process requirements are far more restrictive, more efficient, and geared toward protecting parent and student rights; the burden of proof is different, and parents have up to 12 months to request a due process hearing on a school district decision, she explained.

MS. MISCHEL further explained that the Administrative Procedure Act allows a party 15 days to appeal a final decision issued by a state agency. Once a hearing is requested under the APA, a decision could take 6 months to a year. The special education

due process requirements call for a decision to be made within 45 days from the date of the hearing request; it is a quick and efficient system. She added that it keeps the child in the correct placement or provides appropriate services in a timelier manner.

Number 0947

CHAIR BUNDE pointed out members' understanding of the need for the difference between special education and APA regulations. He suggested that members broaden their questions.

Number 0954

REPRESENTATIVE WILSON asked for clarification on the federal regulations' superseding of state regulations.

MS. MISCHEL indicated that [federal regulations supersede state regulations] only in the sense that a state's noncompliance with federal regulations risks the loss of federal funding. Alaska has adopted both statutory and regulatory procedures consistent with federal requirements; these have been adopted by reference. In fact, she offered, state law prevails in Alaska, but the law has been structured to be consistent with federal rules.

Number 1017

REPRESENTATIVE WILSON observed that when parents contest [a decision] involving a student, a resolution should be reached before the school year is concluded. She asked Ms. Mischel to elaborate on this matter.

MS. MISCHEL explained that this matter is the reason for the short timelines in the special education arena. She offered that another good example of the difference between the APA procedures and the special education due process procedures is that the latter have a "stay put" provision. This means a child's placement may not change during the hearing proceedings except in very limited circumstances involving drugs, alcohol, or weapons, she noted. Even in these limited circumstances, there is a ten-day time limit on removing the child from the school. She stated that the intent of the timelines is to get the student back to where he/she is supposed to be.

CHAIR BUNDE asked EED personnel to expound on the portions of EED that do fall under the APA.

Number 1107

BETH NORDLUND, Special Assistant, Office of the Commissioner, Department of Education and Early Development, indicated that she was uncertain about this matter. She offered to research this further and report to the committee. She suggested that Ms. Mischel, as EED's lawyer, was quite familiar with [which department decisions are under the APA requirements].

CHAIR BUNDE observed that it would be of interest to the committee to know which [EED decisions] fall under the APA. He asked for a breakdown of which procedures currently fall under the APA and which will do so in the future. He noted that this would give the public an idea of the appeals process.

MS. MISCHEL said she would be happy to do so. She clarified that non-APA decisions have a separate set of hearing procedures that are either in statute or regulation. These procedures are made known to an appellant by the department, she concluded.

ADJOURNMENT

Number 1201

There being no further business before the committee, the House Special Committee on Education meeting was adjourned at 9:50 a.m.

Mentor Program in Ketchikan

Ketchikan has a two part mentor program that was, in part, the product of the collective bargaining process. Through negotiations the District and the Association created a mentor program that supports teachers placed on a plan of improvement. In addition the contract established a committee of teachers, administrators and association members to assess the progress of the teacher in meeting the goals and objectives of the plan.

The more important and relevant program was established by the Association to support new teacher to the Ketchikan school district. This program is classified as a beginning teacher assistance program or BTAP for short. The handouts in this packet are related to the BTAP program as it is established in Ketchikan. Penny Marksheffel was president of the Association at the time this program was established and can provide further information if desired.

NEA-Alaska provided the training and materials for this program. Initially the training reviewed the fundamentals of adult learning, outlined the basic needs of new teachers and acquainted potential mentors with materials and procedures useful in working with new teachers. The Association reviewed potential criteria for mentor selection so that the final team of mentors would be credible and effective mentors. Since the initial formation of the program the association has conducted two additional training sessions to expand the skills of mentors.

The mentors have analyzed the local and state teachers performance standards in order to refine the resources provided for the protégé.

Following you will see some of the information that was instrumental in guiding the Ketchikan Education Association in establishing their mentor program.

Obstacles to effective mentor programs

Mentor relationships are based on trust. The protégé must feel free to open up and reveal all to their mentor. The mentor may not guess that a mentor needs certain kinds of support if the protégé does not reveal that need. The trust relationship must be established early and protected at all costs. The number one rule for maintaining trust is confidentiality. That means that the protégé must know that the mentor will not share anything said in his or her meetings with anyone else absent expressed permission from the protégé.

The temptation to use the mentor as a surrogate evaluator is almost overwhelming when administrators feel pressed for time. The rules must be clearly established up front. No breach of confidence will be permitted.

The basis of this position is established through scientific research conducted by private sector consultant firms. A leading mentorship authority in the private sector, Marshall Goldsmith, states the following:

"Studies show a wide differential between mentor relationships where advice and observations end up in the evaluations and those relationships in which the advice and observations are confidential.

Mentee progress is, on the average, 35% better when the mentor/mentee relationship is confidential."

Second major obstacle is **time**. Opportunities for meetings between the mentor and protégé must be accommodated during the workday. In addition time for observations must be made available to both the mentor and protégé. Observations are valuable opportunities for the mentor to see the protégé in action. In addition the protégé needs to have an opportunity to observe master teachers, including the mentor, demonstrate good teaching. Absent these opportunities to observe the mentor is powerless to diagnose the needs of the protégé. The protégé is powerless to see options for teaching that have been eluding him or her in practice.



AASB Position Paper Support for Changing the Active Parent Consent Provision to Passive Consent for Student Surveys

AASB supports modifying the requirements for parental or legal guardian permission for a student to participate in a questionnaire or survey administered in a public school by making it easier for school districts to obtain the necessary permission.

The current Alaskan statute requiring Positive Parent Consent has an unintended negative consequence of erecting barriers between school district programs and services which focus on the reduction of risk behaviors among youth and the government and non-profit agencies that fund these efforts. In order to increase accountability among programs and services, we need to evaluate the effectiveness of these efforts. In order to evaluate the effectiveness of our efforts, we need to gather data relating to risk behaviors and the corresponding assets of youth. In order to collect data, we need to reduce the barriers which interfere with school and agency efforts of collecting data that is confidential, legal, accurate, and relevant.

AASB believes that there are tangible benefits to conducting anonymous student surveys. In these times of accountability and accuracy, our member districts need data with which to weigh the effectiveness of their educational programs, monitor progress toward district wide objectives related to the health, safety, and well being of youth, and direct programs and services to the areas of greatest benefit.

Research and common sense shows us that parents sent an Active Consent Request Form are more likely not to sign and return the form due to apathy or inertia, rather than an objection to the survey itself.

AASB supports legislation which would:

- allow each public school district to establish the policies and guidelines related to student surveys, and
- eliminate the current unfunded mandate by replacing Active Parent Consent with Passive Parent Consent.

AASB supports the efforts of the legislature to provide local boards of education and each community with the tools necessary to increase student achievement and protect the health and safety of children and youth.



Association of Alaska School Boards

Resolution 3.16

REVISE PARENTAL PERMISSION REQUIREMENTS FOR QUESTIONNAIRES AND SURVEYS ADMINISTERED IN PUBLIC SCHOOLS

AASB supports modifying the requirements for parental or legal guardian permission for a student to participate in a questionnaire or survey administered in a public school by making it easier for school districts to obtain the necessary permission. As a result of the passage of HB 70 in 1999 schools are unable to obtain an adequate sample to provide reliable information.

Rationale: For state and federal grants, school districts need school-by-school data to accurately assess the need and success of current efforts. The low response rates on the 2001 Youth Risk Behavior Survey (YRBS) made this kind of detailed data impossible.

In Anchorage, for example, the Anchorage School District Safe and Drug Free Schools alone had seven grants asking for such data. During the fall 1999 Site Review, federal auditors put the ASD Safe and Drug Free Schools program on notice that it was bordering on non-compliance due to lack of current data. The program lost three grants totaling \$296,915 in lost grant funds.

Other grants have not been applied for because the criteria indicated that without contemporary data, the application would not be competitive. Other youth-serving agencies and programs in Anchorage and throughout the state face similar grant rejection prospects.

Adopted 2001

AGENCIES WITH ADJUDICATORY FUNCTIONS

I. BOARDS AND COMMISSIONS

UNDER APA

NOT UNDER APA

Alaska Coastal Policy Council	Alaska Commission for Human Rights
Alaska Commission on Postsecondary Education (regulation of institutions, permanent fund dividend claims only)	Alaska Commission on Postsecondary Education (loan denials)
Alaska Oil and Gas Conservation Commission	Alaska Housing Finance Corporation (unsafe housing)
Alaska Police Standards Council	Alaska Labor Relations Board
Alaska Public Offices Commission	Alaska Workers' Compensation Board
Alcoholic Beverage Control Board	Board of Education
Athletic Commission	Commercial Fisheries Entry Commission
Board of Fisheries	Commission on Judicial Conduct
Board of Game	Fisherman's Fund Advisory and Appeals Council
Occupational Licensing Boards and Commissions (See Note 1)	Local Boundary Commission
Professional Teaching Practices Commission	Mental Health Trust Authority
Real Estate Commission	Occupational Safety and Health Review Board
	PERS / TRS Boards
	Personnel Board
	Railroad Labor Relations Agency
	Regulatory Commission of Alaska (formerly APUC)
	State Assessment Review Board
	State Board of Parole
	Telecommunications Information Council
	Violent Crimes Compensation Board

Note 1 - Bds of Pub Accountancy, Architects, Engineers and Land Surveyors, Barbers and Hairdressers, Chiropractic Examiners, Dental Examiners, Cert Direct-Entry Midwives, Dispensing Opticians, Marine Pilots, Marital & Family Therapy, Nursing, Optometry, Pharmacy, Physical Therapy & Occupational Therapy, Professional Counselors, Psychologist & Psychological Assoc Examiners, Cert Real Estate Appraisers, and Veterinary Examiners, Real Estate Comm'n, Athletic Comm'n, Alaska Medical Bd

II. SINGLE FINAL DECISION-MAKER

UNDER APA

NOT UNDER APA

ADMINISTRATION	- Division of Motor Vehicles - Longevity bonus program - Municipal insurance plans - Non-procurement claims - Office of Tax Appeals - State Procurement Code
COMMUNITY AND ECONOMIC DEV - Alaska Securities Act - Fish processor license - Licensing (See Note 2) - Mobile home warranties - Small Loans Act - Subdivision sales	- Banking code - BIDCO's - Corporations, partnerships, limited partnerships - Financial institutions - Insurance
CORRECTIONS	- Disciplinary proceedings
COURTS	- Bar discipline / admissions - Procurement code
EDUCATION AND EARLY DEV - child care licensing (after 7/1/00)	- School district - child w/ disabilities placement
ENVIRONMENTAL CONSERVATION - Air and water quality - Food and cosmetic safety - Master permit applications - Pollution abatement - Tourist facility regulation	
FISH AND GAME - Habitat protection fish and game	- Loan default w/ permit as collateral
GOVERNOR	- Removal of certain board members
HEALTH AND SOCIAL SERVICES - Drug safety - Certificate of need - Certified nurse's aide licensing - Foster care / assisted living / substance abuse / hospice / hospital / children's facility licensing - Health facility medicaid payment rates	- Nursing facility / emergency medical services licensing - Public assistance / medical benefits programs - Reimbursement of medical benefits

Note 2 - Licensing of acupuncturists, audiologists, big game guides and transporters, collection agencies, concert promoters, construction contractors, electrical and mechanical administrators, professional geologists, hearing aid dealers, mobile home dealers, morticians, naturopaths, and nursing home administrators

LABOR AND WORKFORCE DEV - Blind and handicapped vendor's licenses - Boiler safety - Radiation abatement - Recreational devices (05 20 080) - Reemployment of state militia - Wage claims and labor standards	- Boiler inspectors - Employment agencies - Employment security - Local hire - OSHA variance - Vocational rehabilitation
MILITARY AND VETERANS AFFAIRS	- Allocation of disaster relief funds
NATURAL RESOURCES - Alaska grain reserve program - Alaska Lands Act - Mining reclamation - Mining safety - Surface coal mining permits	- Dam safety - Forest Practices Act - Mining permits - Oil and gas leasing/activity - Water Use Act
PUBLIC SAFETY - Concealed gun permits - Racing events - Security guard license	
REVENUE - Fish buyer or processor license	- Charitable gaming - Child support enforcement - Permanent fund dividend appeals - Unclaimed property
TRANSPORTATION AND PUBLIC FACILITIES - Aeronautics - Communications	- Construction procurement - Local control of public works - Local control of transportation corridors

Regional Learning Centers:

Current educational situation in Rural Alaska

- Few Teachers
- Little opportunity to feel a part of the work-force
- Limited frame of reference for students

Opportunities provided by RLC's

- Exposure to different environment
- Potential to earn additional, college-level credits in Vo-Tech programs (possibly)
- Opportunity to experience being part of the work-force
- Opens students eyes to opportunities in hub communities

How it relates to HSGQE

- May provide for additional years, should students NOT pass exam by grade 12.

Boarding Schools:

- Desire across state LAST YEAR
 - Mt. Edgecumbe had 291 completed applications for 144 spots
 - Project Education (Galena) had 150 applications for 32 spots
 - Nenana just started, but had more than twice the applications for the spots available (mostly 9th grade applications, 9th and 10th started out full, 11th and 12th did not)

Desire by districts, across state, for some form of Regional Learning Center, per LB&A report:

- Fairbanks, Nome, Kotzebue, Bethel, St. Mary's, McGrath/Takotna, Seward, Seldovia, Kodiak

What Districts are doing now:

Chugach School District – Anchorage House

- 2 – 6 bedroom houses in Anchorage, where kids learn to transition successfully to the world of work, business ownership, or post-secondary education
- Kids start as early as 5th grade, going for 3 days at a time
- 4 phase approach – student directed, advancement based on achievement
- 97% of eligible Chugach students participate.
- 92% placement of participants in one of 5 acceptable outcomes: post-secondary education, entrepreneurial, service learning, vocational
- Now beginning to bring parents in to learn how to support their children when they do transition.
- Open to other districts, as well as Chugach students.

Lower Kuskokwim – Bethel Alternative Boarding School (BABS) and Yuut Elit Naur Diat

BABS

- Started after 1997 shootings in Bethel, to meet needs of at-risk kids
- Open to kids within the region, not just district.
- 35 students

Yuut Elit Naur Diat

- Has not yet opened (they are hopeful it will in 1-2 years)
- Grades 9-14
- Open to region, not just school district
- 200-250 student capacity
- Grant from USDA and U.S. Department of Interior, and \$900k in Governor's Budget
- Consortium of 19 organizations/corporations to provide vocational education in areas needed in the region, including Health, Trades (construction, electrical, etc.), Technology and Education fields.
- Year round program

Galena – Project Education

72 students from all over state

Been running for 5 years

97% return rate

Focus on post-secondary education and careers

Vocational – Aviation arts and technology, auto/engine repair, computer tech., culinary arts, beauty school, wood shop, welding, carpentry, drafting.

Partnerships with U.S. Air Force, Suzuki, General Motors, Compaq, Frontier Flying

Strict policies re: attendance and maintaining G.P.A.

Students who do not pass one or more portions of HSGQE required to go to 1 hour of tutoring after school every day.

Bering Straits & Nome – Beltz Facility

Bill on this last year – HB 239 (Rep. Foster).

Want to create a Regional Learning Center where students would come for short-stays, with intensive training in vocational areas

Northwest Arctic Borough – VoTech Center

Looking at the possibility of expanding current facility to include High School age students from district

No current dormitory facilities for High School students (Boarding School Stipend?)

Grades 9-14

Students could attend Kotz. High while attending the VoTech Center for career training

Aleutians East Borough – Live, Interactive Video Teaching

Coming on line next year

Teacher in one community can provide course to multiple sites, real-time, interactively

Student in one community raises hand, teacher sees that via a monitor, and calls on student, as though they were in the same community as the teacher

Cost – Approx. \$400,000. Paid for through E-rate (90% of their students are on school lunch programs) Cost to district - \$40,000 per year – pays for equipment, Broadband, etc.

Can be utilized in partnership between districts – maybe one district could pay another district for seats in a class.

Alaska Department of Education & Early Development
Alaska Department of Law

The following outline of significant differences between Due Process Hearings for Special Education (Due Process) matters, AS 14.30.193 and 20 USC 1400, et. seq., and Administrative Procedures Act (APA) hearings, AS 44.62.330, et. seq is provided at your request.

1. Due Process and APA Hearings serve different functions. The Due Process hearings may be requested on any issue related to identification, evaluation or educational placement of a child or the provision of a free, appropriate public education to a child by a school district. The APA serves to determine whether a right, authority, license or privilege should be revoked, suspended, limited, conditioned, granted, issued or renewed by a state agency.
2. A Due Process hearing is initiated by a school district or a parent; the state is not a party. An APA hearing is initiated by a state agency.
3. A request for a Due Process hearing may be made within 12 months of a school district decision. A request for an APA hearing must be made within 15 days of an agency decision.
4. A Due Process hearing officer is appointed by the Department and requires training in specified areas. That training is offered at least annually. An APA hearing officer is appointed by the governor and requires no special training.
5. A Due Process hearing officer is selected randomly from a list of qualified attorneys. An APA hearing officer is not selected randomly.
6. A party to a Due Process hearing may exercise one rejection of a selected hearing officer without cause. No similar right is provided in the APA.
7. A Due Process hearing is confidential unless opened by a parent. An APA hearing is not.
8. Mediation is expressly available by trained mediators in a Due Process hearing.
9. The burden of proof in a Due Process hearing is on the school district. Under the APA the burden of proof is on the individual for license denial hearings and on the agency for revocations, suspensions and non-renewals of licenses.
10. The Due Process hearing decision must be issued within 45 days of the hearing request unless extensions are granted. The APA provides no explicit timeline for hearings and decisions.
11. The Due Process requirements address placement of the child during the pendency of the hearing. The APA procedures do not.
12. The Due Process requirements include an affirmative disclosure obligation on the part of each party for all evidence prior to the hearing. The APA allows for discovery in certain circumstances and on request.
13. The body of caselaw interpreting the procedural requirements is completely separate.
14. Judicial Review for both procedures is handled under AS 44.62.560.
15. The Due Process hearings are in addition to a separate Complaint investigation procedure for special education issues. Both are funded by the local school district and are mandated by federal law.

Re-hiring Teachers Who Have Retired under a Retirement Incentive Plan

Legislative History:

- HB 354 established a retirement incentive program (RIP) for TRS and PRS employees in 1996. SB 1003 addressed state and political subdivision PERS employees
- Both bills were changed with an amendment the following year in SB 103 to allow employers to establish "RIP windows" up to June 30, 1999 with the last available RIP retirement date of January 2000
- SCS CSHB 242(FIN) passed last year and allowed those retirees who had not taken advantage of a RIP to come back to work without penalty. This bill specifically disallowed retirees who had taken advantage of a RIP program to be re-hired. School districts must declare a hardship in order to re-hire teachers who have retired under normal circumstances.
- Please see attachments for information on current statute for teacher re-hire.

Impacts and Costs:

- Per the Division of Retirement and Benefits, there would be no cost to the state to allow teachers who had taken advantage of a RIP to be re-hired, as all costs would have been paid at the time of the RIP retirement.
- Per the Division of Retirement and Benefits, employers would save money by re-hiring teachers who had retired under a RIP because they would not be paying their share of a subsequent TRS or PRS benefit.
- Bruce Johnson of the Association of Alaska School Boards will be available to describe whether this proposal would be of significant benefit to the school districts of Alaska, and if so, for what specialties and geographic areas.
- Larry Wiget of the Anchorage School District will be available to describe whether this proposal would be of significant benefit to that district and if so, for what specialties.
- DEED will be available to discuss the impacts to the teacher re-certification process.
- Guy Bell and Kathy Lea from the Division of Retirement and Benefits will be available to answer any questions.

Attachments:

- Bullet points, "What is current statute regarding rehiring retired teachers"
- Summary of Anchorage School District's Service Recognition Program
- Employers who have hired retirees under HB 242
- Number of RIP retirees for PRS and TRS
- SB 242 and HB 354 Information
- Pamphlets, "Working After Retirement" (PRS and TRS)

What is current statute regarding rehiring retired teachers?

"Normal" retirement: retiring with either age or service eligibility for an unreduced retirement benefit. Normal age retirement is age 55 for Tier I and age 60 for Tier II, or 20 years of service at any age. Normal retirement does not include RIP retirees.

"Early retirement": retiring prior to normal age eligibility with a reduced retirement benefit. Early retirement is age 50 for Tier I and 55 for Tier II with a minimum of eight years of paid membership service.

Normal Retirees who have not retired under a RIP may work, without limitations, for:

- a private company
- the federal government
- a private school that does not participate in TRS, and
- Be re-hired and work under PRS, JRS (Judicial Retirement System) or the NGNMRS (National Guard and Naval Militia Retirement System) without limitations.

Normal Retirees may return to work under two options:

Standard Option:

- AS 14.25.043 prohibits a TRS member from working while receiving benefits
- Retirement benefits are suspended until the retiree terminates employment
- TRS contributions will be deducted and TRS service does accrue.
- After second retirement, employee receives benefits from both employment segments
- TRS members required to pay back, in full, benefits received while simultaneously earning TRS credit before retiring again.
- Major medical benefits end during re-employment.
- Dental-Visual-Audio (DVA) insurance benefits may or may not continue
- Re-hired retirees continue to pay for Long Term Care (LTC) insurance

Waiver Option:

- Defined by HB 242 in 2001, effective July 1, 2001 - June 30, 2005.
- Governing body must pass a resolution declaring a teacher shortage in a particular discipline to Division of Retirement and Benefits.
- Option only available for normal retirees -- not RIP retirees or early retirees
- Retiree files a Waiver Option form with the Division of Retirement and Benefits
- Any retiree's insurance is secondary to the employer plan.

RIP Re-employment Provisions:

- RIP retirees who return to work in a position covered by TRS and PRS, or who retired under the 1996-2000 RIP, JRS and UA Optional Retirement Programs:
 - forfeit three years of incentive credits received at retirement
 - owe TRS 110% of benefits received, plus cost of health insurance
 - accrue interest of 7% on the indebtedness
 - are prohibited from entering into a personal services contract with UA or a State agency or being hired by the State as a temporary or nonpermanent employee for three years
- Exceptions:
 - Personal services contracts may be allowed under narrow circumstances:
 - by the University Board of Regents and the Commissioner of the Dept. of Administration for retirees with specialized and extensive experience
 - with the Legislature for hourly individuals who are not eligible for retirement, health or leave benefits.
 - for UA employees who teach or do research
 - during the 3 or 5 year restriction with a State agency or the University for compelling reasons.

Anchorage School District RIP Program Details:

The Anchorage School District has utilized Service Recognition Programs since 1993, as a way of reducing the rate of growth in average teacher cost. The Programs provide a cash salary supplement to eligible teachers, in their final year of District employment. The amount of supplement this year is \$10,000. It is not a retirement incentive, since retirement is not a precondition of eligibility. Teachers don't even have to terminate their employment. However, if they elect to retain their employment, they return in the fall at the pay rate of a new hire. The District saves money because the difference in pay between a high-end and beginning teacher is often more than \$20,000, so the cost of the recognition payment is recovered in the first year. By using Service Recognition Programs, the District has avoided major lay-offs, and consequent loss of service.

The downside of these programs is they have attracted strong, senior teachers who are not easy to replace. However, very few teachers are really enticed to leave the system simply for \$10,000. Most would leave within a year or two, in any case. It is certainly arguable that the SRP actually delays the retirement of teachers who planned to leave anyway, e.g. many teachers who planned to retire in 2001 actually delayed their plans for one year, in order to participate in the Service Recognition Program this year.

Around 200 teachers will receive Service Recognition in Anchorage this year. Most of those who are leaving the system and currently teach in an area of critical need have indicated that they will apply for reemployment with the District. Their applications will be welcomed.

MEMORANDUM

STATE OF ALASKA DEPARTMENT OF ADMINISTRATION

To: Guy Bell, Director
Division of Retirement and Benefits

Date: January 8, 2002

Thru: Kathy Lea, Supervisor *KL*
Retirement Services

Phone: 465-3226

From: Susan Doerflinger *Susan Doerflinger*
Retiree Services

Subject: HB 242/SB149 Waivers

The following employers have hired retirees under HB 242/SB 149

Public Employees' Retirement System (PERS)

<i>Name of Employer</i>	<i># of retirees rehired - July 1 through December 31, 2001</i>
Aleutian Region SD (classified staff)	1
Anchorage SD (classified staff)	1
Bartlett Memorial Hospital	1
Bristol Bay Borough	1
City and Borough of Sitka	1
City of Fairbanks	9
City of North Pole	1
City of Wasilla	1
Fairbanks North Star Borough	2
Kenai Peninsula Bor SD (classified staff)	1
Ketchikan Gateway Borough	1
Lower Kuskokwim	1
Mat-Su Borough	1
Southeast Regional Resource Center	1
State of Alaska	16
University of Alaska (classified staff)	4
Total Employers: 16	Total retiree rehires: 43

Teachers' Retirement System (TRS)

<i>Name of Employer</i>	<i># of retirees rehired - July 1 through December 31, 2001</i>
Anchorage School District	5
Bering Strait School District	1
Denali Borough School District	1
Kuspuk School District	1
Lower Kuskokwim School District	4
North Slope Borough School District	3
Sitka School District	2
Tanana City School District	1
Yukon Flats School District	2
Yukon-Koyukuk School District	1
Total Employers: 10	Total retiree rehires: 21

MEMORANDUM

STATE OF ALASKA

TO: Guy Bell
Director
Division of Retirement and Benefits
Department of Administration

DATE: January 28, 2002

TELEPHONE: 465-4460

FROM: Kathy Lea *Klea*
Retirement Supervisor
Division of Retirement and Benefits
Department of Administration

SUBJECT: 1996-2000 RIP

We have received a report from the Combined Retirement System (CRS) benefit module on the number of Retirement Incentive Program (RIP) retirees for both the Public Employees' and Teachers' Retirement Systems (PERS/TRS). The numbers for normal and early retirements are as follows:

NORMAL RETIREMENT

	<u>PERS</u>	<u>TRS</u>	<u>TOTAL BOTH FUNDS</u>
1996	34	87	
1997	532	412	
1998	322	92	
1999	481	326	
2000	150	2	
Total	1,519	919	2,438

EARLY RETIREMENT

	<u>PERS</u>	<u>TRS</u>	
1996	10	1	
1997	87	4	
1998	54	35	
1999	17	0	
2000	0	0	
Total	168	40	208

If you need further information, please let me know.

TRS Receives Award

TRS again receives an award.

The Teachers' Retirement System (TRS) has again received a Certificate of Achievement for Excellence in Financial Reporting. The State of Alaska, Department of Administration, Division of Retirement and Benefits received the Certificate of Achievement for its fiscal year 2000 Comprehensive Annual Financial Report (CAFR). The Division publishes the report annually showing the financial condition of the TRS funds as of June 30 of each year. To be awarded a certificate, a government unit must publish an easily readable and efficiently organized CAFR, whose contents conform to strict program standards. The Certificate of Achievement is valid for a period of one year only.

This award, given by the Government Finance Officers Association of the United States and

Canada (GFOA), is the highest form of recognition in the area of public employee retirement system accounting and financial reporting. Obtaining the Certificate of Achievement is a significant accomplishment that reflects a high level of professionalism and dedication to the systems by the staff in the division.

The CAFR was judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving government finance professionals with offices in Chicago, Illinois, and Washington, D.C.

Certificate of Achievement for Excellence in Financial Reporting

Presented to

Alaska Teachers' Retirement System

For its Comprehensive Annual Financial Report
for the Fiscal Year Ended
June 30, 2000

A Certificate of Achievement for Excellence in Financial Reporting is awarded by the Government Finance Officers Association of the United States and Canada to government units that publish excellent financial reports whose contents conform to strict program standards and whose presentation is clear, concise, and readable.



Samuel D. Stewart
Jeffrey L. Evans
Executive Director

Returning to TRS Employment

Contact the Division for more information.

Certain retirees who return to full-time Teachers' Retirement Service (TRS) employment after July 1, 2001, can continue receiving a retirement check while they are employed in a TRS covered position.

The new option only takes effect if a school district declares it has or anticipates having a shortage of teachers qualified to teach in a particular discipline or specialty.

Subject to this declaration, a retired teacher who took *normal* retirement and has been terminated for at least 30 days may elect a new option when reemployed. The new option:

- must be selected within 30 days of reemployment;
- allows the employee to elect continuation of retirement benefit payments during reemployment;

- would stop additional retirement benefit accrual;
- is not available to those who have chosen Early Retirement;
- is not available to Retirement Incentive Program participants; and
- no new waivers can be filed after June 30, 2005.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

January 22, 2002

SUBJECT: Sectional Summary of SCS CSHB 242(FIN)

TO: Representative Con Bunde
Attn: Karen

FROM: Barbara R. Craver 
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. Adds a new section, AS 14.20.135.

(a) Allows a school district to hire retired teachers qualified to teach in a discipline or specialty if the district has or anticipates a shortage in that area. The district must notify the TRS administrator that it is hiring retired teachers.

(b) If a retired teacher elects to continue receiving retirement benefits while reemployed by a district the teacher must waive regular benefit coverage. That teacher would not receive additional credit for the period of service.

✓(c) A teacher who participated in the specified retirement incentive programs may not be hired under this section.

(d) A teacher hired under this section may not acquire tenure.
(Section 12 repeals this section on July 1, 2005)

Section 2. Exempts reemployed retired teachers who have filed a waiver of benefits from membership in TRS.

Section 3. Deletes the exemption added in Section 2. (Section 15 makes this section effective on July 1, 2005.)

Section 4. Reorganizes AS 14.25.043 to add provisions for reemployed retired teachers hired under AS 14.25.135.

(a) Provides that a reemployed retired teacher may elect to waive benefit coverage if the teacher wants to continue receiving retirement benefits while employed as

a teacher. Retired teachers who choose to suspend retirement benefits while reemployed are subject to the mandatory contributions of AS 14.25.050 for TRS.

(b) This new subsection provides that a retired teacher reemployed under the new AS 14.25.135 who wishes to continue to receive retirement benefits must make that irrevocable election in the first 30 days of returning to active membership in TRS. That election waives the TRS benefits which would normally accrue to an active member, i.e. the reemployed retired teacher receiving retirement benefits does not contribute to TRS from the teacher's current salary because the teacher is already receiving TRS benefits (retirement pay and insurance) as part of the retirement pay the teacher is also receiving. The reemployed retired teacher doesn't make any contributions to the TRS system from the teacher's current salary, and does not get credited with any additional years of service in the TRS system. TRS members who retired under specified retirement incentive programs are not eligible to make this election, and if reemployed, may not receive retirement benefits while working. (Section 12 repeals this subsection on July 1, 2005.)

(c) This contains the original text of AS 14.25.043 which provides that a reemployed retired teacher who does not elect to receive retirement benefits while earning a salary during reemployment is entitled to increased retirement benefits due to an increase in credited service.

Section 5. Deletes the changes added to AS 14.25.043(a) added in Section 4. (Section 15 makes this section effective on July 1, 2005.)

Section 6. Amends AS 14.25.168(d)(1) regarding the medical insurance retirement rights of employees who first join the system after this becomes law.

(d)(1) Provides that a retired public employee (retiree) less than 60 years of age and with less than 25 years of membership service must pay the full monthly premium for major medical insurance if the retiree wants major medical insurance while retired.

(d)(2) Now allows a retiree of any age with 25 or more years of service to receive major medical insurance without paying the monthly premium. Those retirees between 60 and 65 now would pay no monthly premium for insurance. Under current law, a retiree between 60 and 65 must pay half the monthly premium. Retirees 65 or older continue to receive free medical insurance coverage. The language also acknowledges that disabled employees may continue working until normal retirement, and that they are entitled to free medical insurance upon retirement regardless of age at retirement.

Section 7. Exempts reemployed retired public employees who elect to receive retirement while working, from being included in the PERS system. (Section 12 repeals this on July 1, 2005.)

Section 8. (a) Provides that a reemployed retired public employee may elect to waive benefit coverage if the public employee wants to continue receiving retirement benefits while reemployed as a public employee. A retired public employee who chooses to suspend retirement benefits while reemployed is subject to the mandatory contributions of AS 39.35.160 for PERS.

(b) Parallel provisions as provided in Section 4 for teachers. A reemployed retired public employee who wishes to continue to receive retirement benefits must make that irrevocable election in the first 30 days of returning to active membership in PERS. That election waives the PERS benefits which would normally accrue to an active member, i.e. the reemployed retired public employee receiving retirement benefits does not contribute to PERS from the public employee's current salary because the public employee is already receiving PERS benefits (retirement pay and insurance) as part of the retirement pay the public employee is also receiving. The reemployed retired public employee doesn't make any contributions to the PERS system from the public employee's current salary, and does not get credited with any additional years of service in the PERS system. PERS members who retired under specified retirement incentive programs are not eligible to make this election, and if reemployed, may not receive retirement benefits while working. (Section 12 repeals this subsection on July 1, 2005.)

(c) A reemployed retired public employee who doesn't make a timely election becomes a member of PERS again and the employee's salary is subject to PERS contributions. (Section 12 repeals this subsection on July 1, 2005.)

(d) This is the remaining original text of this section.

Section 9. Deletes the changes made to AS 39.35.150(a) in section 8 above. (Section 15 makes this section effective on July 1, 2005.)

Section 10. This reenactment of AS 39.35.535(c) changes the medical insurance retirement benefits of employees who first join the system after this becomes law.

(c)(1)(A)(i) A benefit recipient must pay 100% of the monthly insurance premium if the recipient is younger than 60 and has less than 25 years of service as a peace officer.

(c)(1)(A)(ii) A benefit recipient must pay 100% of the monthly insurance premium if the recipient is younger than 60 and has less than 30 years of service that is not as a peace officer.

(c)(1)(B) A benefit recipient must pay 100% of the monthly insurance premium if the recipient is any age and has less than 10 years of service.

(c)(2)(A) A benefit recipient gets free insurance if the recipient is disabled.

(c)(2)(B) A benefit recipient gets free insurance if the recipient is a disabled member appointed to normal retirement.

(c)(2)(C) A benefit recipient gets free insurance if the recipient is 60 or older and has at least 10 years of service.

(c)(2)(D)(i) A benefit recipient gets free insurance if the recipient is any age and has at least 25 years of service as a peace officer.

(c)(2)(D)(ii) A benefit recipient gets free insurance if the recipient is any age and has at least 30 years of service that is not as a peace officer.

Section 11. AS 39.35.675(b) is simplified to require that an employee only have received a cost-of-living differential for at 50% of an employee's credited service before the cost-of-living differential is included as compensation when calculating retirement benefits.

Section 12. The changes in TRS and PERS for reemployed retired employees to elect to continue to receive retirement benefits while also receiving a salary are repealed July 1, 2005.

Section 13. A temporary law requires the TRS administrator to report on the effects of this Act on the TRS system annually from 2002 to 2006.

Section 14. A temporary law requires new regulations to be adopted by the TRS system and the PERS system to take effect after July 1, 2001.

Section 15. This causes the new sections to be deleted on July 1, 2005.

Section 16. The section regarding new regulations takes place immediately.

Section 17. Otherwise, all other sections take effect on July 1, 2001.

BRC:med
02-037.med

Sponsor Statement for HB 242

TRS & PERS Reemploy & Med Benefit; COLA

Public Workforce Retention Legislation

Public Employees' and Teachers' Retirement Systems

Last Updated: April 18, 2001

Contact: Roger Wortman, Legislative Aide to Representative Pete Kelly, at (907) 465-3777

This bill will make modest improvements to Alaska retirement statutes to assist Alaska's public employers in attracting and retaining qualified workers as workforce shortages become more pronounced. Employers throughout the state are having difficulty filling vacancies. This is occurring at all levels—teaching, professional, technical and clerical. It is clear from demographic trends that the workforce is aging. Attracting qualified employees will become more and more difficult over the next two decades.

This legislation incorporates a three-pronged legislative approach to address employee retention through the retirement systems:

1. Retiree Return Incentives—brings retirees back into the workforce.
2. Improvements to PERS and TRS Tier II and III medical benefits:
 - Add full system paid retiree medical benefits at age 60 and minimum service of 5 years for PERS Tier II, 10 years for PERS Tier III, and 8 years for TRS.
 - Add full system paid medical benefits for Tier II and Tier III members upon reaching 25 years of service for Teachers and Police/Fire members and upon reaching 30 years of service for Others.
3. Change geographic differential language to eliminate confusion and improve recruitment to and retention in high-cost areas of the state.

The retiree return incentive removes a disincentive for retirees to return to full time employment. Currently, a retiree who wishes to return to permanent public employment must forego retirement benefit payments during their period of return. The change we propose would allow the retiree to continue receiving benefit payments after returning to public employment. To keep this cost-neutral, an employee selecting this option would not accrue additional retirement credit during the period of return.

Public employees hired after June 30, 1986 and teachers hired after June 30, 1990 fall into the Tier II retirement plan. Tier II employees are not eligible for system paid medical benefits until age 60, and then the retirement plan only pays one half the premium. The legislation includes medical benefit enhancements to prompt employees to stay in the system an additional 5 or more years to qualify for system paid medical coverage. The fiscal impact associated with this enhancement is a modest 0.17% of payroll each year.

The change in geographic differential will improve recruitment to rural areas of the state for such organizations as the State Troopers, the Department of Fish and Game, and the Department of Health and Social Services. This change carries no actuarial cost to the Public Employees' Retirement System.

I urge your support for this legislation.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: SCS CSHB 242(FIN)
(S) Publish Date: 5/5/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title: "An Act relating to reemployment of and BRU: Centralized Admin. Services
medical benefits of PERS & TRS members..." Component: Retirement & Benefits
Sponsor: Representative Kott
Requester: Senate Finance Component Number: 64

Expenditures/Revenues

(Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	41.0	41.0	41.0	41.0	0.0	0.0
Travel						
Contractual	50.0	15.0	15.0	15.0	0.0	0.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	91.0	56.0	56.0	56.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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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 (PERS, TRS, JRS)	91.0	56.0	56.0	56.0	0.0	0.0
TOTAL	91.0	56.0	56.0	56.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal: ☐

POSITIONS

Full-time	1	1	1	1	0	0
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation will allow certain retirees who return to permanent employment the option to elect whether to continue receiving a retirement benefit (and forego additional retirement benefit accrual) or to receive additional retirement benefit accrual (and suspend receiving a retirement benefit). Additional member counseling and education will be necessary to assist reemployed retirees in their selection. A Retirement and Benefits Technician position will be needed to assist with member counseling. Contractual costs are included for computer programming to incorporate changes to the law and to cover the publication of educational materials. The Senate Finance Committee Substitute repeals the retiree return provisions on July 1, 2005; therefore, these additional funds will no longer be needed in FY 06 and thereafter.

See page 2 for further analysis.

Prepared by: Guy Bell, Director Phone 465-4471
Division: Retirement & Benefits Date/Time 05/01/01
Approved by: Jim Duncan, Commissioner Date 5/1/01
Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

SCS CSHB 242(FIN) Fiscal Note Analysis - #2 Continued

Actuarial Cost

This legislation has three basic components that impact PERS & TRS:

1. Retiree Return Incentive
2. Improvements to Tier II Medical Benefits to address employee attraction and retention
3. Simplification of Geographic Differential language

1. Retiree Return Incentive

The retiree return incentive removes a disincentive for retirees to return to full time employment. Currently, a retiree who wishes to return to permanent public employment must forego retirement benefit payments during their period of return. The change we propose would allow the retiree to continue receiving benefit payments after returning to public employment. To keep this cost-neutral, an employee would not accrue additional retirement credit during the period of return. This provision will have no actuarial impact.

2. Improvements to Tier II Medical Benefits to address employee attraction and retention.

Currently, regardless of their length of service, Tier II retirees are not eligible for system paid medical coverage until age 60, at which point the retirement system pays half the cost. With the change proposed in this legislation, a Tier II peace officer or teacher with 25 years of such service, or a general public employee with 30 years of service, will qualify for system provided and paid medical coverage. In addition, any retiree over the age of 60 will receive system provided and paid medical coverage. This change will increase PERS and TRS employer rates a modest 0.17% of payroll.

3. Simplification of Geographic Differential language

This change will not have an impact on employer rates. Our actuarial firm does not consider the current geographic differential law when calculating retirement system liability. Instead, they use current total salary (including any geographic differential) and project it forward to the expected retirement date to calculate system liabilities. That methodology won't change as a result of this legislation.

For some Tier II members, the system will have a larger retirement benefit liability than would occur in the absence of this legislation. However, the amount of that liability cannot be predicted and it will depend on each member's total employment history.

BILL NO.**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION****BY****Introduced:
Referred:****A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to questionnaires and surveys administered in the public schools."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 14.03.110(a) is amended to read:

4 (a) A school district, principal or other person in charge of a public school, or
5 a teacher in a public school may not administer or permit to be administered in a
6 school questionnaire or survey, except for one that is [WHETHER] anonymous [OR
7 NOT], that inquires into personal or private family affairs of the student not a matter
8 of public record or subject to public observation unless written permission is obtained
9 from the student's parent or legal guardian.

10 * **Sec. 2.** AS 14.03.110(b) is amended to read:

11 (b) For an anonymous questionnaire or survey, written permission of a
12 student's parent or legal guardian is not required [UNDER (a) OF THIS SECTION
13 MAY BE OBTAINED ANNUALLY AND IS VALID UNTIL THE
14 COMMENCEMENT OF THE SUBSEQUENT SCHOOL YEAR OR UNTIL THE
15 PARENT OR LEGAL GUARDIAN WHO GAVE PERMISSION SUBMITS A

1 WRITTEN WITHDRAWAL OF PERMISSION TO THE SCHOOL PRINCIPAL].
2 However, the [THE] school shall provide each student's parent or legal guardian at
3 least two weeks' notice before administering a questionnaire or survey described under
4 this subsection in order to provide the parent or legal guardian with the
5 opportunity to submit to the school principal a written denial of permission.

6 * Sec. 3. AS 14.03.110(d) is amended to read:

7 (d) The school shall give a student's parent or guardian an opportunity to
8 review the questionnaire or survey described under (b) or (c) of this section and shall
9 give the parent or guardian written notice regarding

10 (1) how the questionnaire or survey will be administered to the
11 student;

12 (2) how the results of the survey or questionnaire will be used; [AND]

13 (3) who will have access to the questionnaire or survey;

14 (4) how to submit written permission for the student's
15 participation in a questionnaire or survey that is not anonymous; and

16 (5) how to submit written denial of permission for a student's
17 participation in the following:

18 (A) a questionnaire or a survey that is anonymous;

19 (B) a specified questionnaire or survey as allowed by (e) of
20 this section.

21 * Sec. 4. AS 14.03.110(e) is amended to read:

22 (e) A student may refuse to participate in a questionnaire or survey
23 administered in a public school. A student's parent or legal guardian may refuse to
24 allow the student to participate in a specified questionnaire or survey by submitting to
25 the school principal a written denial of permission for the student's participation.

Anonymous Self-Reporting Survey Data

General Talking Points/ Frequently Asked Questions.

- **What are the benefits from conducting anonymous student surveys?** State and local education agencies and communities can use results to help focus programs and policies for comprehensive school health education, school safety education and policy as well as drug and violence prevention education. Results from surveys can also be used to (1) monitor how priority health risk behaviors among high school students (grades 9-12) increase, decrease or remain the same over time; (2) evaluate the impact of broad national, state, and local efforts to prevent health-risk behaviors; (3) monitor progress in achieving relevant national and state health objectives and National Education Goals; and (4) local and state education agencies can use results to obtain grants for programs and services.
- **Will these surveys cause students to initiate or increase high-risk behaviors?** Students are exposed regularly to information about tobacco, alcohol and other drug use, violence, and sexuality through their school curricula, the media, parents, friends, and community organizations. Exposure to a small number of questions on any one topic is not likely to cause a significant change in behavior-either good or bad. **No evidence** links these surveys to subsequent suicide attempts among respondents.
- **How is student privacy and anonymity protected?** Survey administration procedures are designed to protect student privacy and allow for anonymous participation. The student completes the survey in complete anonymity, and **no** personal identifiers are recorded anywhere that could link a student to a survey form. Additionally, participation is voluntary and no student is required to participate.
- **Do students answer the questions truthfully?** Research indicates data of this nature may be gathered as reliably from adolescents as from adults. Internal reliability checks help identify the small percentage of students who falsify their answers. To obtain truthful answers, students must perceive the survey as important and know that procedures have been developed to protect their privacy and allow for anonymous participation.
- **Who uses the survey results?** Statewide survey results lend to the augmentation and refinement of prevention and intervention programs with adolescent populations. From local school districts to state and Municipal agencies such as the EED, DHSS, Department of Transportation, Department of Juvenile Justice, Department of Corrections, and Department of Public Safety; survey results are used in a variety of arenas. The Alaska State Legislature and the Office of the Governor also have utilized the findings of previous surveys for programmatic purposes.

Other Benefits to schools and communities:

- **Provide data to monitor and evaluate the impact of the 1997 Alaska Tobacco Tax**
- **Monitor progress in achieving the National Education Goal that focuses on safe, disciplined, and drug-free schools.**
- **Support local school districts in assessment, implementation and evaluation of comprehensive school health programs.**
- **Set Priorities for statewide comprehensive school health education teacher training and instructional programs.**
- **Identify self-reported behaviors among youth, which put them at greatest risk for early morbidity and mortality.**
- **Provide comparable data between state and national results.**
- **Monitor progress in achieving Healthy Alaskan 2010 objectives.**
- **Support state policy development, evaluation, and/or revision.**
- **Provide the state with the most reliable and valid instrument available to assess risk behaviors.**

Literature Review

Passive vs Active Parental Consent –How Does the Chosen Methodology Effect Parental Rights and Does it Influence the Quality of the Data Collected?

The purpose of this literature review is to specifically answer the following questions:

- 1) what does the research say about parental rights when **passive** consent is the chosen parental consent methodology,
- 2) what are the costs of active versus passive consent, and
- 3) what are the effects of **active** consent procedures on scientific validity and reliability of the data.

The following, summarizes and synthesizes the information collected in this literature search.

DEFINITIONS

Ellickson and Hawes (1989), define active and passive parental consent as follows:

- 1) **Passive parental consent:** A letter is sent home to parents informing them of the selection of their child in the sample as well as detailing information regarding the survey. Parents must send back a signed *exclusion* form, or directly inform the principal at their child's school if they **DO NOT** want their child to participate in the survey. Otherwise, parental consent is implied.
- 2) **Active parental consent:** A letter is sent to parents describing the survey and informing them of the selection of their child in the sample. Parents must send back a signed parental consent form **BEFORE** their child can participate in the survey. Under active parental consent procedures, parents who do not return a permission slip, as well as those individuals who indicate on the form that they do not want their child to participate in the survey are treated as parental refusals. The above definitions appear to be consistent through out the literature.

IS PASSIVE CONSENT "CONSENT"

A key issue in the passive consent debate revolves around the number of parents who would have refused if active consent had been used. Ellickson and Hawes, (1989) through extensive follow-up with parents from both active and passive consent procedures, found that failure to return a form is considerably more likely to reflect latent consent than latent refusal. Specifically, Ellickson and Hawes found that when parents who were informed via passive consent were asked about their decision for their child to participate or not, the great majority of parents (87%) said that yes, they had received the materials, understood them, and decided to allow their child to participate. Research indicates that carefully designed passive consent methods can avoid the negative consequences of active consent while ensuring that parents receive the consent materials, pay attention to them, and have sufficient time to refuse participation. Additionally, Catalona (1994) also found failure to return a signed active consent form is more likely to reflect apathy or inertia than objection to the research. Strasburger (1998) believes active parental consent requires overly stringent informed consent procedures, especially when applied to **anonymous confidential surveys**.

COST OF ACTIVE CONSENT VERSUS PASSIVE CONSENT

In a study of two schools, Ellickson and Hawes (1989) examined refusal rate associated with active and passive consent procedures. They found that in the school requiring passive consent 93% of the students participated, compared to 86% in the schools requiring active consent. One might assume that 86% participation is quite good for active consent, but it came at a high cost in terms of time and money. Three mailings, at least two follow-up phone calls to all non-respondents, two special parent meetings and daily reminders by classroom teacher to students to return their forms were the efforts needed to obtain an 86% participation rate. Ellickson and Hawes estimated that for a sample of 7,500 students, active consent would cost

\$112,500 and require a minimum of 20 interviewers working full time for 3 weeks to obtain the 86% participation rate. It is important to note that the estimated cost of \$112,500 was calculated in 1987, and it is with certainty that those costs would be much higher today.

SCIENTIFIC VALIDITY

Researchers who have used active consent report that it yields unacceptably low response rates (50-60%) and underrepresentation of important groups—Blacks, Asian Americans, low achievers, students with less well-educated parents, and those at risk for engaging in high risk or problem behaviors (Kearney 1983, and Anderman, Cheadle, Curry, Diehr, Shultz, Wagner, 1995). Conversely, passive consent procedures can garner response rates of 80-96% (Severson and Biglan 1989; Murry and Hannan 1990; Landis and Janes 1995). Low response rates and sample bias under active consent procedures have been and continue to be problematic in terms of collecting quality data that is generalizable and representative of the population. Although these methodological concerns can be reduced through researchers' efforts and diligence, the cost and personnel efforts required can be prohibitive (Ellikson and Hawes 1989; Kearney et al. 1983).

ANCHORAGE SCHOOL DISTRICT

Legislative Priorities 2002

Revise Parental Permission Requirements for Questionnaires and Surveys Administered in Public Schools

The Anchorage School Board supports modifying the requirements for parental or legal guardian permission for a student to participate in a questionnaire or survey administered in a public school by making it easier for school districts to obtain the necessary permission. As a result of the passage of H.B. 70 in 1999, schools are unable to obtain an adequate sample to provide reliable information.

Rationale: For state and federal grants, school districts need school-by-school data to accurately assess the need and success of current efforts. The low response rates on the 2001 Youth Risk Behavior Survey (YRBS) made this kind of detailed data impossible. In Anchorage, for example, the Anchorage School District Safe and Drug Free Schools had seven grants asking for such data. During the fall 1999 Site Review, Federal auditors put the ASD Safe

and Drug Free Schools program on notice that it was bordering on non-compliance due to lack of current data. The program lost three grants totaling \$296,915. Other grants have not been applied for because the criteria indicated that without contemporary data, the application would not be competitive. Other youth-serving agencies and programs in Anchorage and throughout the state face similar grant rejection prospects.

**Administrative Procedures Act
AS 44.62**

Article 1: Application and Effect

- 44.62.010 Application to State Organizations Act of 1959
- 44.62.020 Authority to adopt, administer or enforce regulations
- 44.62.030 Consistency between regulation and statute

Article 2: Submission, Filing, and Publication of Regulations

- 44.62.040 Submitting regulations
- 44.62.050 Style and Forms
- 44.62.060 Preparation and Filing
- 44.62.070 Fees
- 44.62.080 Endorsement and Filing
- 44.62.100 Presumptions from Filing
- 44.62.110 Presumptions for Publication
- 44.62.120 Voluntary Submitting and Publications
- 44.62.125 Regulations Attorney

Article 3: The Alaska Administrative Code

- 44.62.130 Codification and publication
- 44.62.140 Distribution of code and register
- 44.62.160 Date and content of register
- 44.62.175 Alaska Online Public Notice System

Article 4: Procedure for Adopting Regulations

- 44.62.180 Effective date
- 44.62.190 Notice of proposed action
- 44.62.195 Fiscal Notes on regulations
- 44.62.200 Contents of notice
- 44.62.215 Record of Public Comment
- 44.62.220 Right to Petition
- 44.62.230 Procedure on Petition
- 44.62.240 Limitation on retroactive action
- 44.62.245 Material incorporated by reference
- 44.62.250 Emergency regulations
- 44.62.260 Limitation on effective period of emergency regulations
- 44.62.270 State policy
- 44.62.280 Purpose of AS 44.62.180-290
- 44.62.290 Limits of application of 44.62.180-290

Administrative Procedures Act

Article 5: Judicial Review

44.62.300 Judicial review of validity

Article 6: Open Meeting of Governmental Bodies

44.62.310 Government meetings public

44.62.311 State policy regarding meetings

Article 7: Legislative Review of Rules

44.62.320 Legislative annulment of regulations and review

Article 8: Administrative Adjudication

44.62.330 Application of AS 44.62.330-630

44.62.340 Delegation of power by agencies

44.62.350 Appointment of hearing officers

44.62.360 Accusation

44.62.370 Statement of issues

44.62.380 Service of accusation

44.62.390 Notice of defense

44.62.400 Amended or supplemental accusation

44.62.410 Time and place of hearing

44.62.420 Form of notice of hearing

44.62.430 Subpoenas; witness fees

44.62.440 Depositions

44.62.450 Hearings

44.62.460 Evidence rules

44.62.470 Evidence by affidavit

44.62.480 Official notice

44.62.490 Amendment of accusation after submission

44.62.500 Decision in a contested case

44.62.510 Form and retroactivity of decision

44.62.520 Effective date of decision; stay

44.62.530 Default

44.62.540 Reconsideration

44.62.550 Petition for reinstatement or reduction of penalty

44.62.560 Judicial review

44.62.570 Scope of review

44.62.580 Continuances

44.62.590 Contempt

44.62.600 Voting procedure

44.62.620 Power to administer oaths

44.62.630 Impartiality

Administrative Procedures Act

Article 9: Miscellaneous Provisions and Definitions

- 44.62.635 Teleconferencing
- 44.62.640 Definitions for AS 44.62.010-630

Article 10: Negotiated Rulemaking

- 44.62.710 Purpose and applicability of AS 44.62.710-800
- 44.62.720 Determination of need for negotiated regulation making committee
- 44.62.730 Use of convener
- 44.62.740 Establishment, time line, support, and termination of committee
- 44.62.750 Committee dues, procedures and report
- 44.62.760 Facilitator selection, duties and authority
- 44.62.770 Employees, contractors, and funding
- 44.62.780 Judicial review
- 44.62.790 Relationship to other requirements
- 44.62.800 Definitions

Article 11: General Provisions

- 44.62.950 Short Title



NEA-ALASKA

Affiliated with the National Education Association

To: The Hon. Rep. Con Bundy Chair
House Special Committee on Education

From: Mark Jones, Staff
National Education Association of Alaska

Date: March 4, 2002

Re: Mentoring, testimony presented to the committee, Feb 6, 2002

Introductory remarks: The state of Alaska is debating numerous questions related to education. How can we attract and retain the kind of teachers we need for our children? How can we improve student outcomes on standardized and high-stakes tests now being mandated by federal, state and local regulations? In an atmosphere of ever increasing accountability how can we increase teacher job satisfaction that can lead to higher levels of teacher retention? The issue of teacher retention is even more important in a state that cannot produce more than a small fraction of the teacher candidates needed to meet demand. How can we create an atmosphere in our schools that will support continuous learning and improvement by all our teaching staff? The answer is mentoring.

Historically, the culture of teaching has forced teachers to work and survive in near total isolation. Unlike many professions that allow new professionals to learn their craft gradually and incrementally in the atmosphere of nurturing guidance, teachers are thrown into the deep end of the pool. The assumption is that those who are fit will survive; those who are not fit will drown. New teacher often find himself or herself entering a classroom room that has little or no furnishings or instructional resources. The class list given to new teachers often contains problem students skimmed removed from other classes. This is not an overt attempt by existing staff to jeopardize the success of their newer colleagues. It is the

natural product and reflection of a culture of isolation. Teachers will do what they can to maximize the success of their students. Senior teachers often ignore the survival needs of new teachers because that has not been considered in the past. One of the first things new teachers learn is that good evaluations depend upon keeping students quiet and not sharing issues and concerns with administration or colleagues. Soon, the door of the classroom is closed to the world. Inside that isolated classroom is a young teacher desperately trying to cope with all the demands of a challenging class. To ask questions and seek help is sign of weakness and inadequacy.

Contrary to the notion that the fittest will survive, research has found that the most sensitive and talented of new teachers are the first to acknowledge their own weaknesses. They feel overwhelmed by frustration and concerns that they are not up to the task. The best and the brightest are, by virtue of their capacity to assess their own successes and failures, their own harshest critics. Ultimately, the best and the brightest are the first to leave the profession in frustration and defeat.

NEA-Alaska supports the notion that mentoring ought to be a part of the support structure provided to all new teachers in Alaska. That being said there are some considerations that must guide the adoption and implementation of any mentor program.

Selection of mentors: Mentoring is not a casual relationship. It is an extension of any good teachers preparation program. Mentors should be selected for their capacity to work well with and understand adult learners. Mentors should be capable of demonstrating best practices. Mentors should be able to observe, diagnose and prescribe instructional solutions for the new teachers in a warm and constructive manner. Mentors should embody the best professional practices and attitudes available. In order to ensure that the best mentors are selected criteria for selection ought to be developed prior to selecting mentors.

Good mentors are not just the most convenient teachers to pair up with the new teacher. They are not just the teachers most willing to take on the added responsibilities of mentoring. Good mentors are not simple the only other teacher of that subject or grade level in a given building or site. Good mentors have definable characteristics and skills. Those characteristics and skills ought to provide the basis for any mentor selection criteria.

Training: Mentors need to be trained. Mentoring is a specialized set of skills. It required an understanding of adult learning and

communication styles. Mentoring involves all the skills of clinical observation, assessment and diagnosis required of school administrators. Mentoring requires consulting and dialoging skills comparable to those developed by psychologists and counselors that will enable them to debrief observations and deal with concerns faced by the new teacher. Mentors must also be trained and prepared to have difficult conversations with conflicted new teachers. Mentors must also have mediation and conflict resolution skills that will assist the new teacher in dealings with colleagues and administrators. Mentors must also have a mastery of multiple strategies for dealing with classroom management.

Time: Mentoring requires time for observations, planning, conferencing, review of lesson plans and debriefing of observations. All too often existing mentor programs rely upon after school conferences as the sole opportunity for the mentor and protégé to confer. Many of the most valuable components of mentor relationship rely upon observations of instruction. If a mentor is unable to observe the protégé in practice they cannot give meaningful advice or guidance. The value of advice in an after hours consultation is only as good as the ability of the new teacher to assess their own strengths and weaknesses. The most difficult and persistent problems are those that elude self-assessment. The trained observer can often see things that the new teacher will never see. Experience and training are essential diagnostic tools that a new teacher does not yet have. In addition, mentoring cannot help if it is perceived as an added responsibility to an already over loaded workday. Both the mentor and the protégé need to view the mentor relationship as an essential part of their daily responsibility. Clinical observation and demonstration teaching cannot occur at all if time is not made available during the work day.

Confidentiality: One of the masters of private sector mentoring, Marshall Goldsmith (see attached biographical information), has conducted studies in which connections to evaluation were the primary distinguishing factor. He found that, given that all other factors are equal, the measured growth toward desired goals is improved by as much as 35% when the mentor/protégé relationship is protected from the evaluator. In other words the potential for success of any protégé is improved by as much as 35% if they know that their relationship with their mentor is confidential. The explanation of this phenomenon is very simple, effective mentor/protégé relationships are all about trust. When a protégé feels they are safe to reveal their inner most concerns and weaknesses with fear of consequence, they

will do so. If, on the other hand, the protégé fears that what ever they share with their mentor will be shared with their evaluator they become more circumspect and guarded. If an employee is unwilling to reveal their weaknesses to a mentor there is no way that that weakness can be effectively be remediated. Growth and improvement is all about honesty and trust. Honesty and trust can be encouraged if the mentor and protégé don't have to worry about disclosure of their conversations and observations to evaluators.

Compensation: Mentor relations are time consuming and labor intensive. The teachers who make the best mentors are also those teachers who are the busiest and most dedicated. These teachers are the least likely to have the free time or energy to invest in a mentor relationship. The time free time is essential if the mentor and protégé are to have observation, debrief and planning time. This free time does not account for the predictable workload that will be deferred to later evenings and weekends. If school districts are to attract their most valuable teachers into mentor relationships they will need to offer fair compensation as an incentive. Compensation is another way of showing how much the service is values. When mentors and protégés are told that they are to conduct their business after hours and free of charge they understand that the district does not value what they are doing. If the system does not value the mentor/protégé relationship, why should the participants? Effective mentoring relationships consume hours of work for the entire first year. In fact, effective mentor relationships will continue to be a time and labor commitment for several years. If mentoring is to become an important part of Alaska's solution to teacher recruitment, retention and quality problems it must be compensated like any other real professional endeavor.

Community involvement: One common theme of exit interviews is teachers found themselves alone and unprepared for the culture and practical realities of their new community. They felt they had little or no support in making their adjustments to this new world. At the state level attempts have been made to introduce teachers to native culture and history. Though this broad information is helpful, it does not address the unique character of specific villages. NEA-Alaska has proposed a program that would pair an Alaska Native paraprofessional with a new teacher as a cultural and community mentor. Like any other mentor program, the mentors in this program would be trained and compensated for their efforts. The effectiveness of these mentors or any mentor for that matter, in dealing with cultural issues is dependent upon the degree to which the community

becomes part of the support structure. One solution often recommended by supporters of programs called "Beginning Teacher Assistance Programs" is to form a coalition of community leaders and parents to assist in the planning of a support program for new teachers to the community. Part of the support program would then include community members and agencies. The committee would establish community awareness of the support program so that they could become active participants in the support process. If community members felt like they had some part in welcoming and orienting new teachers to the community and culture they would also take some ownership in the ultimate success of that teacher. Relationships are active and bilateral. Communities ought to develop strategies for establishing their half of the communication. Establishing a mentor relationship with Alaska Native paraprofessionals or teachers the new teachers can be assisted in culturally appropriate ways to engage in their half of the relationship.

Coordination with the university: Mentor programs are natural extensions of the teacher preparation program. Effective mentor programs ought to have established relations with faculty services of the University of Alaska. The special grant program called Alaska Partnership for Teacher Enhancement (APTE) has defined a complex set of relationship that the ideal mentor program should entail. Though this grant program is designed as a fifth year masters program using mentoring as a pillar of the training process, it has tested and established a mentor preparation program as well as a university and school site support structure. Some variation of the APTE approach ought to be considered for inclusion in the model mentor program. The University could view this support service as an opportunity to review their teacher preparation program, monitor the transition of a graduate from the teacher preparation program into the practice of teaching and determine what modifications might be considered in order to improve the university's preparation program. From the school site view, effective mentoring is a challenging and high stakes endeavor. No entity in the state has a much experience in working with adult learners than does the university. Mentors, particularly new or first time mentors, will find that working with adult learners or assisting first year teacher overcome instructional problems is a complicated instructional issue for which they have little preparation. University support can help the mentor translate their initial mentor training into practice. The university faculty becomes, in this relationship, the mentor's mentor. Of course the university could also incorporate this support into a course of study that would involve both the

mentor and protégé in work that is designed to strengthen and support their relationships. In this context the collaboration between the university and school mentors is mutually beneficial.

Criteria and strategies for pairing mentor with protégé:

Relationships between two adults can be effective or totally unproductive based on personality or communication styles. Two capable adults can seem to be incapable of working together if they think, process information and communicate in incompatible ways. The compatibility issue is often considered a coincident matter of relative unimportance. In truth, the success or failure of a mentor/protégé relationship may hinge on these issues more than upon the skills of the mentor or the capacity or potential of the protégé. All too often pairings of mentors and protégés are made for haphazard reasons. In reality, there is considerable information and resource available to assist schools and the university is establishing criteria for pairings and assessing participants prior to making the match.

Assessment instruments are readily available and easy to administer. Use of data, once the assessment has been administered, should be based upon carefully defined predictors established during the planning process. In the case of establishing the ideals experts should be consulted. In the end, careful selection and pairing can do more to guarantee success than almost any other factor. Logically, two people who work well together will work productively together. Two people who are incompatible will avoid each other or, worse yet, fight each other every step of the way.

Issues addressed through mentoring

Pedagogy: It has been said previously in this paper that both the mentor and protégé benefit from the pairing. Protégés have the advantage of accessing years of experience by working with a mentor. They have opportunities to observe experienced teachers perform their magic. They can dialog about instructional issues to gain an insight about what might or might not work based on an experienced view. Finally, the protégé gains an objective perspective about their instructional strategies when their own practice becomes too close to see from an emotional point of view.

Mentors, on the other hand, would seem to have been selected for their skill and experience. It is an often said axiom that the best way to learn something well is through teaching it. Experienced teachers who have a chance to observe other teachers have an opportunity to reflect upon their own teaching practices as a part of their assessment process. Through this reflective process experienced teachers learn to become critical self-

evaluators. They observe practices in the new teacher that inspire innovation in their own approach to instruction. They learn to put into words concepts that seemed illusory and vague to them in the past. Through the process of verbalizing and analyzing their own teaching strategies and practices they become better and more confident teachers in their own right.

Cultural awareness and sensitivity: The concept of pairing an experienced teacher with a new teacher has obvious value in gains related to instruction and content. The subtler, yet, perhaps more potent factors related to culture, language and tradition are often never openly addressed by anyone. Success or failure in a classroom or community relates directly to the ability of a teacher to connect with the students and their parents. Failure to establish a connection will result in both student and teacher failures. In Alaska the effects of culture and language are more evident than in most any other state in the union. It is essential that a component of any mentor program directly address the issues related to culture and language. A mentor relationship between Alaska Native paraprofessionals is one possible solution. It is clear that some strategies to deal with the culture and language issues are essential. Some of the factors leading to turn over in the bush relate directly to conflict related to culture and language. It is clear that job satisfaction is affected by culture and language issues. Finally, instructional effectiveness is clearly affected by cultural and communication problems. Regardless of the method employed, mentoring around the concepts of culture and language must be a component of the overall mentor program.

Classroom Management: No complaint is more common or deadly to the success of a new teacher than classroom management. No skill has a greater capacity to enable learning to occur than does effective classroom management. No weakness can cripple a teacher's effectiveness or the capacity of students to learn that one related to classroom management. All too often strategies of managing student behavior result from years a painful trial and error. Effective strategies are often contingent upon the culture of the community. Student learning, unfortunately, plays second fiddle to conduct and behavior until that new teachers hit upon a strategy that works. Mentoring alone has the capacity to overcome classroom management problems in a timely manner. Experienced master teachers have worked through many of these management issues. In addition mentors bring a wealth of site and cultural specific experience that can assist the new teacher to sift through the options for a strategy that will work in his or her classroom. Mentoring can assist the district in gaining more value out of

that first year of teacher than any other approach. Investments in a comprehensive mentor program will pay off in classroom management issues are the only apparent benefit. Failure to gain control of a class can cause more young creative teachers to walk away from a promising career than almost any other factor.

For all the reasons listed above NEA-Alaska strongly supports legislation that would encourage and fund mentor programs in the state of Alaska. Mentor programs are a cost effective investment in both the quality and stability of education in our state.

Response to question by Representative Porter during oral discussion:

During the oral presentation Representative Porter asked how goals were set during a study conducted by Marshall Goldsmith. Specifically, in the study by Marshall Goldsmith it was learned that progress toward goals was 35% better when the relationship between the mentor and protégé was confidential. By confidential the study referred to mentor relations where the observations and communications between the mentor and protégé were not to be shared with the evaluator versus circumstances where the results of the relationship were known to be shared with the evaluator. In all cases the goals of the mentor relationship were developed using a process called the 180-degree feedback. This method requires the protégé to seek input and assessments from supervisors, peer colleagues and subordinates. The data from all these sources is used to create a set of goals that address the feedback received from all categories of employees. Once the goals are set the participants in each identifiable group participating in the assessment are given follow-up opportunities to assess the behavior most applicable or observable to that group. Finally, success in meeting goals is determined by a second assessment of the same individuals who were a party to the first assessment at the beginning of the mentor relationship. (see attached biography of Marshall Goldsmith who conducted the study)

Copy: Representative Green
 Representative Porter
 Representative Stevens

Representative Wilson
Representative Joule
Representative Guess



Dr. Marshall Goldsmith

Marshall Goldsmith is one of the world's foremost authorities in helping leaders achieve positive, measurable change in behavior: for themselves, their people and their teams. Marshall has been ranked in the *Wall Street Journal* as one of the "Top 10" consultants in the field of executive development. His work has received national recognition from the Institute for Management Studies, the American Management Association, the American Society for Training and Development and the Human Resource Planning Society. His coaching process has been positively described in both the *New York Times* and the *Financial Times*.

Twenty years ago, Marshall co-founded Keilty, Goldsmith & Company (KGC). A recent study by Penn State University listed KGC as one of seven key providers of customized leadership development in the USA. He is also the founder of the Learning Network, an association that includes many of the world's premier leadership development consultants. Dr. Goldsmith has a MBA from Indiana University and a Ph.D. from UCLA. Before forming KGC, he was an Associate Dean at Loyola Marymount University and a Director at the Center for Leadership Studies.

Marshall is the major developer of the Leader of the Future Process, a process that develops leaders in a manner that is consistent with their organization's vision and values. He is one of a select few consultants who has been asked to work with over 50 CEOs. KGC's clients have included many of the world's leading corporations, such as: American Express, AT&T, BellSouth, CIBC, Citigroup, Coca-Cola, Dow Chemical, Enron, Goldman Sachs, GTE, John Hancock, IBM, Johnson & Johnson, Kodak, KPMG, Lucent, McKinsey, Merck, Motorola, Nortel, Northrop Grumman, Oracle, Pfizer, SBC, SmithKline Beecham, Southern Company, Sun Microsystems, Texaco, Titleist, Warner-Lambert and Weyerhaeuser. Leadership feedback and development processes that KGC has helped to develop or implement have impacted over one million people in over 70 different organizations around the world.

Aside from his corporate work, Marshall has completed substantial volunteer projects for organizations such as: the Urban League; the Institute for East West Studies; the Girl Scouts; and the International, Canadian and American Red Cross (where he was a "National Volunteer of the Year").

Marshall is a member of the Board of the Peter Drucker Foundation and the Josephson Institute for Ethics. He has advisory board or partnership relationships with Andersen Consulting, Lucent, Provant and Forum. He is a frequent contributor to the Drucker Foundation journal, *"Leader to Leader"*. He is also featured in the videotape, *The Gift of Feedback*. He co-edited (with Frances Hesselbein and Dick Beckhard) the books, *The Leader of the Future* (a *Business Week* "Top 15" Best-Seller), *The Organization of the Future* and *The Community of the Future*, which have sold over 400,000 copies in 14 languages. Marshall will finish co-editing three new books in 1999: *Leading Beyond the Walls*, *Learning Journeys of Great Teachers* and *Beyond Executive Coaching*.