

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2865 SCOMM 125: HOUSE SPECIAL COMMITTEE ON EDUCATION 2001-02

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 MISCHER, 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. MISCHER 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. MISCHER 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. MISCHER 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.

AGENCIES WITH ADJUDICATORY FUNCTIONS

I. BOARDS AND COMMISSIONS

UNDER APA

Alaska Coastal Policy Council
 Alaska Commission on Postsecondary Education
 (regulation of institutions, permanent fund dividend
 claims only)
 Alaska Oil and Gas Conservation Commission
 Alaska Police Standards Council
 Alaska Public Offices Commission
 Alcoholic Beverage Control Board
 Athletic Commission
 Board of Fisheries
 Board of Game
 Occupational Licensing Boards and Commissions
 (See Note 1)
 Professional Teaching Practices Commission
 Real Estate Commission

NOT UNDER APA

Alaska Commission for Human Rights
 Alaska Commission on Postsecondary Education
 (loan denials)
 Alaska Housing Finance Corporation (unsafe
 housing)
 Alaska Labor Relations Board
 Alaska Workers' Compensation Board
 Board of Education
 Commercial Fisheries Entry Commission
 Commission on Judicial Conduct
 Fisherman's Fund Advisory and Appeals Council
 Local Boundary Commission
 Mental Health Trust Authority
 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

CORRECTION

**THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION**



Central Microfilm Services
Department of Education & Early Development
State of Alaska



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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 (<i>See Note 2</i>) - 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 reports reflect a spirit of full disclosure to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.



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*.

SCOMM

125:19

Hi there --

You may remember that SB 133 (of sainted memory) required the department to submit two reports to the Legislature on Feb. 15. One on waivers and appeals and the other on the laundry list of items (see below) our committee wanted information about.

We are looking at having a hearing on March 6 to give the committee and the department an opportunity to discuss these reports. Please let me know by Friday, Feb. 22 if your boss has any particular questions or concerns generated by either of these reports.

Thanks!
Karen

Laundry List:

AS 14.03.078. Report.

The department shall provide to the legislature by February 15 of each year an annual report regarding the progress of each school and school district toward high academic performance by all students. The report required under this section must include:

- (1) information described under AS 14.03.120(d);
- (2) the number and percentage of students in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination;
- (3) progress of the department
 - (A) toward implementing the school accountability provisions of AS 14.03.123;
and
 - (B) in assisting high schools to become accredited;
- (4) a description of the resources provided to each school and school district for coordinated school improvement activities and staff training in each school and school district;
- (5) each school district's and each school's progress in aligning curriculum with state education performance standards;
- (6) a description of the efforts by the department to assist a public school that receives a designation of deficient or in crisis;
- (7) a description of intervention efforts by each school district and school for students who are not meeting state performance standards;
- (8) the number and percentage of turnover in certificated personnel and superintendents;
- (9) the number of teachers by district and by school who are teaching outside the teacher's area of endorsement but in areas tested by the high school competency examination.

Karen McCarthy
Rep. Bunde

**Waivers and Appeals – SB 133:
A Report to the Alaska
State Legislature**

**The Alaska Department of Education
& Early Development
Shirley J. Holloway, Ph.D.
Commissioner**

February 15, 2002

Students who have passed a competency test in another state:

Recommendations by the Department and Board of Education & Early Development:

- Students would be eligible for a waiver from taking the Alaska High School Graduation Qualifying Exam (HSGQE) if they have passed a standards-based state high school exit exam in the state or U.S. territory or Department of Defense (DOD) system from which they are transferring, provided:
 - (1) The state test assesses essential skills in reading, writing (or language arts/English), and mathematics comparable to the essential skills proficiency of the Alaska HSGQE;
 - (2) The test is required for graduation in the state, territory, or DOD system from which the student is transferring;
 - (3) Assurances of appropriate controls (i.e., regarding security of the test and test items) can be provided;
 - (4) The state test is taken and passed when a student is at 10th grade or higher; and
 - (5) The state test is included in a Department of Education & Early Development annual listing of tests that meet the requirements of this waiver.
- As appropriate, the department understands that “state tests” would be (1) administered by a state, and (2) available for review by the Department of Education & Early Development.
- The Department will require funding for staffing and support to review exams from other states in order to provide the annual listing of tests. The department and board expects that there will be costs and issues in (1) providing assurances of appropriate controls for a test other than the Alaska HSGQE, and in (2) determining that a given state test assesses comparable skills and knowledge at levels comparable to those set by the Alaska HSGQE. To do so will require review of test materials from states and publishers. This will require communication with, and cooperation from other states, test administrators, and designers. In limiting this waiver to state exit exams required for graduation, the department anticipates that the expenditures and scope of examination may be lessened.
- As practical and appropriate, the department will seek reciprocal agreements with states which have required exit exams that assess comparable levels of essential skills and knowledge in reading, writing, and math. This review may prove to be expensive and time/personnel consuming. This will be done only to the extent that staffing and time allow. Caution and fiscal support will be required.
- Regulations regarding the waiver application and criteria for waivers due to passing a competency test in another state (1) should follow guidelines and criteria stated in this report, and (2) should be developed through the public noticed regulation development process.

CORRECTION

**THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION**



Central Microfilm Services
Department of Education & Early Development
State of Alaska

Karen McCarthy
Rep. Bunde

Waivers and Appeals – SB 133:
A Report to the Alaska
State Legislature

The Alaska Department of Education
& Early Development
Shirley J. Holloway, Ph.D.
Commissioner

February 15, 2002

Introduction

During the 2001 legislative session, the Alaska State Legislature passed Senate Bill 133, "An Act relating to a two-year transition for implementation of the public high school competency examination and to establish an essential skills examination as a high school graduation requirement; and providing for an effective date."

This legislation requires the Alaska Department of Education & Early Development to provide a report to the legislature, by February 15, 2002 describing the criteria and procedures for a waiver to grant a diploma to a student.

Senate Bill 133 requires by February 15, 2002 the Alaska Department of Education & Early Development provide a report to the legislature containing the recommendations of the department and the board related to an appeals process for students denied a high school diploma.

This report to the legislature is the response to these requirements.

Background

Following passage and signing of this bill, the Department and Board of Education & Early Development scheduled public sessions to receive comments and recommendations from people in the state. Public meetings were held in Anchorage, Bethel, Fairbanks, and Juneau. The department and board also held a statewide meeting (hosted in Barrow) via audio conference as the fifth meeting in this series. A report on these public meetings and a summary of the public comments are attached as an appendix of this report. The board reviewed the matters of waivers and appeals in a work session of the board in November 2001, providing comments to department staff for this report. Once comments were incorporated, the board reviewed and discussed this report at its meeting on February 11, 2002.

This report consists of the following parts:

1. Department and board recommendations regarding each waiver consideration contained in SB 133:
 - a. Students who have passed a competency test in another state,
 - b. Students arriving late; and
 - c. Students with rare and unusual circumstances;
2. Department and board recommendations regarding an appeal process.

Following each recommendation are comments, determinations, and considerations by the board addressing issues and questions raised in the public sessions and board meetings on these subjects.

Appendix I provides the relevant parts of SB 133 related to waivers, appeals, and the requirements of a report.

Appendix II provides a summary of comments provided to the Department and to the Board of Education & Early Development at public sessions in Anchorage, Bethel, Fairbanks, Juneau, and Barrow. The meeting in Barrow also contained a statewide audio conference session. A copy of the full text of SB 133 is attached for reference as well.

Students who have passed a competency test in another state:

Recommendations by the Department and Board of Education & Early Development:

- Students would be eligible for a waiver from taking the Alaska High School Graduation Qualifying Exam (HSGQE) if they have passed a standards-based state high school exit exam in the state or U.S. territory or Department of Defense (DOD) system from which they are transferring, provided:
 - (1) The state test assesses essential skills in reading, writing (or language arts/English), and mathematics comparable to the essential skills proficiency of the Alaska HSGQE;
 - (2) The test is required for graduation in the state, territory, or DOD system from which the student is transferring;
 - (3) Assurances of appropriate controls (i.e., regarding security of the test and test items) can be provided;
 - (4) The state test is taken and passed when a student is at 10th grade or higher; and
 - (5) The state test is included in a Department of Education & Early Development annual listing of tests that meet the requirements of this waiver.
- As appropriate, the department understands that “state tests” would be (1) administered by a state, and (2) available for review by the Department of Education & Early Development.
- The Department will require funding for staffing and support to review exams from other states in order to provide the annual listing of tests. The department and board expects that there will be costs and issues in (1) providing assurances of appropriate controls for a test other than the Alaska HSGQE, and in (2) determining that a given state test assesses comparable skills and knowledge at levels comparable to those set by the Alaska HSGQE. To do so will require review of test materials from states and publishers. This will require communication with, and cooperation from other states, test administrators, and designers. In limiting this waiver to state exit exams required for graduation, the department anticipates that the expenditures and scope of examination may be lessened.
- As practical and appropriate, the department will seek reciprocal agreements with states which have required exit exams that assess comparable levels of essential skills and knowledge in reading, writing, and math. This review may prove to be expensive and time/personnel consuming. This will be done only to the extent that staffing and time allow. Caution and fiscal support will be required.
- Regulations regarding the waiver application and criteria for waivers due to passing a competency test in another state (1) should follow guidelines and criteria stated in this report, and (2) should be developed through the public noticed regulation development process.

Students who have passed a competency test in another state:

Questions raised or discussed in public sessions and Board meetings included:

- What are allowable competency tests? – Should Alaska look at only high-stakes tests that are required for graduation – such as Texas test, or does the waiver also include tests that provide levels of proficiency – i.e., the National Assessment of Educational Progress (NAEP) type tests or tests that place students in categories determined by demonstrated skills and knowledge – advanced, proficient, basic, below basic, etc.?
- What score is considered “passing” for purpose of this waiver? For example, in a four level test - advanced, proficient, basic, and below basic - is basic considered passing?
- Not all state tests are equally stringent - how do we determine an acceptable level of difficulty or adequate level for passing?
- What if a student passed a competency test in another state and then came to Alaska as a sophomore or junior. Would they be waived?
- What of a student who is in an Alaska school in sophomore or junior year, takes the Alaska test, does not pass all three parts, transfers to a school in another state (for whatever length of time – from a day to years) passes that state’s competency test, and then transfers back to Alaska?
- Who sets or determines parameters for “passing a competency exam” as it relates to this waiver?

Findings, determinations, and conclusions examined by the Department and Board of Education & Early Development included the following:

- SB 133 specifically states that students who pass competency tests in other states should receive a waiver.
- Public comment appears to favor granting waivers to students who pass competency tests in other states. Some participants at the public meetings expressed support for extending the waiver for tests in other countries that test and assure at least basic skills and knowledge in reading, writing, and math - the English “O” level exams being one cited example.
- Other states don’t have reciprocity, but they do have waiver processes.
- There is a sense that virtually every state addresses essential skills and knowledge in some fashion in their state standards in English and Math – though not all states identify the skills and knowledge in identical fashion or order.
- The Council of Chief State School Officers (CCSSO) reports that most states and U.S. territories have some sort of competency test in place now while 17-20 states have a high school graduation test required. Education Week reports similar numbers. Most of these state tests are based on state standards. While there is a sense that many states include basic or essential skills in their tests, not all states have these highlighted, or specifically defined, or have them identified as a specific focus.

Students who have passed a competency test in another state:

Findings, determinations, and conclusions examined by the Department and Board of Education & Early Development included the following: (continued):

- Most states do not require passing a specific test, or attaining a specific score in order to graduate.
- Tests in other states, particularly those not required for graduation, may have differing standards for security and test administration, setting passing scores, etc. Additionally, such controls as standard error of measurement may differ from standards used in Alaska. Thus, in accepting tests other than those required for graduation, Alaska may be using a lower stake test for a high stake purpose.
- As some states do not use their tests for high-stake purposes, that state's test security or administration protocol may be less strict, or such measures as the standard error of measure may differ from Alaska standards or allowances.
- While there appears to be general agreement on basic literacy in general, it is at the point of detail that differences and difficulties emerge. These issues need to be considered in the context of "high stakes" testing. States have various "cut points" for their tests. As not all state tests are similar in this regard; a review process would need to be established and maintained to identify tests that assess essential skills and to determine acceptable "pass" levels. This is a particular concern for tests other than required exit exams, and for those tests that have multiple cut scores.
- The department would need to exercise effort and care in determining some degree of basic comparability of tests and levels – as they relate to "essential skills" among the tests. The department anticipates that this will require effort, time, negotiation, and cooperation with other states and state assessment departments to gain access to state test documents and details sufficient to determine scope and difficulty of those tests.

Students arriving late:

Recommendations by the Department and Board of Education & Early Development:

- Students would be eligible for a waiver from the Alaska HSGQE if (1) they arrive into the state in the final year of their school career, (2) enroll in a public school in Alaska, and (3) have met all other state and district requirements for graduation.
- “Entering the system late” is defined as students arriving in Alaska and attending any of the schools or schooling options in the state, including public, private and home schools with two or fewer semesters remaining in the student’s final high school year (year of intended graduation). Students who reside in the state but choose to attend private school or private home school and then transfer to a public school will be required to take and pass the Alaska HSGQE and meet all other requirements of the district and state in order to receive a high school diploma.
- Students shall take the Alaska HSGQE when it is offered. If a student who arrived late (that is in the student’s final year before expected graduation) does not pass the HSGQE, they would be eligible for the waiver in their final year if they met all other district and state requirements for graduation.
- Any system or rules developed must standardize expectations and requirements across the state – that is, they must minimize to the extent practicable the options, the range of variability, and requirements for decision-making on local sites and local districts.
- Regulations regarding the waiver application and criteria for waivers due to arriving late (1) should follow guidelines and criteria stated in this report, and (2) should be developed through the public noticed regulation development process.

Students arriving late:

Questions raised or discussed in public sessions and board meetings included:

- Is the concern over lateness an issue of adequate opportunity to learn the skills and knowledge being tested or is it a concern over adequate opportunity to take the test?
- What issues related to opportunity for intervention and instruction are present?
- How late is "late?" A student who arrives in the second semester of his/her senior year after the spring administration of the test would not have an opportunity to take the test prior to graduation. This is an issue of logistics - opportunity to take the test. Students in this category are undoubtedly included in this waiver category.
- Should a student who was in the Alaska system (attending public, private, or home school), transferred out of state and is now re-entering the state in the same or another Alaska district be eligible for a waiver?
- Should a student who was in an Alaska public high school (without passing the Alaska HSGQE), transferred to a public school out of state, or a private school or "home school" in state or out, for some time then transferred back to a public school in state be waived from passing the Alaska HSGQE due to "enter[ing] the system late?"
- Based on the above, how early in the high school career is still "late" in reference to the waiver requirement? While students who transfer in as late second semester seniors have no opportunity to take the test prior to graduation, any student arriving before October of their senior (their final year schooling) or earlier, would have two opportunities to take the test prior to a May graduation. Those arriving after October but before the spring administration would have one opportunity to take the test. Is this adequate or appropriate?

Students arriving late:

Findings, determinations, and conclusions examined by the Department and the Board of Education & Early Development included the following:

- Any system or rules developed must standardize expectations and requirements across the state – that is, they must minimize to extent practicable the options, the range of variability, and requirements for decision-making on local sites and local districts.
- Regarding “opportunity to learn” versus “opportunity to test”: The department and board asked: How unique are the skills and knowledge required by the Alaska HSGQE? For example, are the Alaska standards upon which the test is based, or are the questions themselves on the test so unique to Alaska that particular attention and consideration should be afforded to students transferring from out-of-state to learn those standards and the content and context of the Alaska HSGQE questions prior to requiring the student to pass the test?

The following considerations support the argument that the Alaska HSGQE is focused on the type of skills and content that would be taught in a wide range of high school programs regardless of location:

- The Alaska HSGQE is a test of essential skills (skills deemed basic to student success in any state).
- According to SB 133, a student who passes a standards based test in one state may be waived from the requirement to pass the Alaska HSGQE. This strongly suggests that the legislature sees this test as an assessment of generic essential skills rather than skills or knowledge unique to Alaska.
- The decision regarding a waiver for students entering late needs to be consistent with this perspective of essential skills as common in all standards based tests. (As discussed earlier, this determination of basic comparability appears to be the basis for allowing students who pass tests in one state being waived from requirement to pass Alaska test.) This is placed against, or appears to be not consistent with the argument that the Alaska test assesses unique skills and knowledge and therefore requires particular attention and allowance for adequate opportunity in Alaska schools to learn the unique Alaska based skills and knowledge required to pass this test.
- Given the essential skills focus of the HSGQE, the department determined that “late arrival” applies primarily to an opportunity to test. Providing adequate time/opportunity for a student who has failed the test to receive appropriate targeted remediation and intervention services is a closely related concern. A student who transfers into a public school in their junior year would have received instruction related to basic/essential skills in that student’s prior high school and would have opportunity for any remedial and intervention services required to address gaps or deficiencies in their preparation in their senior year in the Alaskan high school.
- As a general rule, the board recommends that transferring students need to take the tests with other students in their schools. This was deemed critical for student motivation.

Students with rare or unusual circumstances:

Recommendations by the Department and Board of Education & Early Development:

- Students are eligible for a waiver under rare and unusual circumstances if: (1) they have rare and unusual circumstances related to taking the Alaska HSGQE in which the school, parents, community, and student had no control over or recourse to correct or otherwise address; AND the district reports that the student would have been able to demonstrate proficiency if the rare and unusual circumstance had not occurred, or (2) they successfully participate in and demonstrate proficiency on the Department's Alternate Assessment; and (3) they meet all other state and local requirements for graduation.
- Students who participate in and successfully complete their Alternate Assessment as required in their Individualized Education Plan (IEP) (expected to be approximately 1% – 2% of the student population) would be eligible for a waiver provided such practice or allowance is consistent with their district policy and practice.
- Any system or rules developed must standardize expectations and requirements across the state – that is, they must minimize to extent practicable the range of variability, and requirements for decision-making on local sites and local districts. To this end, a statewide Appeals Board, rather than a local board or administrator, would consider appeals under this category.
- Regulations regarding the waiver application and criteria for waivers due to rare and unusual circumstances (1) should follow guidelines and criteria stated in this report, and (2) should be developed through the public noticed regulation development process.

Students with rare or unusual circumstances:

A student is determined eligible for this waiver using the following criteria:

- Meets all other district and state graduation requirements, including any residency, credit or mastery requirements established by the district or school per state law, regulation, or district policy; and
- Meets criteria outlined in state template for "rare and unusual circumstances" – this template would include such categories as:
 1. Death of parent or close/significant relative at or near time of testing in student's final semester of senior year (this will need to be carefully defined through the regulation development process);
 2. Significant and uncorrectable system, state, district or school error (i.e., failure by a school or district or state to provide the test in a student's senior year; student's completed test was lost in transit). The uncorrectable error must be reported to state assessment administrator, and verified by appropriate system, district and site administrative personnel. State assessment administrator will make state's determination that the system, district or school error was, or was not correctable.
 3. Serious and sudden illness or physical disability in the student's spring semester of the final year of schooling which prevents the student from taking the exam. Such illness or sudden disability must be verified by physician, or by a licensed or local health provider if no doctor is stationed or available at location.
 4. Serious disability which arose during the student's school career but for which there has not been adequate time to develop a meaningful and valid alternate or alternative assessment – i.e., blindness or significant head injury in student's junior or senior year – too late for the development of an alternate assessment, or adequate or appropriate accommodation or modification. (For example, blindness just prior to a test administration.) A student with a serious disability applying for this waiver must have approval of an IEP team (or 504 team if the student receives 504 services), district administration, and local board to be eligible for this waiver.
 5. Students with severe disabilities who demonstrate proficiency in the Alternate Assessment may be eligible for this waiver at district option per district policy and guidelines below (This is estimated to be no greater than 1 – 2% of the student population. There are 77 such students statewide in the current class of 2003).

Eligibility criteria for the Alternate Assessment include the following:

1. The student's cognitive ability and adaptive skill levels prevent completing the standard academic curricula, even with modifications and accommodations.
2. The student requires extensive direct instruction in multiple settings to apply and transfer skills.
3. The student is involved in a functional, basic-skills education program.
4. The student's inability to complete the standard academic curricula is not the result of one of the following: extended absences; visual, auditory, or physical disabilities; emotional-behavioral disabilities; specific learning disabilities; or social, cultural, or economic differences.

Students with rare or unusual circumstances:

Questions raised or discussed in public sessions and board meetings included:

- What are those rare or unusual circumstances?
- Who sets or determines what rare or unusual circumstances merit a waiver?
- How are those rare or unusual circumstances decided?

Findings, determinations, and conclusions examined by the Department and Board of Education & Early Development included the following:

- A review of current student special services enrollment shows that there are 77 students in the state's eleventh grade enrollment who are eligible and scheduled to participate in the state's Alternate Assessment program this year.
- As it relates to students with disabilities, this waiver is intended to only apply to those students who are severely disabled, and who participate in and demonstrate proficiency in the Alternate Assessment. Simply having an IEP or a 504 plan does not automatically qualify one for this waiver.
- Districts currently have policies regarding conditions, controls, and processes to decide and allow students with severe disabilities to graduate or receive diplomas.
- Most districts appear to allow some or all students who successfully complete their programs as determined by district policy and a student's IEP to graduate and receive diplomas. In some districts, some students with severe disabilities are granted diplomas, while others are granted other certificates or awards of completion or achievement.
- The eligibility for this waiver does not require a district to grant a diploma to a student who successfully completes the Alternate Assessment. It simply allows a district to do so, leaving the district or site to follow its own policies, procedures, and requirements.

Appeal Process:

Recommendations by the Department and Board of Education & Early Development:

- Regulations regarding the waiver application and the appeals process and criteria for appeals should follow guidelines and criteria stated in this report, and should be developed through the public noticed regulation development process.
- It is essential that the state use a statewide Appeals Board, not regional or local, with statewide membership, statewide criteria, procedures, training, and guidance. These criteria, procedures and guidance should be well published and accessible to all communities and parties.
- Statutory amendments establishing a statewide Appeals Board will be required to carry out this recommendation. Fiscal support will be required to carry out the activities described in the recommendation listed in this report.
- Grounds for appeals to be heard by the State Appeals Board should be limited to (1) issues related to denials of waivers due to "rare and unusual circumstances," and (2) appeals related to "late arrival" when that denial is due to questions of student's date of arrival in the state.
- Waivers related to arrival are determined by actual date of student arrival in the state, and actual date of enrollment in the public school. Regulations will be developed to clarify specific requirements for this waiver – for example, regulations can specify if a student arrives in the state AND enrolls in a public school during their final year prior to graduation, that student is eligible for a waiver. If a student EITHER arrives in state prior to the summer before the student's final year before graduation, OR enrolls in public school prior to the final year before graduation, that student is not eligible for a waiver. To qualify a student for this waiver, the local district will need to simply confirm the student's enrollment date (which is data already collected and reported), and affirm or verify the student's arrival or presence in the state after the start of the summer break before the student's final year. It is only this last part that may be appealed – that a student states that he or she arrived in the state after the start of the student's final year, and the district does not confirm that status.
- The Department of Education & Early Development provides an annual list of state tests that qualify for waivers, using criteria specified by regulation, discussed elsewhere in this report. Inquiries regarding this annual listing may be made to the department.
- Questions and requests regarding score earned, or requests for re-scoring are addressed through processes determined by annual contract with the Department of Education & Early Development and the test contractor that develops, produces, and scores the tests.
- The Appeals Board decision is final in the appeal process. However, a parent or student who has had an appeal denied may appeal to the state court system.
- Students and parents with concerns other than those covered by the Appeals Board, or who had a request for an appeal denied or who had an appeal denied would have access to the court system.
- The State Appeals Board should represent all regions in the state – i.e., at least one representatives from each region, - i.e., a member from each region of the Alaska School Activities Association.

Appeal Process:

Recommendations (continued):

- The State Board of Education & Early Development should appoint the State Appeals Board, with its members serving multiple years, with staggered terms.
- The State Appeals Board could better assure diversity of views and perspectives by designating seats for specific constituencies: i.e., local school board members, administrators (superintendents or principals), parents, teachers, students, and business/community members, and by requiring representation of the various cultural and ethnic groups in the state.
- Funding for travel, training, supplies for the Appeals Board and staff, and funding for staff to support the Appeals Board will need to be provided.
- A relationship should exist between the Board of Education & Early Development and the State Appeals Board. The State Appeals Board should submit an annual report to the Board of Education & Early Development. Included in this report should be information regarding number of appeals requested, number of cases heard, and appeals granted. Also, the State Appeals Board may include such other comments and recommendations related to statute, regulations, criteria, policy, process or procedures as deemed appropriate and useful. The Board of Education & Early Development should meet annually with the State Appeals Board to hear and review the State Appeals Board report, as well as confer on recommendations and actions by either board.
- An "Application to Appeal" form and process will be developed and distributed by the Department of Education & Early Development. This will require state funding.
- Access to the appeal process should be free and open. Funding to support public, parent, and student access to the Appeals Board and the appeals process will need to be provided.

Appeal Process:

Questions raised or discussed in public sessions and board meetings included:

- Who would hear these appeals?
- At what level would the appeals be heard?
- Who sets or determines the grounds or basis that merit an appeal?
- What types of grounds would be accepted for an appeal?
- How are those appeals handled/how will due process and timeliness be assured?
- What happens if an appeal is not granted?
- What recourse does a student or family have that is denied an appeal?
- How would this appeal process relate to the local school board, the state board, the governor, the legislature, and the court system?

Findings, determinations, and conclusions examined by the Department and Board of Education & Early Development included the following:

- The board noted the wide and general support for an Appeals Board appointed or located at the state level – not local.
- The board noted that currently students are able to request their tests be reexamined and re-scored if the student feels he or she received a score in error. This service is part of the CTB/McGraw-Hill contract and is scheduled to continue.
- Recourse available to a student or family if an appeal is not granted would continue to be through the court system.
- There was much discussion on the relationship of the State Appeals Board to the State Board of Education & Early Development.
- Members of the public and district staff speaking at the various public sessions expressed a range of ideas and suggestions regarding grounds for appeals. To provide for conformity and standards of expectation, interpretation, and requirements, it was deemed appropriate to limit appeals to those issues related to denials of waivers due to “rare and unusual circumstances” and to questions of late arrival to the state, where the local district might not have access to needed information to confirm the date of a student’s arrival into the state.
- There was general and consistent agreement that there needs to be clearly stated standards and criteria.

Appendix I - SB 133 Excerpts related to Waivers and Appeals:

Students passing a competency exam in another state:

* Sec. 3. AS 14.03.075, enacted by sec. 1, ch. 58, SLA 1997, is amended by adding new subsections to read:

AS 14.03.075 Secondary student competency testing [effective February 1, 2004]

(c) ...and

(2) a student who transfers into a public high school in this state shall receive a diploma if the student

(A) meets graduation requirements imposed by the governing body and the state; and

(B) has passed a competency examination in the state from which the student transferred.

Students arriving late or with rare or unusual circumstances:

*Sec. 6. AS 14.07.165 is amended to read:

AS 14.07.165. Duties. The board shall adopt ...

(5) regulations implementing the secondary school student competency examination provisions of AS 14.03.075, including the criteria and procedure under which a governing body uses a waiver to grant a diploma to a student; criteria regarding granting a waiver must include provisions that a waiver may only be granted for students who enter the system late or have rare or unusual circumstances meriting a waiver.

Report on an Appeal Process:

Sec 9. The uncoded law of the State of Alaska is amended by adding a new section to read:

REQUIRED REPORT: The Department of Education and Early Development shall, by February 15, 2002, deliver a report to the Alaska State Legislature with recommendations for an appeal process for a student who is denied a high school diploma.

Report on Waivers Requirement:

Sec 10. The uncoded law of the State of Alaska is amended by adding a new section to read:

REPORT: The Department of Education and Early Development shall, by February 15, 2002, deliver a report to the Alaska State Legislature that describes the proposed criteria and procedure under which a school district could use a waiver to grant a diploma to a student and that recommends statutory changes to the competency examination waiver requirements that the department determines are necessary to maintain the school accountability provisions of AS 14.03.123.

Appendix II

SUMMARY OF FIVE PUBLIC MEETINGS and WRITTEN COMMENTS

Anchorage, October 4, 2001

Bethel, October 16, 2001

Fairbanks, October 18, 2001

Statewide Audio-conference, November 5, 2001

Juneau, November 7, 2001

Participants

Anchorage: 13 public participants including several parents, two East High Bilingual Education teachers, a Governor's Council on Disabilities rep., Anchorage School District Employees, staff to the legislature, and the School Liaison for Fort Richardson.

Bethel: 17 public participants including several parents and grandparents (two parents of dyslexic children), several LKSD employees (administrators, teachers, and a librarian), two members of the local school board, and a member of the state legislature.

Fairbanks: 19 public participants and two members of the press including four students from the Alaska Association of Student Governments representing various communities, a school administrator from Fairbanks, a superintendent from a nearby school district, a military parent, parents of special education students, special education teachers and organization representatives.

Statewide: Nine public participants total including: three school district employees, three superintendents, two students, and one committee aide to a Representative.

Juneau: Two public participants and two members of the press including the Juneau superintendent of schools, and a Juneau school district employee.

Written Comments: Summary of six written comments including one psychologist from Kenai, two parents of a learning disabled child from Sitka, Parents Inc., one State Senator, and one school counselor.

Students passing competency exam in another state

- In Bethel people commented that only graduation qualifying exams from other states should be honored. They thought that if Alaska did decide to honor other states' competency exams there would have to be a committee that would judge if the exams meet Alaska's standards.
- In Fairbanks people also commented that only graduation qualifying exams should be honored. They also commented that only exams that actually indicate a proficiency in reading, writing, and math should be recognized.
- In Anchorage many commented that if a student passes a graduation qualifying exam or a competency test in another state, that test should be honored. Another person thought that there should be an Alaskan standard for which exams from other states should be compared.
- In Anchorage there was a concern for students from other countries/Department of Defense Schools that may pass an O level or A level exam, and whether that would count as passing an exam from another "state."
- In Anchorage people commented that if Alaska waived a student who had passed an exam in another state, the diploma or transcript should note which state's competency exam the student passed.
- Someone from Fairbanks mentioned that if a student had enough time to sit for 2 exam cycles, they should not be allowed to get a waiver whether or not they passed an exam in another state. Someone also commented that if a student can pass an exam in another state, they should also be able to pass the Alaska exam.

- A Fairbanks North Star Borough School District administrator testified that any student transferring from another state with 10th grade standing should be eligible for a waiver if they passed another state's graduation qualifying exam.
- Parents Inc. feels that students who pass another state's competency exam should be eligible for a waiver. There should be a case-by-case judgment of which tests should be accepted, but it may not just be graduation-qualifying exams.
- Statewide participants commented that passing another state's competency exam should suffice for Alaska's graduation requirements (EED should maintain the list of other states exams that would qualify), but one student mentioned that if the student arrives their sophomore year that should be sufficient time for an incoming student to also pass Alaska's exam.
- A school counselor believes that a student who has passed a graduation-qualifying exam from another state should be granted a waiver whether or not they were ever in the Alaska school system before.

Students Arriving Late

- In Bethel some people commented that "late" should be determined by the percent of a student's high school career that the student has been a resident of Alaska. For instance, if a student has been in Alaska for 75% of their high school career, regardless if they were home schooled or are new to the state, they should not be waived from passing the exam as a graduation requirement.
- In Fairbanks someone commented that there should be no distinction between an in-state or out-of-state "late" arrival.
- A Fairbanks North Star Borough School District administrator testified that a student arriving to a public high school in Alaska with 12th grade status should be considered late and eligible for this waiver.
- In Bethel someone classified late as a student who arrived after the final testing opportunity.
- In Anchorage several people commented that if a student arrives in Alaska their sophomore year they should be eligible for a waiver. Someone else clarified that if a student arrived their sophomore year after the first administration of the test (March) they should be eligible for a waiver.
- In Anchorage people thought that if a student transferred from an Alaskan public school to either an Alaskan home school or private school, and then transferred back to the public schools they should not be eligible for a waiver.
- In Anchorage some commented that if a student arrived from another country during high school they should be eligible for a waiver.
- In Anchorage someone commented that local school boards should not be responsible for waivers because of potential conflict of interest. Some thought an Alaska State Appeal Board should decide disagreements, and some commented that the legislature should deal with disagreements.
- A school counselor believes that students who transfer from other states in their junior or senior year should be eligible for a waiver. A committee or board appointed by the Commissioner could decide questions of eligibility.
- A legislative staff member noted that "late" in legislative discussions had centered around the junior or senior year.
- Statewide testimony differed on this issue. One person said 12th graders, another said 11th graders, and still another thought that "late" should not be used as a factor in giving a waiver.
- In Fairbanks the group did not list out potential rare circumstances, but did note that the state should establish a Statewide High School Graduation Qualifying Exam Waiver and Appeals board to deal with these circumstances.

Students with rare and unusual circumstances

- Bethel listed underprivileged children, students with dyslexia, and students without IEP's or 504 plans because their parents have been unwilling to enroll the student in one of these programs (these non-served disabled students were also mentioned in Anchorage). Bethel also had discussion of cultural issues and the urban/rural divide during this piece of the public meeting.
- Anchorage spent time listing: medical conditions, long lasting injuries that have "effect" over time, natural disasters or state disasters, non-IEP disabilities, school closure or disruption in education program, parental support of test failure, student that "ages out" of the system, exchange/international students, rare or unusual culture or language, and improper test administration or something that has disrupted the testing environment. Anchorage also noted that there should be a process to determine rare or unusual since it is not possible to determine these in advance.
- Parents of a learning disabled child think that students with learning disabilities should be granted an alternate examination when the style or substance of the exam could present a false representation of the student's true academic ability.
- Parents Inc. believes that a focus group representing all of Alaska should be put together to determine what rare or unusual circumstances might qualify. Also, the IEP team should have pre-eminence in determining eligibility. There should be a case-by-case process for eligibility.
- A school counselor believes that alternative testing dates should be available for students in case of death of a parent or sibling etc. This comment was also made at the statewide audio conference.
- Two superintendents commented during the statewide audio conference that students not fluent in English should be granted waivers.
- A legislative staff member testified that "rare and unusual" should not apply to any group of students encompassing a broad sweep of circumstances, including students with disabilities. She also testified that the student who receives a waiver under this exemption should have passed the test if the circumstance had not existed—for instance if a student missed the last opportunity to test due to a funeral, their previous scores should have been close to passing.

Appeals

- Fairbanks clearly thought there should be a statewide appeals board and that local appeals would not be appropriate. Someone thought there should be a few legislators on that board, as well as students, EED staff and state board members. Another person wanted everyone on the appeals board to have taken the exams. Appeals should be regarding students not passing the exam, and should not be related to local credit issues.
- In Bethel participants thought that there should be a district level of appeals that is professional and insulated from politics, so that each appeal doesn't have to go to the court system.
- Anchorage participants wanted to highlight that whatever appeals process is established it should be a family friendly process, it should be free, and there should be state assistance for parents and students to navigate the system. Parents who speak another language should be accommodated. Also, the appeals process should be very timely; students should have the results for the next semester.
- A Kenai psychologist thinks a state level panel should establish guidelines and criteria for greater uniformity. But the panel should provide local districts some flexibility in order to address idiosyncratic circumstances.
- Parents Inc. believes the appeal process should be set up to make case-by-case decisions, and that not doing this will cause the state significant legal problems.

- A school counselor believes that there should be a statewide appeal process (other than the courts) and that appeals should not be determined at the local level.
- Consensus among statewide testifiers was that local school boards should NOT serve as appeals boards. The state must handle this issue.

Miscellaneous

- In Bethel someone commented that a student should be able to pass at least one of the exams in order to receive a diploma, effective this year.
- In Fairbanks some people felt that a dual diploma system like the old Regents diploma in New York should be considered.
- One superintendent felt Alaska should consider using the ACT as the graduation-qualifying exam.

STATE OF ALASKA
Department of Education & Early Development
Office of the Commissioner

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February 15, 2002

First year of "thick report"
as required by SB 133.

The Honorable Rick Halford
Senate President
Alaska State Legislature
State Capitol, Room 111
Juneau, Alaska 99801-1182

Dear Senator Halford:

Alaska Statute 14.03.078, requires that the Department of Education & Early Development provide to the legislature by February 15 of each year an annual report regarding the progress of each school and school district toward high academic performance by all students.

The report required under this section must include:

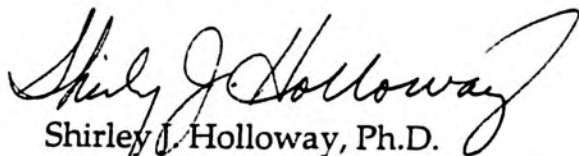
1. information described under AS 14.03.120(d);
2. the number and percentage of students in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination;
3. progress of the department
 - A. toward implementing the school accountability provisions of AS 14.03.123; and
 - B. in assisting high schools to become accredited;
4. a description of the resources provided to each school and school district for coordinated school improvement activities and staff training in each school and school district;
5. each school district's and each school's progress in aligning curriculum with state education performance standards;
6. a description of the efforts by the department to assist a public school that receives a designation of deficient or in crisis;
7. a description of intervention efforts by each school district and school for students who are not meeting state performance standards;
8. the number and percentage of turnover in certificated personnel and superintendents;

The Honorable Rick Halford
February 15, 2002
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9. the number of teachers by district and by school who are teaching outside the teacher's area of endorsement but in areas tested by the high school competency examination.

Please feel free to contact me if we can provide any additional information.

Sincerely,



Shirley J. Holloway, Ph.D.
Commissioner

Cc: Governor Tony Knowles

Response to AS 14.03.078 (1)
Information described under AS 14.03.120

The School Report Card to the Public is currently available on the EED website. Report Card information for each school can be accessed at:
[http://www.eed.state.ak.us/DOE_Rolodex/schools/ReportCard/ReportCardSe
arch1.cfm](http://www.eed.state.ak.us/DOE_Rolodex/schools/ReportCard/ReportCardSe
arch1.cfm)

The Department is currently creating CD versions of the 1999/2000 and 2000/2001 School Report Cards to the Public. CD versions of both reports will be available on March 27, 2002.

Response to AS 14.03.078 (2)

The number and percentage of students in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination

Information is contained in the attached report.

High School Graduation Qualifying Examination
Spring 2001
Grade 10 Results by School

District Name	School Name	READING					WRITING					MATH				
		Num. Tested	Num. Pass	Pct. Pass	Num. Not Pass	Pct. Not Pass	Num. Tested	Num. Pass	Pct. Pass	Num. Not Pass	Pct. Not Pass	Num. Tested	Num. Pass	Pct. Pass	Num. Not Pass	Pct. Not Pass
Alaska Gateway	Alaska Gateway Corresp./Alt.	2	*	*	*	*	2	*	*	*	*	1	*	*	*	*
	Eagle Community School	1	*	*	*	*	2	*	*	*	*	2	*	*	*	*
	Mentasta Lake School	2	*	*	*	*	2	*	*	*	*	2	*	*	*	*
	Tok School	18	10	55.6	8	44.4	19	12	63.2	7	36.8	17	11	64.7	6	35.3
	Walter Northway School	4	*	*	*	*	4	*	*	*	*	4	*	*	*	*
Aleutian Region	Adak School	2	*	*	*	*	2	*	*	*	*	2	*	*	*	*
	Yakov E. Netsvetov School	4	*	*	*	*	4	*	*	*	*	4	*	*	*	*
Aleutians East	King Cove School	10	*	*	*	*	10	*	*	*	*	10	*	*	*	*
Alyeska Central	Alyeska Central School	30	19	63.3	11	36.7	19	13	68.4	6	31.6	39	14	35.9	25	64.1
Anchorage	Anchorage Outreach/Private	2	*	*	*	*	2	*	*	*	*	2	*	*	*	*
	Avail School	4	*	*	*	*	6	*	*	*	*	5	*	*	*	*
	Bartlett High School	441	280	63.5	161	36.5	450	185	41.1	265	58.9	454	165	36.3	289	63.7
	Benson Secondary/S.E.A.R.C.H.	18	5	27.8	13	72.2	18	*	*	*	*	15	*	*	*	*
	Booth Memorial Home	3	*	*	*	*	3	*	*	*	*	3	*	*	*	*
	Chugiak High School	474	358	75.5	116	24.5	551	279	50.6	272	49.4	554	277	50	277	50
	Dimond High School	486	359	73.9	127	26.1	496	253	51	243	49	502	263	52.4	239	47.6
	East High School	442	238	53.8	204	46.2	464	173	37.3	291	62.7	466	183	39.3	283	60.7
	Family Partnership Charter School	21	*	*	*	*	21	13	61.9	8	38.1	21	13	61.9	8	38.1
	Jesse Lee Home	2	*	*	*	*	2	*	*	*	*	2	*	*	*	*
	McLaughlin Youth Center	48	12	25	36	75	48	10	20.8	38	79.2	48	7	14.6	41	85.4
	North Star Hospital	4	*	*	*	*	4	*	*	*	*	4	*	*	*	*
	Polaris K-12 School	32	*	*	*	*	33	22	66.7	11	33.3	33	28	84.8	5	15.2
	S.A.V.E. High School	19	5	26.3	14	73.7	20	*	*	*	*	20	*	*	*	*
	Service High School	581	454	78.1	127	21.9	605	344	56.9	261	43.1	630	371	58.9	259	41.1
	Steller Secondary School	37	*	*	*	*	37	26	70.3	11	29.7	38	29	76.3	9	23.7
	West High School	395	209	52.9	186	47.1	412	174	42.2	238	57.8	415	162	39	253	61
	Whaley Center	14	*	*	*	*	15	*	*	*	*	17	*	*	*	*
Annette Island	Metlakatla High School	24	7	29.2	17	70.8	24	5	20.8	19	79.2	25	*	*	*	*
Bering Strait	Aniguin School	3	*	*	*	*	3	*	*	*	*	2	*	*	*	*
	Anthony A. Andrews School	5	*	*	*	*	4	*	*	*	*	5	*	*	*	*
	Brevig Mission School	2	*	*	*	*	2	*	*	*	*	2	*	*	*	*
	Gambell Schools	1	*	*	*	*	2	*	*	*	*	4	*	*	*	*
	Hogarth Kingeekuk Memorial H.S.	5	*	*	*	*	8	*	*	*	*	6	*	*	*	*

*Results are not published when ten or fewer students are tested at a grade level or three or fewer students are reported in an individual cell.