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STATE OF ALASKA

Legislative Affairs Agency

LEGISLATIVE INTERIM ACTIVITIES

* * *

OTHER INTERIM OR SPECIAL ACTIVITIES
INVOLVING
LEGISLATOR PARTICIPATION

* * *

PERMANENT COMMITTEES, AGENCIES AND OTHER OFFICES

AUGUST

1977

EDUCATIONAL PROGRAM (Financing)

Term: July 1, 1977 - January 9, 1978

Purpose: The committee will study, review and try to determine the justification for continued financing of adult and vocational education programs; evaluate the standard and special educational programs and their accreditation, including bilingual programs.

Committee Address and Telephone Number:

528 West Fifth Street (907) 276-1715
Room 210
Anchorage, Alaska 99501

Committee Chairman: Representative Thelma Buchholdt

Committee Members: Representative Sam Cotten
Senator Chancy Croft

Committee Staff Employees and Telephone Numbers:

Kathryn Ostrosky 528 West Fifth Street
Room 210
Anchorage, Alaska 99501
(907) 276-1715

Legislative Affairs Agency Staff Support:

Richard A. Bradley, Staff Attorney
Alan Latham, Research Analyst



Alaska State Legislature
House

JUNEAU ALASKA

March 25, 1977

Representative Mike Miller,
Chairman
Legislative Council

Dear Mike:

Enclosed is the outline of the project that I would like to work on during the interim. Although there isn't much vocal political discussion over these issues at present, these programs under the Department of Education take up 32% to 35% of the total state budget (the House is proposing the following DOE budget for fiscal year 1978: Operating: \$311,480,300; Capital: \$1,176,500), and because of that, I would like to conduct a quiet assessment and review of these programs to get a better view of their operations and program direction and goals.

I would like to ask you and the members of the Legislative Council to consider this project proposal and the companion budget request at the next meeting. I would appreciate a favorable decision.

Thank you.

Sincerely yours,

Thelma

Thelma Buchholdt
State Representative
Anchorage District 9 (Spenard)

Enclosure.

TO: Hugh Malone, Speaker
Mike Miller, Chairman, Legislative Council

FROM: Thelma Buchholdt

A PROPOSAL - PROGRAM OUTLINE

HOUSE EDUCATION BUDGET COMMITTEE

This committee shall review current programs under the Department of Education for the purpose of improving legislative justification for their continued fiscal support. The following programs will be given additional attention:

1. ADULT EDUCATION AND VOCATIONAL TRAINING

(ABE, Vocational Education, Community Schools, Skill Center)

A review of program plans and accomplishments, projections and funding needs.

2. PROGRAM EVALUATION

(K - 12 Education, Career and Vocational Education, Special Education, Supplemental Programs, Accreditation).

There seems to be some concern among the REAA's on how far local control could be exercised, and at the same time, how much central organization is required to meet federal funding compliance requirements. A definition of function might be in order.

3. FINANCIAL SUPPORT PROGRAMS

(Foundation Program, Regional Resource Centers, Bilingual Fund, etc.)

Review programs with special emphasis on bilingual education in the elementary and secondary schools, and the teaching of English as a Second Language (ESL) in the post secondary level. Also a review of the program of the Alaska Native Language Center of The University of Alaska. Research and development of plan and program to recommend to the legislature for action.

A committee report shall be submitted to the legislature by January 31, 1978.

HOUSE EDUCATION BUDGET COMMITTEE

Budget Request

FY'78

Personal Services

Staff Assistant, part time \$1178/mo. X 6 mos.	7,068	
Secretary, part time \$652/mo. X 6 mos.	<u>3,932</u>	
	11,000	<u>11,000</u>

Travel and Per Diem

Meetings/hearings	4,000	
Field work: rural area	<u>8,000</u>	
	12,000	<u>12,000</u>

Contractual

Program/research consultants	20,000	<u>20,000</u>
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Miscellaneous

Postage, printing, telephone, equipment rental, etc.	3,000	<u>3,000</u>
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TOTAL:		<u>\$46,000</u>
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To: Mrs. Thelma Buchholdt

from: Dermot R. F. Collis, Ph.D.

Legislative Office
Juneau, Ak.

Rural Educational Affairs
University of Alaska
Fairbanks, Ak. 99701

Project: TOWARDS A PAN-ESKIMO WRITTEN LANGUAGE

§ 1. Introduction

The Eskimo language consists of four main branches named after the Eskimo word for man in each branch: Sugpiaq, Alaskan Yupik, St. Lawrence Island Yupik and Inupiaq. Each of these branches is composed of several dialects, Sugpiaq has three but Inupiaq, which spreads as far as Greenland as many as thirty. As can be seen from the appended word list, despite the enormous distances and lack of communication between areas, a general pattern emerges from the speech of all Eskimos. This exists because the language is polysynthetic and makes up compound words from a limited vocabulary of bases and postbases and suffixes. When combined, bases and postbases take on a shortened form that can vary in pronunciation from place to place, because different dialects have different combination rules and drop, insert or change different sounds in composition. Yet the uncombined, deep or underlying form is virtually the same over dialect boundaries. Let us compare the two surface compound words that follow as each is pronounced in its dialect:

South Baffin Island	uqalutaqvik
West Greenland	uqalutarfik

Both have the common underlying structure:

/uqaq/aluk/taq/vik

/speak/long/usual/place/ "place where one usually talks for a long time". This compound is used where we would say "microphone" or "pulpit" in English; the Eskimo language being precise in a different way from European languages.

Up to the present the Eskimo dialects have been described according to their surface manifestation and compound words have been listed in dictionaries with no indication of their elements. No existing Eskimo grammar dwells much on word construction, because this is the part of the language least understood by non-Eskimos who confuse meaning and reference, two things quite distinct in Eskimo. Yet it is the underlying forms and their combinations that make up the common core of all the Eskimo dialects.

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10

Chronology of Events: Title VI Lau Review
Involving Unorganized Borough Schools

1. January 1975: OCR investigation on Lau issues begins in Alaska State-operated school system.
2. March 1976: OCR issues findings of Title VI Lau noncompliance to Alaska Unorganized Borough School District (transitional successor to ASOSS).
3. April 1976: OCR, DOE, and AUBSD officials meet to discuss how to resolve the March findings. Agreement reached that State DOE will take lead responsibility to provide guidance to REAA districts.
4. May 1976: State Board of Education directs DOE to establish minimum guidelines for bilingual education for Alaska school districts.
5. June 1976: OCR and DOE meet to discuss what elements should be addressed in State Lau guidelines plan.
6. June 1976: DOE meets with REAA superintendents to inform them that DOE will be undertaking the lead responsibility to develop State guidelines on Lau/bilingual matters.
7. September 1976: OCR sends letter to DOE explaining why OCR is looking to DOE as agency with lead responsibility for providing compliance plan to resolve the March findings. (Attached.)
8. November 1976: DOE sends in its first Lau compliance plan. OCR meets with DOE and explains OCR written analysis determining the plan unacceptable. (Written OCR analysis attached.)
9. December 1976: DOE sends in a draft revised Lau plan.
10. January 1977: OCR provides oral and written analysis of December draft plan, determining it unacceptable. (Written OCR analysis attached.)

11. February 1977: OCR initiates fund termination proceeding under Section 602 of 1964 Civil Rights Act. Named respondents include all REAA districts and State DOE. (Notice of Opportunity for Hearing attached.)
12. March 1977: DOE submits to OCR its third Lau compliance plan.
13. April 1977: OCR determines the March 1977 DOE plan unacceptable. (OCR analysis attached.) DOE, OCR, and Alaska Legal Services agree on new scenario for development of State minimum guidelines "handbook".
14. June 1977: Acceptable "handbook" negotiated, and submitted and explained to REAA staff.
15. July 1977: Process of public input initiated. Title VI enforcement hearing postponed to October 31, 1977. (Stipulation postponing hearing attached.)

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BACKGROUND INFORMATION**CHRONOLOGY OF EVENTS RELATING TO THE CURRENT NEGOTIATIONS BETWEEN THE ALASKAN SCHOOL DISTRICTS AND ALASKA DEPARTMENT OF EDUCATION, AND THE FEDERAL OFFICE FOR CIVIL RIGHTS**

1964: Title VI, Civil Rights Act enacted on federal level

1965: Bilingual Education Act, enacted on federal level

1972: Alaska state legislature passed law calling for the establishment of bilingual education programs in those schools of the State-Operated-Schools-System with 15 or more students of limited English-speaking ability.

1974: The U.S. Supreme Court ruled in *Lau v. Nichols* that schools must provide equal educational opportunity for those students whose primary language is other than English.

January, 1975: The U.S. Department of Health, Education and Welfare Office for Civil Rights (OCR) sent forms to three school systems in Alaska: Alaska State-Operated-Schools System, Anchorage School District and North Star Borough School district (Fairbanks). The three districts were selected at random by OCR.

The forms were to determine whether there were any compliance problems with the Civil Rights Act of 1964 in any of the districts; more specifically, the forms required the districts to show how many students covered by the *Lau* decision were being served in each district and how those students were being served.

Spring, 1975: Alaska State-Operated-Schools submitted data to (OCR).

June, 1975: Alaska Senate Bill 35, decentralizing the Alaska-State-Operated-School System, was signed into law. The ASOSS was abolished and in its place was created a one-year interim school district known as the Alaska Unorganized Borough School District (AUBSD). The district was to function only until July 1, 1976, when the new districts were to take over.

The legislation also changed the state's bilingual education law, calling for bilingual-bicultural education programs in those schools with eight or more students of limited English-speaking ability.

August, 1975: OCR-Region X, in Seattle, requested additional information regarding data submitted

by ASOSS on the form. At this point, however, ASOSS was no longer existing and had been replaced by a new governing body, a new administration and the new organization known as AUBSD. That administration submitted information about the transition being caused by Alaska Senate Bill 35 and, in particular, about the interim function of AUBSD.

Summer, 1975: The OCR convened a national task force to specify remedies to eliminate educational practices ruled unlawful under the Lau decision. The result was a set of minimum guidelines labeled the "Lau remedies."

January, 1976: AUBSD was notified by OCR-Region X that it had been found in "presumptive noncompliance" with Title VI of the Civil Rights Act of 1964. More specifically, according to OCR, ASOSS/AUBSD had failed to serve its students who had language problems. The finding by OCR was based on an analysis of the data submitted by the now defunct organization ASOSS.

February, 1976: AUBSD submitted arguments to OCR-Region X that it did not have the authority, resources, personnel, funding or time left, given its six remaining months of existence, to answer the changes as outlined in the finding of presumptive noncompliance.

March, 1976: AUBSD was notified that it had been found in noncompliance with Title VI of the Civil Rights Act of 1964; that it must take action to remedy the earlier-stated problems – more specifically, it must assess students, develop educational plans, obtain approval from OCR of plans and impose plans upon the new districts taking over on July 1. OCR stated that failure to comply would result in a withdrawal of federal funds from AUBSD and the new districts.

April, 1976: At the request of AUBSD, representatives from AUBSD, the Alaska Department of Education (DOE), University of Alaska and OCR met in Juneau. DOE agreed to assume a leadership role in resolving the issue, if that action met with the approval of the State Board of Education.

May, 1976: The State Board of Education approved a resolution stating that DOE would enter into negotiations with OCR in behalf of all school districts in the states, in the matters pertaining to compliance with Title VI of the Civil Rights Act of 1964. In particular, the board directed the department to:

- (1) identify and assess the primary or home language of the state's students;
- (2) develop minimal guidelines for use by all school districts;
- (3) prepare a time schedule of events for the assessment, development and implementation of a plan

July, 1976: AUBSD was ended and 21 new school districts formed in its place, each guided by a locally elected district school board.

September, 1976: OCR notified DOE that it would have to submit a comprehensive educational plan detailing (1) assessment of students; (2) programs to remedy needs of children with linguistic problems; (3) staffing; (4) funding resources. In effect, the plan on which DOE was working shifted from being a set of guidelines for bilingual education programs to being a compliance document.

November, 1976: DOE submitted its first plan to OCR. It was rejected by OCR. With its rejection of the first plan, OCR also put into action the mechanism for deferring federal funds and notified the 21 districts of that action.

December, 1976: DOE's second plan was submitted to OCR.

January, 1977: OCR found the second plan unacceptable.

February, 1977: OCR notified the districts that a deferral on application for federal funds was being placed on them.

March, 1977: DOE submitted another plan to OCR.

The General Counsel of the U.S. Department of Health, Education and Welfare notified the districts of the official deferral of federal funds, under Title VI of the Civil Rights Act.

The deferral of federal funds led to the initiation of a federal administrative hearing process. The process began with a prehearing conference on March 22. It was attended by attorneys for the districts still involved in litigation, the DOE attorney and legal representatives for OCR.

April, 1977: DOE was notified that its third plan was unacceptable.

DOE requested the assistance of the Center for Equal Opportunity in Education to develop the next version of the plan. Negotiations between DOE, the Center and OCR resulted in the

development of the handbook entitled "A Handbook for Bilingual-Bicultural Education Programs in Alaska."

The administrative hearing was rescheduled for July 20, 1977.

June, 1977: OCR and DOE reached agreement on a plan for compliance. The plan contains three parts: 1) the handbook, to be adopted by the State Board of Education as regulation and used by the state's 51 school districts in resolving noncompliance issues; 2) the DOE management plan spelling out how the handbook will be implemented; 3) a memorandum of agreement between DOE and OCR on the handbook and the management portion of the process. All three parts of the plan have to be ratified by the State Board of Education.

June 27, 1977: The State Board of Education directed the Department to ask for public input on the plan by promulgating a regulation calling for the adoption of the handbook as state regulation. The Board also directed the Department to go ahead with language assessment activities and a cost analysis of full implementation of the plan.

The Board also requested from OCR a postponement of the administrative hearing then scheduled for July 20, asking that the hearing be postponed until no earlier than October 31.

OCR also made public that the Anchorage school district has been found in noncompliance with the Lau remedies. At stake are approximately \$3.5 million in federal funds.

Also, in June, 1977, the OCR found the North Star Borough School District (Fairbanks) in noncompliance with the Lau remedies. At stake are some \$400,000 in federal funds.

The administrative hearing is now set for October 31, 1977. Public hearings on the handbook began August 24 and continue through October 5. Content of the memorandum of agreement and the management plan is being negotiated, with presentation of both documents scheduled for an October meeting of the state board of education. At the same meeting the results of the public testimony on the compliance handbook will also be presented.

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MEMORANDUM

September 23, 1977

SUBJECT: Status of Agreement between Department of
Education and Office of Civil Rights, DHEW
Lau v. Nichols. (Work Order No. 4302)

TO: ~~Thelma Buchholdt~~ Thelma Buchholdt
Chairman, Educational Programs Committee

FROM: Richard A. Bradley
Legislative Counsel

The status of the agreement between the Department of Education (DOE) and the Office of Civil Rights, DHEW (OCR) could be briefly described: It is still in negotiation. However, because of the complexity of the situation, that brief statement of the status is perhaps more confusing than it is enlightening. Accordingly, this memorandum will provide an analysis of (1) the legal environment, (2) the negotiations that resulted, and (3) the present status of the agreement.

I. The Legal Environment.

In 1964, Congress adopted the Civil Rights Act of 1964. One provision of that Act bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving federal financial assistance." Sec. 601 of the Civil Rights Act of 1964, 42 USC §2000(d).

Implementing that law, the USSEDepartment of Health, Education and Welfare in 1968 established a guideline that

school systems are responsible for assuring that students of a particular race, color, or national origin are not denied the opportunity to obtain the education generally obtained by other students in the system." 33 CFR §4955.

These guidelines were made more specific by DHEW in 1970 when it required school districts receiving federal funds "to rectify the language deficiency in order to open" the instruction to students who had "linguistic deficiencies."

Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by the school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students. 35 Fed. Reg. 11595.

See also the DHEW regulations issued to implement §601 of the 1964 Act at 45 CFR Part 80.

The first case to reach the U. S. Supreme Court which interpreted these regulations and guidelines is the now famous Lau v. Nichols, 414 US 563 (1974). This case arose out of San Francisco. A report by the San Francisco Human Rights Commission indicated the presence in the San Francisco School System of some 3,457 Chinese students who spoke little or no English. While a substantial portion of these students were enrolled in special instruction classes, some 1,300 of the students were receiving instruction exclusively in English and the school district had taken no significant steps to deal with this language deficiency.

The case reached the Court with the plaintiffs urging two separate grounds for a decision in their favor:

- (1) The Equal Protection Clause of the Fourteenth Amendment.
- (2) Section 601 of the Civil Rights Act of 1964.

The District Court had denied relief. The Court of Appeals affirmed, holding that there were violations neither of equal protection nor of §601.

The Supreme Court did not "reach" the equal protection argument, using its classic approach of deciding cases on non-constitutional grounds where possible. The Court said, in an opinion by Justice Douglas:

[S]ection [601] bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving federal financial assistance." The school district involved in this litigation receives large amounts of federal financial assistance.

HEW, which has authority to promulgate regulations prohibiting discrimination in federally assisted school systems, 42 USC §2000(d), in 1968 issued one guideline that "school systems are responsible for assuring that students of a particular race, color, or national origin are not denied the opportunity to obtain the education generally obtained by other students in the system. 33 CFR §4655. In 1970 HEW made the guidelines more specific requiring school districts that were federally funded "to rectify the language deficiency in order to open the instruction to students who had linguistic deficiencies."

The Court continued:

Respondent school district contractually agreed to "comply with Title VI of the Civil Rights Act of 1964.... and all requirements imposed by or pursuant to the Regulations" of HEW (45 CFR Pt. 30) which are "issued pursuant to that title...." and also immediately to "take any measures necessary to effectuate this agreement." The Federal Government has power to fix the terms on which its money allotments to the States shall be disbursed. Oklahoma v. Civil Service Commission, 330 U.S. 127, 142-143. Whatever may be the limits of that power,....they have not been reached here.

The concurring opinion of Justice Stewart notes that the language of §601 appears to require an affirmative or intentional act causing the inadequacy in services; if that were so, then he agrees that the San Francisco situation would not be covered. But, he notes, the OCR guidelines "clearly indicate that affirmative efforts to give special training for non-English speaking pupils are required by Title VI [Sec. 601] as a condition to receipt of federal aid to public schools..." 35 Fed. Reg. 11595.

While three separate opinions were filed in Lau, all supported reversal of the lower court opinions; the court was, therefore, at least as to the result, unanimous.

Although it is not directly apropos to the question you asked my comments on, note that AS 14.30.400 - 410 also mandates bilingual-bicultural education in each school district or REAA attended by at least eight pupils of "limited English speaking ability...whose primary language is other than English." AS 14.30.400.

As noted, Lau does not rely on the equal protection arguments. The Court did not reach them. The Court has simply ruled that if Federal money is accepted, then Federal terms, perhaps unilaterally imposed, are similarly "accepted".

The Supreme Court's failure to "reach" the equal protection arguments should not be taken, in my judgment, as an indication that the questions the arguments present would, if reached, not be resolved favorably to the plaintiffs. As the Supreme Court of Alaska said in Hootch v. ASSOS, 536 P.2d 793, 808-809 (1975):

Our disposition of this appeal, in this manner [without reaching the equal protection arguments] is by no means intended to disparage the weighty nature of the claims presented. * * * We shall not...hesitate to intervene if a violation of the constitutional rights to equal treatment under either the Alaska or the United States Constitutions is established. [Bracketed material added.]

Accordingly, while the States and their districts in their response to OCR have the technical option of rejecting all federal funds for education and thus escaping Lau remedies, it is not clear that the problem can thus be avoided. It is much more likely that the implementation of Lau remedies under §601 is a legislative and regulatory formulation of a presently existing constitutional mandate.

I note that in prepared testimony before the Department of Education on the Handbook for Bilingual-Bicultural Programs, the executive director of the State Human Rights Commission stated that "We were prepared to proceed with enforcement under State law (AS 13.80.255) if OCR failed to follow through." A copy of that testimony is enclosed.

II. The Resulting Negotiations.

Lau v. Nichols could not have been decided at a more awkward time for the Department of Education. By the time DHEW/OCR initiated its implementation of Lau, the Alaska State Operated School System [ASOSS] was on its way out of existence, to be replaced with the Alaska Unorganized Borough School District [AUBSD]; the latter lasted only one year and was itself replaced by the 21 Regional Education Attendance Areas [REAA].

The dates of those organizational changes should be noted: ASOSS went out of business on June 30, 1975. ASOSS, in its new status as AUBSD, was in existence for one year from July 1, 1975 through June 30, 1976. Sec. 38, Ch. 124, SLA 1975. About June 30, 1976, the responsibility for rural education passed to the REAAs.

Just a few months before ASOSS went out of business, on January 17, 1975, OCR asked it, as well as the Anchorage and Fairbanks School districts for "Lau compliance information". A letter was also sent, at that time, to Commissioner Lind.

The letter to Lind noted that guidelines issued by OCR had been approved by the U.S. Supreme Court in Lau. The letter also noted that all school districts receiving federal funds had agreed to comply with Title VI of the Civil Rights Act of 1964 and with the requirements of the regulations HEW had adopted under Title VI.

The letter continued that on May 25, 1970 OCR had asked all districts receiving federal funds to examine their procedures regarding students whose home or primary languages are not English and to advise OCR of its plans to remedy the situation. The form letter noted that few districts responded.

The letter also noted that a response to a survey conducted by OCR indicated that

"a number of school districts in your state have substantial numbers of pupils whose primary or home language is other than English. The same [survey] reveals that no more than 10 percent of these students receive any form of instruction in a language other than English.

The letter continued that because the lack of response from Alaska to earlier requests, OCR was seeking the assistance of the Department of Education to obtain the required information. A response within 45 days was requested.

Specific forms were required for the response; if the state department had the information in a different format, OCR agreed to consider its appropriateness as a response.

By early May, 1975, OCR acknowledged receipt of ASOSS's report and requested supplementary information.

In a letter to ASOSS (then in reality AUBSD) on August 12, 1975, OCR acknowledged that the ASOSS report lacked certain information. The letter detailed unsuccessful efforts to reach ASOSS personnel to obtain the information. Deadlines for compliance during May and June were established and passed without a response. As of the date of the letter on August 12, 1975, OCR had "yet to receive the compliance report."

Representative Thelma Buchholdt
September 23, 1977
Page 6

A response within 10 days was requested; ASOSS was advised that failure to provide it would constitute a violation of the 1964 Civil Rights Act and may lead to an enforcement action by OCR.

ASSOS provided responses to the specific questions on the report. While one-third of the students ASOSS identified as having a home or primary language other than English were individually interviewed and appraised by ASOSS personnel, the remaining two-thirds were not so assessed and their linguistic abilities were "estimated" by ASOSS. The response was accordingly not individualized.

On January 23, 1976 OCR responded to AUBSD. OCR determined, based on the AUBSD response to Lau compliance requirements, that the

"District is in presumptive noncompliance with Title VI of the Civil Rights Act of 1964; the accompanying regulation, 45 Code of Federal Regulations Part 80, specifically Sections 80.3(b)(2) and 80.6(b); and the United States Supreme Court decision in Lau v. Nichols.

The letter then discussed the details of the requirements for the information sought under the Lau Compliance Reports. One of the requirements of the report, according to OCR, is individual student language assessments by bilingual personnel; the OCR determination apparently being that unless personnel making the assessment are themselves bilingual, the assessment will not truly reflect the student's skills on a required five point spectrum [A - Monolingual in the home/primary language; B - Speak mostly the home language and some English; C - Speak the home language and English equally; D - Speak mostly English and some of the home language; and E - Speak only English. "Village English" was eventually added as F.]

"Without a proper diagnosis of linguistic skills/deficits there can be no effective prescriptive educational program designed to assist students who have English language deficiencies. * * * Without a proper pre-program assessment of the students' language skills (in both languages) a student may easily be placed in an inappropriate program or may receive no program. For example, the fact that a student exhibits some facility in English does not mean he/she is capable of succeeding with subject matter instruction in English.

Based on the finding of presumptive noncompliance with Title VI of presumptive noncompliance with Title VI and Lau, OCR directed AUBSD to submit within 30 days whatever facts or arguments it believed useful to dispel or rebut the finding

of presumptive noncompliance. OCR promised a review and then a determination on AUBSD's compliance status.

The District responded February 17, 1976. It noted that the dissolution of ASOSS presented problems for it because different personnel prepared the ASOSS report and the present AUBSD personnel cannot justify its figures. It offered a new estimate of children affected, based on a study done for "OE" (apparently the U.S. Office of Education.)

OCR also had stated that AUBSD/ASSO failed accurately and adequately to identify primary or home language or to assess the degree of linguistic function or ability.

AUBSD agreed. It reported several attempts to obtain the information but "neither the resources nor the expertise necessary have been available to do the job." It related "remoteness, climate, transportation and communication problems." It related the existence of "seven major languages and over fifty dialects," some of which "have not been reduced to writing." It noted that eighty of the district's [AUBSD] schools had one or two teachers; that teacher turnover had exceeded 30 percent annually; that only 47 natives had graduated from teacher training programs since 1970 and that only 13 of these had "some" command of a native language, and only 11 are in classrooms where the languages are useful.

AUBSD invited an early determination by OCR on final noncompliance so that plans can be made to respond. AUBSD noted that 21 new districts would be established in the next 60 days, with the districts assuming full responsibilities in their areas in four months.

On March 26, 1976 OCR found AUBSD in noncompliance:

- (1) AUBSD failed to identify and assess the primary or home language of the District's students.
- (2) District records demonstrate the failure of current bilingual-bicultural programs provided by the District adequately and effectively to address the linguistic needs of students whose primary or home language is other than English.

The letter then directed AUBSD to submit an educational plan which will indicate that all language groups "where 20 or more students" with a primary or home language other than English will be treated in a manner consistent with Lau remedies.

OCR stated it was not requiring completion of the items in the plan within the 30-day period but rather only that the plan address the identified problems.

At about these times, from September, 1976 on, OCR refused to deal with the individual REAA's as principals, which by then had come into existence and assumed their responsibilities. Rather, it determined to hold DOE responsible for the development and submission to OCR of a comprehensive education plan for compliance with Lau remedies. See the letter from the Regional Director of OCR to Commissioner Lind of September 14, 1976. Copy enclosed for OCR's reasons for this determination.

In January, 1977 OCR indicated it would initiate an administrative procedure within the Department of Health, Education, and Welfare. In February of 1977, OCR offered to allow REAA school districts to prove that they did not have Lau children, that is, that they did not have twenty children in an individual school who required education in a native Alaskan language. Under this option, three REAA's in Southeastern Alaska as well as the Adak and Whittier-Tatitlek District (Chugach) were dropped from the administrative proceeding.

The hearing in the administrative proceeding was initially set for June, 1977; presently it is scheduled for October 31, 1977.

In May, 1977, the State Board of Education proposed to adopt as a regulation the minimum guidelines proposed in "A Handbook for Bilingual Bicultural Education Programs in Alaska." The "Handbook" is described as a result of negotiations between DOE and OCR, with assistance from the Alaska Native Foundation. (I have not included a copy of the Handbook since I assume you have access to one in Anchorage.)

The question of adoption of the Handbook as a regulation will be before the State Board of Education when it meets in mid-October. Eleven REAA superintendents are said to have asked SBOE not to adopt it as a regulation.

One difficulty between DOE and OCR exists as to the implications of the Handbook. The Handbook addresses the "components of a bilingual education program (Ch. 6); community involvement (Ch. 7); language assessment (Ch. 8); instructional programs (Ch. 9); materials development (Ch. 10); instructional personnel, recruitment and training (Ch. 11); program management (Ch. 12); and evaluation design (Ch. 13). At the present time, DOE is proposing that the Handbook be viewed

as a minimum guideline but it also is willing to consider substitutions in programs so long as the essentials are achieved. See "Use of This Handbook", page 23 - 24. DOE is maintaining this proposal because of opposition from REAAs; as noted earlier, eleven superintendents of REAAs had asked SBOE not to adopt the regulation which adopts the Handbook by reference.

OCR maintains, on the other hand, that if the Handbook is to be acceptable under the Lau remedies, no substantial variations in the Handbook are possible except under Ch. 9 [Instructional Programs] and OCR has asked DOE to change its regulation to make this explicit. OCR does not suggest that any change would create problems, only that it is acceptable and effective as presently constituted.

III. Present Status of the Agreement.

At the present time, the State Board of Education has a meeting set for mid-October on the Handbook. The administrative hearing is set over until October 31st and may be set over further or possibly cancelled if OCR and the state parties reach agreement on the handbook and its implementation.

OCR has agreed to seek avoidance of any forfeiture of funds otherwise due from DHEW because of the delays arising out of compliance with Lau guidelines.

Resolution of the OCR-DOE difficulties is premised on adoption by SBOE of the Handbook and its implementing regulation of the October meeting in a format acceptable to OCR. Failing that event, OCR apparently intends to return to the administrative proceeding.

Assuming that the Handbook in its final form is acceptable to OCR, DOE has also largely agreed to make proposals regarding foundation funding of bilingual education in each school district in Alaska to the next session of the legislature.

Other more detailed aspects of the agreement are suggested in the document entitled "Further Stipulations". (Copy enclosed) The ~~open~~ enclosed represents the latest thinking of OCR and Doe on the subject.

Similarly, DOE submitted a Management Plan to OCR on July 5, 1977. DOE considered the document submitted a construct of what OCR wished. Before OCR commented on it, DOE submitted

Representative Thelma Buchholdt
September 23, 1977
Page 10

a revision of the plan. As of the date of this memorandum, OCR has not commented on either Management Plan. (Copies of both are enclosed))

Jim Miles advised me that he has asked personnel within OCR to come to Alaska soon to complete appraisal of the submission and its approval by OCR.

One other document is of significance in these matters: the memorandum of agreement. The document represents the final settlement of the case. Because certain issues may remain technically open, it seems that there is no document which can be described as the Memorandum of Agreement, and no such document is enclosed.

Accordingly, it appears that settlement of the case may be close depending on the action of the State Board of Education during October. However, regardless of its action, it appears that the number of REAAs affected is diminishing:

Five REAAs are presently in compliance and excluded from further participation in the hearing:

Annette, Chatham, Chugach, Adak, Southeast Islands.

Three more are expected to sign a consent decree dropping out of the case:

Delta/Greely, Iditarod, and Yukon Flats.

I understand that the Bering Straits Board has recently endorsed the Handbook and may logically therefore be in a position to withdraw from the proceedings.

For the remaining regional school districts, the focus of the action appears to be with the State Board of Education at its October meeting.

RAB:jpd/hjd

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QUESTIONS AND ANSWERS ON "A HANDBOOK FOR BILINGUAL/BICULTURAL
EDUCATION PROGRAMS IN ALASKA"

Alaska Legal Services has been acting as the lawyer for people in different villages who want to have bilingual/bicultural programs in their schools. In representing people in the villages, we helped to bring about the handbook, and we believe the handbook should be adopted by the Department of Education. In order to answer some of the questions that people have been asking about the handbook, we have prepared this information sheet.

WHO WROTE THE HANDBOOK?

The first draft of the handbook was written by a group of people working under a grant through the Alaska Native Foundation. Much of the writing for the first draft was done by Gary Holthaus, who has been involved in bilingual education issues in Alaska for many years and who helped write the state's first bilingual education law. He worked with a group of educators, including officials of some of the REAAs. After the first draft was written, there were many meetings to make changes in it, attended by people from the Department of Education, the Office for Civil Rights, the Alaska Native Foundation, and Alaska Legal Services. The handbook that has now been published by the Department of Education was agreed to by people from all of these groups as the best plan for bilingual/bicultural education in the state.

WHAT DOES THE HANDBOOK SAY ABOUT LOCAL CONTROL?

Local control is a very important part of the handbook. The handbook makes sure that people in each community are given a chance to take part in developing the bilingual/bicultural program in that community. For example, the local bilingual committee (which can be either the Community School Committee or another elected body) has a role in recruiting and recommending staff for the bilingual program, reviewing all materials, and helping to plan the program. The handbook requires that each district give the entire community, and especially the local bilingual committee, time and information to review and discuss the bilingual/bicultural program. The handbook also provides for local control in another sense. Each school district has a lot to say about the bilingual/bicultural programs that will be offered. For example, Chapter IX of the Handbook describes three "instructional models" that a district may want to use in providing programs. But the handbook goes on to say that any district may, with the approval of the Department of Education and working with the local community, use other instructional programs different from those described in the handbook. (See page 60.) Thus, in the end it is up to each district to decide what kind of programs to use, so long as these programs guarantee equal educational opportunities.

WHAT IS IN THE HANDBOOK?

The handbook is 217 pages long and contains a lot of ideas and information. It describes the needs of Native children for bilingual/bicultural programs, what the law says about language programs, and ideas for starting these programs. If the handbook is adopted by the State Board of Education as a regulation, some of the things in it would be required of each district. These requirements are summarized on pages 39 and 40, and are spelled out in "Compliance Checklists" that begin on pages 46, 55, 75, 90, and 109.

WHAT WOULD THE HANDBOOK REQUIRE?

The handbook requires each school district in the state to have a language program for children who aren't getting an equal education because they speak a language other than English or because a language barrier gets in the way of their learning in school. The handbook says each program must have:

1. Community involvement. People in each community must be given a chance to take part in planning the program, putting together materials, hiring staff, and seeing whether the program works.
2. Language assessment. This means the district must find out which children need a language program and what is the best way to teach each child. The handbook provides a series of tests and checklists to make sure that every child who has a right to a language program is given one.
3. Instruction. The handbook sets out three "models" which a district may use, but also says that a district may try any other kind of program, if approved by the Department, which promises to give children equal educational opportunity. Since people in the community must be involved in planning the program, no community will be forced to have a program it doesn't want.
4. Materials development. The handbook makes sure that each program has enough materials, and also requires that local people, teachers, and linguists be given the chance to work together to develop materials that are good for children.
5. Staff. The handbook requires hiring of bilingual staff recommended by people in the community. It also requires that when bilingual teachers from the community are teaching more than one regular class period per day, they must be paid wages that are on a scale with other teachers. The district must have training programs, and must help bilingual staff from the community to continue their professional education and get a regular teaching certificate.
6. Effective management. The handbook has some ideas for seeing that programs are run well.
7. Evaluation. The handbook suggests several ways of finding out how the program is working, so that changes can be made if necessary.

WHO WILL PAY FOR ALL OF THIS?

The state. One part of an agreement that the Department of Education has been working on with the Office of Civil Rights is that the Department will go to the legislature to ask that the state pay the entire cost of programs under the handbook through the Public School Foundation Program. This means that the entire cost of the bilingual/ bicultural programs in the handbook would be paid each year by the state and no money for these programs would have to come out of other things that the district is doing. The Federal government is insisting that the state promise to do this so that children who need language programs have a guarantee that there will be enough money. Many people in Alaska who have been working for years to get bilingual programs have been saying that this way of funding would be best.

WAS THIS HANDBOOK FORCED ON THE STATE BY THE FEDERAL GOVERNMENT?

No. It was written by Alaskans, and follows what many Alaskans have been saying for years is needed if the state really wants to have good bilingual/bicultural programs in the schools. The handbook probably would not have come about, or at least come about so fast, without prodding by one Federal agency, the Office for Civil Rights (OCR). OCR has been trying to enforce a Federal law which says that the state and local districts, including the REAAs, cannot discriminate, and that if they do, Federal funds to them must be cut off. OCR's enforcement made the writing of the handbook a very urgent matter. If the handbook is now adopted by the state, Federal funds will not be cut off, because OCR agrees that the handbook will make sure that there is no discrimination.

WHY DOES ALASKA LEGAL SERVICES SUPPORT THE HANDBOOK?

We support the handbook because we represent people in the villages who have asked us to help them get bilingual/bicultural programs. The handbook will do that for them. It will also make sure that people in the villages have a say about the kinds of programs their children get, and put an end to lower salaries for bilingual teachers in the villages. Finally, the handbook, together with promises the Department has made on funding, will make sure that there is enough money to provide good programs with good materials, under true local control. We think our clients in the villages are entitled to that.

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10/22/77

4 AAC 34.010
4 AAC 34.030

REGULATIONS FOR BILINGUAL/BICULTURAL
EDUCATION IN ALASKA

4 AAC 34.010 is amended to read as follows:

4 AAC 34.010 PURPOSE. The purpose of this chapter is to encourage and assist school districts, in cooperation with local communities, to meet the special needs of children of limited English speaking ability. The department believes that providing equal educational opportunity to these children through the establishment of bilingual/bicultural programs of education will provide more effective use of both English and the student's language, foster more successful secondary and higher education careers, facilitate the obtaining of employment, tend to bring about an end to the depreciation of local culture elements and values by the schools, stimulate better communication between the community and the schools in solving educational problems, effect a positive student self image, allow genuine options for all students in choosing a way of life, and facilitate more harmonious relationships between the student's culture and the mainstream of society. (Eff. 12/29/76, Register 60; am / / , Register)

Authority: AS 14.07.060
AS 14.30.410

4 AAC 34.030 is amended to read:

4 AAC 34.030 GRANT APPLICATION. The commissioner may award grants to school districts upon applications submitted by their governing bodies. A district's application must contain the following:

- (1) an assessment of the bilingual/bicultural education needs of students in the district conducted in accordance with the provisions of sec. 50 of this chapter;
- (2) an education program which meets the requirements of secs. 55 through 80 of this chapter and which assures that:
 - (A) the governing body has a statement of philosophy consistent with the bilingual/bicultural education philosophy expressed in sec. 10 of this chapter;

(B) there are comprehensive program objectives in measurable terms for each component of a program;

(C) to the extent possible, all programs offered by the district and all sources of funds available for bilingual/bicultural education will be coordinated;

(D) there is a budget consistent with program specifications and requirements. (Eff. 12/29/76, Register 60; am / / , Register)

Authority: AS 14.07.060
AS 14.30.410

4 AAC 34 is amended by adding new sections to read:

4 AAC 34.050 IDENTIFICATION AND ASSESSMENT OF LANGUAGE DOMINANCE.

(a) Before December 1, 1977, each school district shall carry out an identification and assessment of language dominance for the purpose of categorizing each student in the district in one of the following:

Category	Definition
A	students who speak a language other than English exclusively;
B	students who speak mostly a language other than English, but also speak some English;
C	students who speak a language other than English and English with equal ease;
D	students who speak mostly English but also speak a language other than English;
E	students who speak English exclusively but whose manner of speaking reflects the grammatical structure of another language;
F	students who speak English exclusively but do not fit category E.

(b) Following the initial assessment made under (a) of this section, districts shall identify and assess all students new to the district within thirty days of their enrollment in school.

(c) The identification and assessment process under (a) and (b) of this section shall consist of the following:

(1) informing parents through workshops, public meetings or public announcements of the purpose and importance of both the assessment procedure and the development of bilingual/bicultural programs and of the necessity for complete and accurate data on the parent questionnaire, and how to complete the questionnaire which they will be asked to complete.

(2) selecting, orienting and training qualified persons to administer the assessment instruments and evaluate the results;

(3) providing a parent questionnaire, reviewed and accepted by the department, to the parents or guardians of each student and assuring that the questionnaire is completed and returned. If the results of the parent questionnaire clearly indicate a category F student, and if the student's teacher or teachers agree that the child is not in categories A through E, the district may identify that student as being in category F and need not carry out the remaining steps of the assessment process as to that student;

(4) using a language observation questionnaire, reviewed and accepted by the department, and conducted by a person who is bilingual in the student's home or primary language which is other than English, for all students not initially identified as being category F. Based on the results of this instrument and the parent questionnaire, a student shall be tentatively identified as being in one of the six categories set out in (a) of this section;

(5) administering a language assessment instrument, which has been reviewed and accepted by the department, to all students tentatively identified under (4) of this subsection as being in categories A through D. Following administration of this instrument, the student shall be identified as being in that category which reflects the least degree of English facility as established by the three assessment instruments;

(6) reviewing the results of the parent questionnaire and language observation questionnaire for those students tentatively identified under (4) of this subsection as being in categories E and F and modifying those results as necessary with systematic or prior observation by the staff of the students' school and identifying those students as being in either category E or F.

(d) Each district shall submit to the department, no later than December 1, 1977 for the initial assessment required under (a) of this section and by November 1 of each subsequent year, a compilation and analysis of its assessment data.

4 AAC 34.055 ANNUAL PLAN OF SERVICE. (a) Each district with a school attended by eight or more category A through D students who speak the same language other than English or 8 or more category E students, and for whom an educational program is required under (e) of this section shall file with the department, by March 15 of each school year, a plan of educational service which complies with the provisions of secs. 60 through 80 of this chapter.

(b) The plan of service required under (a) of this section must contain the following:

- (1) a parent community involvement component;
- (2) a curriculum/instructional component;
- (3) a materials development component;
- (4) a staff development component;
- (5) a description of the district's process for implementing and coordinating the plan of service;
- (6) an evaluation component.

(c) A district may request variances from the bilingual/bicultural education program requirements set out in secs. 60 through 80 of this chapter. The commissioner may grant a requested variance upon a showing by the district of program feasibility and that the proposal promises to provide equal educational opportunity.

(d) Upon filing of a plan of service, the department will review it and either approve it or return it for necessary modifications within 60 days of its receipt. Upon approval by the department the district shall implement its plan.

(e) Appropriate programs must be provided to the following students:

(1) all students in categories A and B;

(2) those students in categories C, D and E whose overall achievement is at or below:

(A) minus one standard deviation on a normed test; or

(B) one year below grade level as measured by the district's ongoing student achievement testing program.

(f) A district may, at its option, provide programs to students who are not included in (e) or this section.

(g) A district may meet the educational needs of category E students described in (e) (2) of this section through non-bilingual programs of instruction which it provides generally to its underachieving students. However, the plan of service required by this section must identify and describe those programs.

(h) Districts may comply with the requirements of secs. 60 through 80 of this chapter by a phased-in process designed to accomplish full implementation of those requirements by the end of the 1978-1979 school year. The phase-in must at least meet the following time frames:

(1) initiation of appropriate community involvement activities under sec. 60 of this chapter by the end of the first semester of the 1977-1978 school year:

(2) significant progress toward establishing appropriate curricula under sec. 65 of this chapter, with particular emphasis on providing programs to students in categories A and B, identifying instructional materials necessary under sec. 70 of this chapter, and recruitment and training of instructional staff under sec. 75 of this chapter by the close of the 1977-78 school year; and

(3) submission of the district's initial plan of service under this section by March 15, 1978.

4 AAC 34.060 PARENT AND COMMUNITY INVOLVEMENT. (a) Districts shall provide for the direct involvement of the parents of bilingual/bicultural students and other members of the community in the initial development and subsequent evaluation and improvement of the program, including providing sufficient information and allowing adequate time for the parents to review and discuss all aspects of the program with responsible district personnel.

(b) Districts shall conduct an informational program for parents of students and other members of the community in each language group for which a program is or will be conducted. This program includes notices in appropriate media and languages as well as community meetings.

4 AAC 34.065 CURRICULUM/INSTRUCTIONAL PROGRAM. (a) Unless a variance has been approved by the commissioner under sec. 55(b) of this chapter, the curriculum of the district must include, for each category of student for whom a program must be provided under (e) of sec. 55 of this chapter, one or more of the following options:

(1) Category A and B students at the primary and intermediate level:

(A) a bilingual/bicultural curriculum;

(B) a transitional bilingual/bicultural curriculum;

(2) Category A and B students at the secondary level:

(A) a bilingual/bicultural curriculum;

(B) a transitional bilingual/bicultural curriculum;

(C) a high intensity language training curriculum;

(3) category C and D students at all levels:

(A) a bilingual/bicultural curriculum;

(B) an English as a second language curriculum;

(C) a supplemental English skill and concept development curriculum;

(D) a language-other-than-English as a second language curriculum;

(4) category E students at all levels:

- (A) an English as a second language curriculum;
- (B) a supplemental English skill and concept development curriculum;
- (C) a language-other-than-English as a second language curriculum.

(b) The district plan must also provide a process for re-evaluating the needs of each student in the program on an on-going basis with reassignment to another curriculum or individualizing of instruction occurring as necessary to assure appropriate educational services.

(c) At the request of a student's parent or guardian and if the requested alternative program is reasonably available, the district shall place the student in its regular program for non-bilingual students or in a level of the bilingual program with less non-English emphasis than that called for by the student's assessment category.

(d) For bilingual/bicultural students, in schools with fewer than eight students in one or more of the categories A through E, for whom a program must be provided under (e) of sec. 55 of this chapter, districts shall either provide those students with a curriculum as set out in (a) of this section or it shall individually meet the needs of each of those students by means of one-to-one tutoring and assistance.

(e) As used in this section:

(1) A "bilingual/bicultural curriculum" means a program of instruction which makes use of a student's language other than English and cultural factors and maintains and develops the student's skills in that language and culture. Additionally, it introduces, develops and maintains all the necessary English skills for the student to function successfully in English. The language other than English instruction may vary from being in the language arts of the language other than English to being in all discipline areas, with the appropriate combination of language other than English and English instruction determined by the district in conjunction with the parents of its bilingual students.

(2) A "transitional bilingual/bicultural curriculum" means a program of instruction which makes use of a student's language other than English and cultural factors in instruction

only until the student is ready to participate effectively in the English language curriculum of the regular school program. Once this occurs, further instruction in the language other than English is discontinued. Until the student is ready to participate effectively in the English language curriculum of the regular school program, instruction in the language arts of the language other than English is provided, and English is taught as a second language.

(3) An "English as a second language curriculum" means a program of instruction which teaches English as a second language, has culturally relevant material in its curriculum, and provides instruction in other subject matter in English.

(4) A "high intensity language training curriculum" means a program of instruction which gives a student intensive instruction in English until that student is ready to participate effectively in the English language curriculum of the regular school program, with the student working exclusively on acquisition of English language skills. Following acquisition of those skills, the student is phased into the same curriculum as that provided to the district's non-bilingual students.

(5) A "supplemental English skill and concept development curriculum" means a program of instruction in which the instructional content and methods address the language interference needs of students by appropriately supplementing the curriculum provided to the district's non-bilingual students.

(6) A language-other-than-English as a second language curriculum means a program of instruction which teaches the student's language other than English as a second language. At the primary level emphasis is on oral language skill development. At the intermediate and secondary levels, language literacy instruction would begin after oral skills are learned. Instruction in other subject matter is conducted in English. At all levels, a special effort is made to maximally incorporate the student's non-English culture into the curriculum. (Eff.

/ / , Register)

4 AAC 34.070 MATERIALS. (a) A district shall provide adequate instructional materials to support and achieve the goals of the instructional programs selected under sec. 65 of this chapter.

(b) If adequate materials are not available, the district shall establish an action plan for developing or otherwise securing needed materials. The district plan should involve classroom teachers, individuals who are native to the language other than English and culture for which the materials are to be developed and linguists in the development and review of materials so as to assure that the materials are educationally and linguistically sound and that they are an accurate reflection of the appropriate language and culture.

4 AAC 34.075 INSTRUCTIONAL STAFF. (a) Districts shall insure that the skills of their instructional staff are commensurate with the type of programs selected.

(b) If regularly certificated (Type A) teachers who are appropriately bilingual cannot be obtained, bilingual instructors may be used to implement the program. However, if bilingual instructors are used:

(1) the district shall implement an action plan to train or otherwise secure certificated (Type A) teachers who are bilingual in the other-than-English languages for which the district offers its program; and

(2) the district shall assure that the salaries of its bilingual instructors are commensurate with the level of responsibilities and duties performed by them, and with their training and experience.

(c) Nothing in (b) of this section limits a district's authority to require, as a condition of continued employment, that a bilingual instructor enter into a formal program of training which leads to a Type A certificate.

(d) Each district shall develop a staff training plan for all bilingual program instructional personnel, both permanent and temporary, which includes, but is not necessarily limited to, the following:

- (1) objectives which are directly related to the needs of the students;
- (2) methods by which those objectives can be reached;

- (3) methods for selecting teachers, paraprofessionals, and potential teachers for training;
- (4) the names of individuals who will conduct training;
- (5) the location of the training;
- (6) content of the training, including as one element linguistic/cultural familiarity with the students background;
- (7) a design for evaluating the training; and
- (8) a proposed time frame for carrying out the training plan.

(e) As part of the plan of service required under sec. 55 of this chapter, each district shall set out specific recruitment and selection processes for its bilingual program staff and shall establish, through cooperative agreements with institutions of higher education, and make available a career ladder for its bilingual paraprofessionals which lead to regular (Type A) certification.

(f) The student to staff ratio for the district's bilingual program may not be higher than the overall student to staff ratio for the district. (Eff. / / , Register)

Authority: AS 14.07.060
AS 14.30.410

4 AAC 34.080 EVALUATION. Each district shall establish a procedure for evaluating annually the components of its program as set out in its annual plan of service. This procedure shall include, but not necessarily be limited to, collecting information concerning the progress of students enrolled in the program. (Eff. / / , Register)

Authority: AS 14.07.060
AS 14.30.410

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AN ANALYSIS OF THE REGULATIONS FOR
BILINGUAL/BICULTURAL EDUCATION IN ALASKA
(ADOPTED BY THE STATE BOARD OF EDUCATION 10/22/77)

What follows is a somewhat cursory analysis of the new state bilingual/bicultural regulations in terms of policy. These regulations are an improvement over past state bilingual regulations but remain remarkably deficient in two major respects. (1) The new state Bilingual Regulations fail to ensure a sufficiently high level of services to students, and (2) the regulations fail to provide any form of local control over the programs they will foster. These two major failings should be apparent in the following overview.

4 AAC 34.030 GRANT APPLICATION.

This section provides for funding of programs instituted under the new regulations by means of a competitive grant application process. This is a continuation of the present form of state funding for bilingual education under A.S. 14.30.410 by which school districts are forced to scramble for a very limited amount of money dispensed through discretionary grants from the Commissioner of Education. The effect of this procedure is to set bilingual education apart from other elements of the curriculum which are regularly funded through the state foundation formula. See A.S. 14.17.041.

Until bilingual education is on the same funding basis as other regular portions of the curriculum, it will remain particularly vulnerable to political forces and continue to be dependent upon "soft" money leaving districts to compete for too little funds with no assurance of continued funding. Additionally, districts are going to have to foot the bill for start-up costs for new programs generated by the recent regulations, which means that additional money will have to be provided, at least at the outset, for materials and curriculum development, teacher training, etc.

4 AAC 34.050 IDENTIFICATION AND ASSESSMENT OF LANGUAGE DOMINANCE.

Under this section the state for the first time requires school districts to determine the language characteristics of their students. Such a procedure is long overdue, but the scheme established by the regulations is not without its problems.

First of all, subsection (c)(2) requires the selecting, orientating and training of "qualified" persons to administer the assessment, but does not specify what those qualifications should be. It is critical that in at least some phases of the assessment people who speak the language of the children being assessed are involved, but the regulations make no such requirement.

Additionally, the mere sending out of a parent questionnaire envisioned under 4 AAC 34.050(c)(3) is a process designed to fail. There is no provision under the regulations for translating the questionnaires, where necessary, or for assuring that the questionnaire and its purpose are understood. Consider that many of the parents who will be asked to fill out this questionnaire

were themselves disciplined for speaking their native language when they were in school. One cannot endorse the accuracy of such a process without greater assurances, such as having a trained bilingual person conduct a home interview. Such assurances are absent from the new regulations.

Further examination of 4 AAC 34.050(c)(3) indicates that one of the child's monolingual English teachers may simply look at a returned questionnaire and conclude that a child is a monolingual English speaker [Category F, see 4 AAC 34.050(a)] and therefore not entitled to any services under the regulations. Such a process is particularly troublesome in light of fairly common accounts of teachers who have spent years in bush communities without having become aware of the presence of a spoken native language. In short, the assessment process fails to ensure that a child will be found eligible to receive the services to which he/she is entitled.

LEVEL OF SERVICES.

Of equal concern is the level of services provided once the assessment is completed.

(1) A & B Students.*

Students found to be in categories A and B respectively, are monolingual speakers of a language other than English or predominantly speakers of a language other than English. See 4 AAC 34.050. Such students will not be capable of understanding instructional material presented in English. Yet, under these regulations a school district can meet its obligation to these

* These categories and those following are defined in 4 AAC 34.050(a).

students and purport to be giving them a bilingual education by merely providing 15 minutes of instruction per day in their native language arts and presenting the rest of the material in English. See 4 AAC 34.065 (a)(1)(A) and 34.065(e)(1). Furthermore, these students may have to lose another two years of schooling before even that ineffective measure is taken.

4 AAC 34.055(h).

(2) C, D, and E Students.

Another problem with respect to services is that category C, D, and E students are only assured of a program if they are underachieving as defined in 4 AAC 34.055(e)(2)(A)&(B). That is unfair to the student to whom school presents a language barrier but who manages to achieve at grade level by virtue of being extremely bright. Relying upon the notion of underachievement as a factor in determining eligibility for services ignores entirely the idea of helping that student to achieve at his/her potential.

In this manner the regulations fall far short of ensuring equal educational opportunity.

There are additional problems with the definition of "underachievement" provided in 4 AAC 34.055(e)(2)(A)(B), because it uses the term "one standard deviation," a measurement which varies depending upon which grade level one is looking at. Additionally, those subsections suggest that a district can use "a" normed test or the district's student achievement testing program. The use of national or state norms in this context is not quite so much of a problem, but the subsection would allow

a district to use district-wide norms, which in some instances would be significantly lower than national norms and would serve to exclude far more students from services.

The State Board of Education has done well to call for the identification of those "students who speak English exclusively but whose manner of speaking reflects the grammatical structure of another language." 4 AAC 34.050(a). This linguistic phenomenon, sometimes referred to as "village" or "nonstandard" English, merits the attention of educators in order to identify what the children are saying and to determine the points at which one language interferes with another. The object is not to obliterate such language patterns but to provide children with the ability to switch to standard English when they would find it useful to do so. Some linguists suggest that the way to do this is to teach the native language as a second language so that the child becomes conscious of the differences between his/her native language and English.

Unfortunately, while the State Board of Education has recognized the need for identifying such students, it falls down entirely when it comes to suggesting what should be done. Under these regulations it would be sufficient for a district to treat such students as it treats its other "underachieving" students. See 4 AAC 34.055(g). In other words, a district can fulfill its responsibility to students demonstrating residual language effects by merely bumping such students into its special education program.

Another alternative secured to such students is an English as a second language program. 4 AAC 34.065(a)(4)(A). It is difficult to imagine what value such a curriculum would have for students who are, by definition, monolingual English speakers.

(3) The Absence of Provision for Bilingual Education.

In short, it is distressing to see regulations which do so little in the way of ensuring services needed or desired. There would be some measure of help if the regulations eliminated the notion of underachievement as a condition of eligibility for category C, D, and E children and, further, if the nature of the services provided were more clearly directed toward the linguistic needs of the children. Such problems are not solved by the assurance found in 4 AAC 34.055(f) that a district has the option to provide bilingual/bicultural education to students not otherwise entitled under these regulations. Such an assurance fails to provide children with an entitlement and begs the question as to what, if any, funding districts can expect for such "optional" services.

The regulations are careful to provide to a students' parents the right to opt that student out of a bilingual program. 4 AAC 34.065(c). Significantly, no such parallel right to opt a student into a program is secured.

The regulations are also very quick to endorse alternatives to bilingual/bicultural curricula, such as transitional bilingual/bicultural programs and high intensity [English] language training programs. See 4 AAC 34.065(a). Such provisions are not consistent with the state-wide demand for bilingual/bicultural

education evidenced in the public hearings on this subject. A transitional program, for instance, allows the services to be cut off entirely at the point that the student is ready to participate effectively in the English language curriculum. Such alternatives which provide less than an integrated bilingual/bicultural education show little deference on the part of the Board of Education to the numerous viable cultures present in Alaska.

In this manner a district is free to provide substantially less than a bilingual/bicultural program to its students. Yet the regulations demonstrate even greater accommodation of administrators---as opposed to students---by allowing them to obtain variances if they perceive the regulatory requirements to be overly burdensome. 4 AAC 34.055(c). The question begged is what could conceivably be left for a student if a district sought to further water down the already diluted program requirements set forth in these regulations.

PARENT AND COMMUNITY INVOLVEMENT.

One of the major failings of the regulations is their lack of a provision for a meaningful level of parent and community involvement. In virtually every facet of its bilingual/bicultural program a district is free to ignore the desires of the people in the local communities. Not even a hint of local control is provided in the areas of development and selection of an instructional program, 4 AAC 34.065, selection of instructional staff, 4 AAC 34.075, and evaluation of the programs, 4 AAC 34.080. Particularly lamentable is the absence of local community involvement in the area of materials development. See 4 AAC 34.070. Older members

of the local communities are one of the most valuable resources in the development of bilingual/bicultural materials. Absent the involvement of people from the local communities, who is left to determine whether the materials developed accurately reflect the local culture?

Basically, the regulations give lip service to the idea of local control. A superintendent can satisfy the "Parent and Community Involvement" section, 4 AAC 34.060, by merely sending a letter and requiring that a community meeting be held. There is nothing to suggest that a district must respond to any of the desires expressed by a community.

4 AAC 34.075 INSTRUCTIONAL STAFF.

Another area of disservice to local communities is the absence of a provision ensuring equal pay for equal work. In schools comprised of A and B students, instruction, to be effective, must of necessity take place primarily in the native language. Yet bilingual teachers who alone on the staff can communicate with the students and who carry full teaching responsibilities are permitted to be categorized as "bilingual aides" and to be paid at a level substantially less than type A certified teachers, merely by virtue of the fact that they lack a degree and a certificate. Subsection (b)(2) highlights the problem, but fails to require a solution. The Department of Education's earlier proposed regulation specified that teachers not holding a type A certificate, but having responsibility for planning, initiating and delivering an instructional program for more than one regular class period per day must be certified through a

Letter of Authorization under 4 AAC 12.070(b). This provision deserved to be retained.

CONCLUSION.

Viewing these regulations in light of the public hearing process which, purportedly, led to their adoption by the State Board of Education is distressing. Public comment was unequivocal that people desire both bilingual/bicultural education and local control over such programs. Ironically, the recently adopted regulations fail to secure either objective.

Questions concerning this analysis should be addressed

to:

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SCOMM

#19.8

#5

PUBLIC COMMENT CONCERNING PROPOSED REGULATION

4 AAC 34.010-.080 UNDER CHAPTER 34,
BILINGUAL BICULTURAL EDUCATION

INTRODUCTION

- I. Hearing-by-hearing recommendations
- II. Summary of revisions needed
- III. Appendices: Hearing schedule,
list of participants

Revised draft of regulations attached

October 6, 1977
Alaska Department of Education

INTRODUCTION

The purpose of this report is to synthesize public comment concerning proposed regulation 4 AAC 34.010-080 under Chapter 34, entitled Bilingual-Bicultural Education, in such manner as to assist the Alaska State Board of Education in making a decision on whether to adopt, modify, or reject the proposed regulation.

The regulation in question, more specifically, the "Minimum Guidelines" has been highly controversial for two reasons: 1) the regulation is a result of negotiations between the U.S. Office for Civil Rights-Region X and the Alaska Department of Education; and 2) the "guidelines" do not address non-indigenous language groups. In order to present as clear and objective a picture as possible, under these circumstances, the report has been organized into three sections.

The first section deals with major recommendations and concerns brought forth in each of the eleven public hearings. Section two includes a summary of areas needing revisions, cross-referenced to public testimony. Section three, the appendices, includes the schedule of public hearings, opening statements, and lists of participants. Also enclosed with this report is a new draft of revised regulations designed to meet both public concerns and federal and state guidelines.

It is important to note here that the proposed regulation was announced throughout the State. Several informational meetings were held in addition to the public hearings to discuss the regulation prior to the public hearings. It is clear from the response that there are varying views on what the general public expects the proposed regulation to do.

The eleven public hearings were attended by a cross section of concerned parents, bilingual education advocates, bilingual educators, school board members, administrators, elementary and secondary teachers, Alaska Native leaders, interested groups, organizations, and other observers.

It is clear from the testimony received that some people considered the process used in developing the proposed regulation, i.e., negotiations between the U.S. Office for Civil Rights and the Alaska Department of Education more important than the regulation itself while others felt it necessary to draw attention to definitional type issues, such as "Bilingual-Bicultural Education" or "Preservation of Language and Culture."

What follows is a composite narrative which collects the issues in broad subject areas and presents them as if they had been made in one continuous discussion.

BILINGUAL-BICULTURAL EDUCATION

The term "Bilingual-Bicultural Education" has not been adequately defined for general use by the public. Some view the term as an educational goal, others see it as a focus to the total educational offering; while others treat the term as an emotion-raising slogan. Some questioned the effectiveness of the bilingual-bicultural education approach to educating youngsters and have pointed out the lack of evidence that this approach to education is a positive one. The term "bilingual-bicultural education" as used by practitioners simply means the use of two languages and two cultures in instruction.

BILINGUAL EDUCATION

A number of participants in the public hearings pointed out that the "Handbook" emphasizes bilingual education more than it does bicultural education; and that the two could not be distinctly separated. The term "bilingual education" generally used by educators in the field means the use of two languages as a method of instruction.

BICULTURAL EDUCATION

Many participants pointed out the lack of emphasis on "bicultural" education in the "Handbook." Others raised the issue of all students needing multicultural education, not simply those enrolled in bilingual programs.

PRESERVATION OF LANGUAGE AND CULTURE

An overwhelming majority of the testimony offered from rural Alaska underscored the need to "preserve the language and culture." A number of persons testifying stated that their school districts are doing just that without regulations by the State Department of Education.

LOCAL CONTROL OF EDUCATION

This issue was raised not only by Regional Educational Attendance Area (REAA) school board members and administrators but by independent school board members and administrators as well along with some representatives of interested organizations. Although testimony varied, with some feeling that the regulations strengthened local control through local advisory committees, the majority stated that the regulation, as proposed, would usurp local control of educational programs.

FUNDING

Stable and reliable funding for bilingual-bicultural programs is a major concern throughout the state. The concensus is that such funding needs to come under the state foundation formula.

STATEWIDE APPLICABILITY

Witnesses repeatedly raised the issue of regulations needing to possess statewide applicability and appropriateness.

EQUAL EDUCATIONAL OPPORTUNITY/NON COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Testimony raised the issue that adoption of the regulations would possibly contribute to student segregation. In particular, the employment of teachers with little training to teach students appeared to witnesses to be a way of increasing inequitable educational opportunity. Districts also stated that the Office for Civil Rights had yet to demonstrate that they were in non-compliance with Title VI of the Civil Rights Act of 1964.

OTHER ISSUES

Other issues were raised, including the role and training of paraprofessionals, parental options about student participation, community and parental involvement in educational decision-making, federal encroachment in education, and regulatory format and flexibility. Comment on these issues was extensive and is covered in the hearing-by-hearing recommendations.

SCOMM

#19:9

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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

NORTHWEST ARCTIC SCHOOL DISTRICT,)
ALASKA GATEWAY SCHOOL DISTRICT, KUSPUK)
SCHOOL DISTRICT, LAKE AND PENINSULA)
SCHOOL DISTRICT, SOUTHWEST SCHOOL)
DISTRICT, ALEUTIAN REGION SCHOOL)
DISTRICT, COPPER RIVER SCHOOL DISTRICT,)
and DR. MARSHALL L. LIND, Commissioner)
of Education for the State of Alaska,)
Plaintiffs,)

v.)

JOSEPH A. CALIFANO, individually and)
as secretary of Health, Education and)
Welfare; DAVID L. TATEL, individually)
and as Director of the Office for)
Civil Rights; MARLINA KINER, individ-)
ually and as Regional Commissioner,)
Region X, Office for Civil Rights;)
LLOYD HENDERSON, individually and as)
Director of Elementary and Secondary)
Education Division, Office for Civil)
Rights; and JAMES L. MAST, individu-)
ally and as Administrative Law Judge,)
Bureau of Hearings and Appeals, Social)
Security Administration,)

Defendants.)

Civil No. A-77-216

MEMORANDUM OF POINTS)
AND AUTHORITIES IN)
SUPPORT OF)
APPLICATION FOR)
TEMPORARY RESTRAINING)
ORDER OR IN THE)
ALTERNATIVE FOR)
PRELIMINARY INJUNCTION)

SCOMM

#19:10


#7
PRESS RELEASE

Attached is a telegram of July 26, 1976 detailing some of our concerns about the very important issue of bilingual-bicultural education presently of issue throughout the State. The telegram was transmitted to Senators Stevens and Gravel, and to the Directors of the Office of Civil Rights in Washington, D.C. and Seattle.

AVCP Statement
page 2

The following was telegraphed July 26, 1977 by the Association of Village Council Presidents to Senators Gravel and Stevens, and to the Directors of The Office for Civil Rights in Washington, D.C. and Seattle:


I am contacting you on behalf of the Association of Village Council Presidents, the tribal unit representing the 56 villages of the Lower Kuskokwim and Yukon River. The Yukon Kuskokwim delta is an area in which there is a crying need for extensive and aggressive bilingual-bicultured educational programs. Presently, and in the past, there have been no serious efforts in this region, indeed statewide, to deliver viable bilingual education, yet the primary educational problems of our children all are directly related to the failure of the schools to adequately address their linguistic and cultural backgrounds. We therefore fully support the negotiated compliance plan known as "A Handbook for Alaska Native Language Programs" as the first step in a serious educational effort to address student's Linguistic needs. The present HEW Office of Civil Rights enforcement proceeding should therefore be encouraged to continue to enforce rights to equal educational opportunities for Native children. This enforcement process must not be embroiled in Washington politics. While some administrators are opposing the Handbook, people in our villages and those knowledgeable in the field of bilingual education are supporting the negotiated plan. A copy of an article appearing in the "The Tundra Drums" July 16, 1977, which does an excellent job of stating the importance of this issue will be forwarded for your information. As the Handbook was written and negotiated by Alaskan educators intimately familiar with the linguistic needs of our children, and was not imposed by "Outside" agencies, we trust that you will give it your full support. ¹¹



Carl Jack
Association of Village Council
President

The following was telegraphed July 26, 1977 by the Association of Village Council Presidents to Senators Gravel and Stevens, and to the Directors of The Office for Civil Rights in Washington, D.C. and Seattle:

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Carl Jack
Association of Village Council
President

SCOMM

#19:11

McGrath, Alaska
October 13, 1977

#8
Katherine T. Hurley
Chairman
State Board of Education

Dear Mrs. Hurley

The State Advisory Council on Bilingual/Bicultural Ed. met in Anchorage on October 4-6 and passed the inclosed resolution in support of the Handbook for Bilingual/Bicultural Education.

I understand that the State Department of Education has now come up with alternate regulations which they are negotiating with OCR. I am concerned that this will lead us into the courts and result in further delay and an additional outlay of time and money which could be better spent in serving students.

From what is happening around the state I get the impression that OCR is being portrayed as the "bad guy" attempting to force the handbook on the state, when the handbook was prepared by State directive to meet the Lau guidelines. I think we must admit that students have not been and are not being provided an equal education around the State because of unmet language needs. OCR is doing us a service by forcing us to pay attention to these needs.

As one who worked on the handbook I will admit it does not contain all the answers but it is a start and does provide some sample program models which meet the guidelines. It does provide that each District will draw up its own plan of service which could deviate from the handbook. Perhaps this option should be strengthened.

The Iditarod area School District (of which I am chairman) and several other rural Bistricts have signed an agreement with OCR which brings us in to compliance and lifts the deferrals but it is contingent upon action by the State on the Handbook and the adoption of additional funding by the Legislature or we are once more in non compliance.

If the Advisory Council can assist in resolving this issue please notify us as we were established to assist the State Board of Education and the DOE by acting in an advisory capacity on Bilingual/Bicultural policy.

cc Judy Franklet

Sincerely,

Raymond L. Collins
Raymond L. Collins
Chairman
State Advisory Council on
Bilingual/Bicultural ED.

Motion passed at OCT 4-6 meeting of B/B Advisory Council

The Alaska State Advisory Council for Bilingual/Bicultural Education recommends to the State Board of Education that the "Handbook for Bilingual/Bicultural Education Programs in Alaska" be adopted as minimal guidelines for Bilingual/Bicultural Education in Alaska with the following amendments:

1. Local native elders and/or other ethnic resource people will be used as consultants in the development of appropriate materials for classroom use. Such consultants shall be compensated at an appropriate consultant rate. (this recommendation to be inserted at the appropriate place on page 82).
2. Note that the term Bilingual Education Committee can sometimes be misleading when talking about category E students and Districts may consider another term more appropriate for their situation such as:
Language Arts Committee
Bilingual/Bicultural Committee
Cultural Arts Committee
Multicultural Committee
3. Recommend that the sentence "The local bilingual committee shall also be trained to understand the opportunities, the issues, and the options available to them as they determine what kind of educational programs will best meet their students' needs." found on page 43 be inserted after the sentence "--- Your District must provide training about the powers and duties of the local committee, this handbook, and the plan of services to be developed by the district." found on page 42.

and further that the DOE make clear to districts that the handbook is only a minimum and the districts are encouraged to develop plans of service which go beyond the guidelines in response to the diverse community needs and desires.

Submitted by

Raymond L. Collins

Raymond L. Collins

Chairman

State Advisory Council for

Bilingual Bicultural Education

SCOMM

#19:12

Passed May 6, 1977

RESOLUTION

WHEREAS, the State Board of Education is committed to provide quality education to all Alaskan children, including all minorities, and

WHEREAS, the State Board of Education has supported all efforts to guarantee local control, including the recent establishment of the REAA's that is ushering in a new era of education in rural Alaska, and

WHEREAS, Alaska is one of the few states that has state regulations to promote bilingual and bicultural education, and

WHEREAS, in spite of the above, has been involved in administrative proceedings by the Regional Office of Civil Rights charging the 21 Districts with non-compliance with Title VI of the Federal Civil Rights Act, for which they are threatening to withhold Federal funds, and

WHEREAS, in accordance with the Consent Decree relating to the settlement of the Molly Hootch case, additional regulations are being required that would place increased paperwork on local school systems,

BE IT HEREBY RESOLVED, that the State Board of Education instructs the Commissioner and the Department of Education, to hold the line against those from the Federal Government who would take over Alaska's educational system through undue harassment, even if it means risking the loss of federal funds in certain cases, and

BE IT FURTHER RESOLVED, that the Department resist all efforts to increase paperwork in the local districts and thereby strengthen the trust the state places in local leadership and decision-making.

SCOMM

#19:13

10
CROSS-CULTURAL EDUCATION DEVELOPMENT PROGRAM

X-CED is -- A program operated jointly by the Alaska Dept. of Education and the University of Alaska, School of Education, Fairbanks, under Contract.

- Governed by a Consortium Board established under the State Board of Education, composed of representatives of rural regions, students, postsecondary institutions, the State Education Agency, Teachers' Association, Administrators' Association, Native organizations.
- Funded by USOE Teacher Corps and State General Funds, and direct grants to U of A/X-CED from the Office of Bilingual Education and Office of Environmental Education.
- A staff and teaching faculty in education, based in Anchorage, Fairbanks, Shishmaref, Bethel, Dillingham, Tanana, and Ft. Yukon.

X-CED Provides -- Academic programs leading to the B.Ed. and Master of Arts in Teaching, cross-cultural in its focus, interdisciplinary in their nature. They lead to elementary and secondary certification.

- Specialties in Cross-Cultural Elementary, Rural School Secondary, Bilingual Education, Human Resource Development (non-certificating).
- Delivery of these programs to students and inservice teachers on site, in the field in 25 villages served by the five Field Centers.

X-CED Students -- Are primarily Native, but not exclusively. It is intended for persons who wish to teach in, and administer, schools with high concentration of children culturally different from the larger society, and from low-income families.

- Number nominally 80 full-time undergraduates, 15 teachers taking one or more courses, 4 full-time graduate students, and 6 full-time graduate students/assistants.
- Who have graduated or are seniors in 1977-78 number 54 Natives and 19 Caucasians. (32 N, 17C to date).
- Are persons who, for reasons of economics, family situation, community ties, and culture cannot, or would not, leave their homes to attend campus programs for four years or more.

- X-CED Costs -- Were high on a per student basis because federal grants provided for direct financial assistance (stipends) at \$6,500/year plus dependent allowance at \$60/month/dependent to 60 students.
- Have diminished as stipends have ended (except for four graduates) and program efficiency has increased.
 - Are roughly equal to cost per student on campus at Fairbanks (FY 76: \$4,660; FY 77: \$5,226). There are no buildings, bonds, or debt retirement involved.
 - Predominantly covered by Federal Categorical grants (95.7 % in FY 77 and 88.3% projects in FY 78).
 - Increasing overall only as a result of uncontrolled increases in salaries set by the legislature and university, air fares, and cost of communication, i.e., inflation.

Schools Need -- Teachers who speak the same language as the students.

- Teachers who are knowledgeable of, and sensitive to, the cultural and physical environment of the places in which they teach.
- Teachers whose teaching styles match the learning styles of the children.
- Educators who can eliminate, rather than exacerbate, the existing cultural discontinuity between schools and communities where such exists (Native villages, ghettos, low income neighborhoods).
- Educators who can create small rural high schools which meet the needs of the youth and communities and which assure that the State is in compliance with laws relating to equal educational opportunity.
- A means for orienting newcomers to rural schools, communities, and cultures.

X-CED Needs -- Closer association with research and other teaching units of the University.

- A continuing source of general funding in addition to the categorical federal grants which are intended to serve purposes of development and demonstration, but which have been used by the State for operation.

- Support for the education of persons who will become teacher trainers in the university faculties of education.
- Serious adoption by the University of Alaska of the Academic Development Plan of 1975, specifically pps. 107-112 pursuant to Teacher Education.

* * * * *

A. SOCIAL DEFINITIONS

CULTURE is defined as the totality of socially transmitted behavior patterns characteristic of a people; a style of social and artistic expression, mode of learning, perspectives, and view of the world held in common by a society or class.

CROSS-CULTURAL is used here as denoting the interrelationships and interactions between individuals and groups of different cultures.

CROSS-CULTURAL EDUCATION denotes the teaching and learning process, both formal and informal, between and among individuals and groups whose cultures differ in one or more respects from one another; this is transcendent of geographical locale, i.e., the principles pertain to urban and rural alike

B. DISCUSSION OF ISSUES

1. In spite of recent shifts in the structure of power, and in spite of the fact that public education accrues to it more money and more scrutiny than any other national enterprise short of war, education for Native children in rural Alaska and minority children in most schools has not improved substantially during the past decade. There is no new wave of Native young people filling jobs or entering our universities who are demonstrating skills or knowledge or other results of formal schooling different from those of a decade or two ago. While new laws are passed, new systems created, new funds appropriated, new regulations adopted, and new schools constructed, the State and many rural districts are forced by threat of litigation and cessation of federal funding to agree to make good, belatedly, the fundamental principle that children have a right to be taught in the language they speak. Since this principle is now a law of the land, it is not a great extension of the spirit of the law to adopt policies which say that children also have a right to be educated in a manner and in a direction consistent with the goals, aspirations, and within the value systems of their own cultures, regardless of how different they may be from those of the mainstream of society. It is, in fact, this spirit which has caused enactment of state laws and adoption of state regulations which speak to education for a pluralistic society. Yet the results have been systemic and political in nature, not educational. Further, the majority of the improvements in the educational processes for Native and other minority children have come about as a result of two things: (1) federal categorical grant programs and (2) the chance that some school administrators and some teachers have been sufficiently sensitive to the problems that they are willing to assume responsibility for real improvement.

It has repeatedly been made clear that, beyond the laws and regulations, the key factors in improvement of education are the quality and qualifications of the school staffs, and the materials and environment with which they and the children have to work. Yet there remains a general lack of action outside of some communities themselves and among a few individuals, for who teaches, where teachers come from, how were they selected, how they have been

BRU Cross-Cultural Education Development Program (X-CED) BRU CODE 05-12-2-25-00-00 REVISED

2 ANALYTIC STATEMENT

prepared to deal with culturally different children and settings, where they have been trained, what their university curriculum was like, what the motives were for coming to teach in Alaska, how long they may stay, what their basic humanistic attitudes are, their adaptiveness and awareness, how many positions could be filled with Native and other State residents were they available, and the cost in educational and financial terms of the constant rotation and flow through the rural school systems of 'temporary' teachers.

Attempts to remedy the situation through in-state undergraduate teacher education programs and providing newcomers and inservice teachers with needed orientation and special training have been spasmodic and poorly funded, subject to neglect and low prioritization by the administrations of the State's universities, the State administrations, and the legislatures, while both common sense and law call for equal educational opportunities for all children and youth. The achievement of this lies almost singularly with the competence, quality, and nature of public school educators as a whole. And while teachers from out of state continue to come, access of rural people to careers as teachers and administrators has been limited by the absence of in-state, field-based programs of sufficient scope and magnitude.

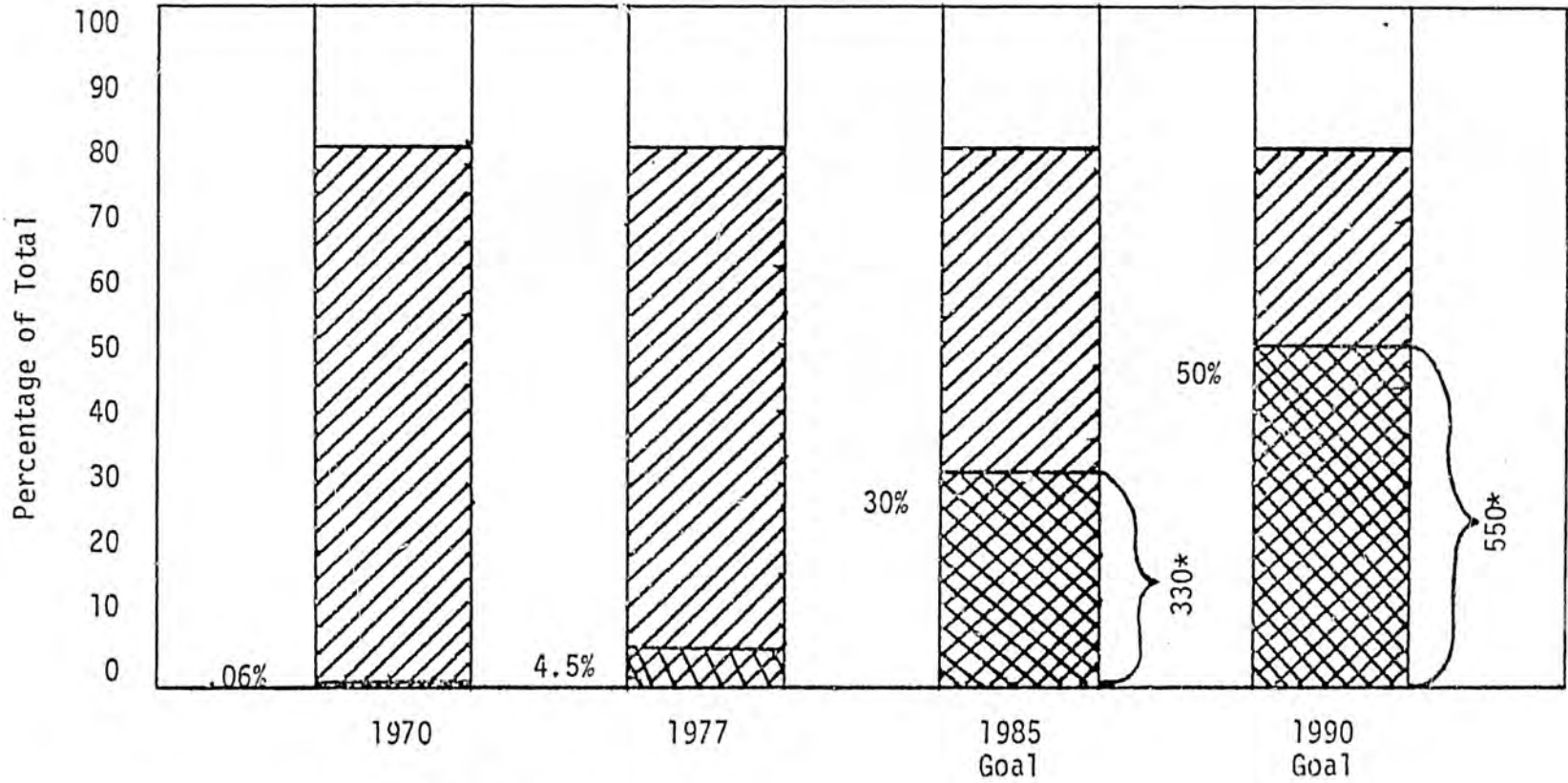
2. Among federal legislation related to Civil Rights (Civil Rights Act of 1964, Amended) and Equal Employment Opportunities, is the requirement that school districts file Affirmative Action Plans. Within such plans, the current percentage of minority students enrolled in the schools of the district and the concurrent percentage of minority teachers and administration in the schools are to be shown. If the ethnic and racial composition of the enrolled student body is not reflected in similar percentages in the professional staff, the plan for remedy is to be presented. In Alaska, approximately 80% of the students in REAA and other rural districts is Native while about 4% of the teachers are Native. The problem is the acute lack of Native certificated teachers and school administrators which would make compliance with EEO laws possible in the immediate future.

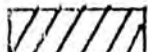

Statistically, there are approximately elementary and secondary teachers and administrators in the rural schools. Applying the 80% figure for Native enrollment, a need for Native teachers is projected. This manpower need projection has never been dealt with seriously by the State. Yet not only does this projection call for action to come into compliance, the ability to fill this number of career positions with State residents, and particularly with many Native persons who are currently unemployed, should be dealt with directly when formulating State education and manpower policy.

Second, an issue raised by the U. S. Office for Civil Rights in its findings of non-compliance of the REAA's with the Supreme Court Decision in Lau v. Nichols is the absence of regularly certificated teachers whose language and culture is in common with the student, "---failure to provide adequate instructional assistance to students whose primary or home language is other than English." The listing of numbers of Native aides did not meet the terms of the OCR noncompliance finding. The State Plan (Minimum Guidelines as Proposed in 4A AC 34.060) currently undergoing the hearing process speaks to "Teachers holding regular Type A certificates who are fluent in the Native language of the local community" (Ch. XI, Par. 1). The Plan contains an entire chapter, pps. 94-110, and

Appendix G (pps. 199-217) related to staff development, training, education, and curriculum. Yet at the current rate that X-CED and the Schools of Education are graduating Native and Cross-Culturally prepared teachers, it would take 15-30 years to fill the 300-400 teaching positions required to meet EEO criteria.

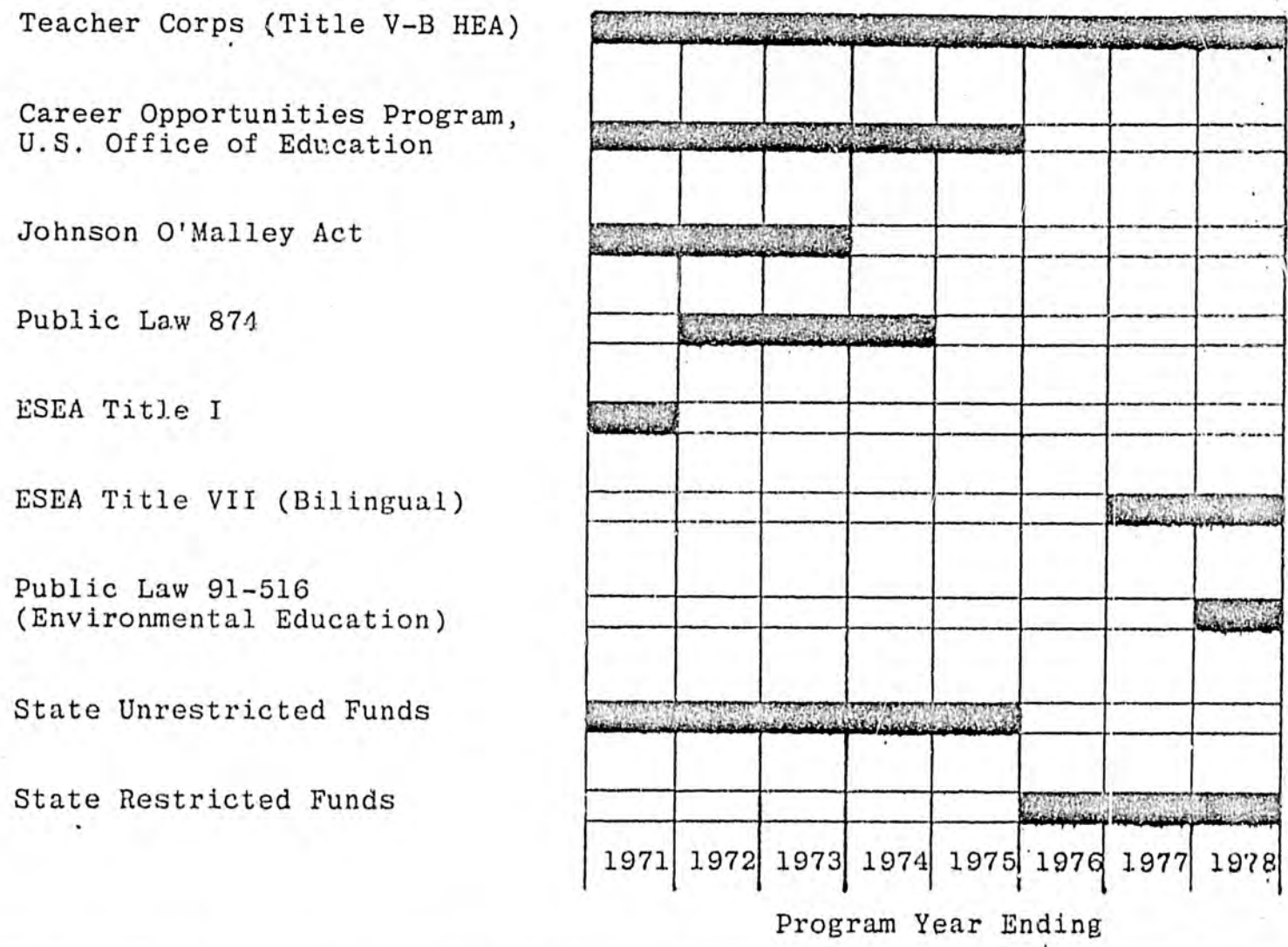
NATIVE EDUCATOR/NATIVE TEACHER
Percentages in Alaska
Rural School Districts



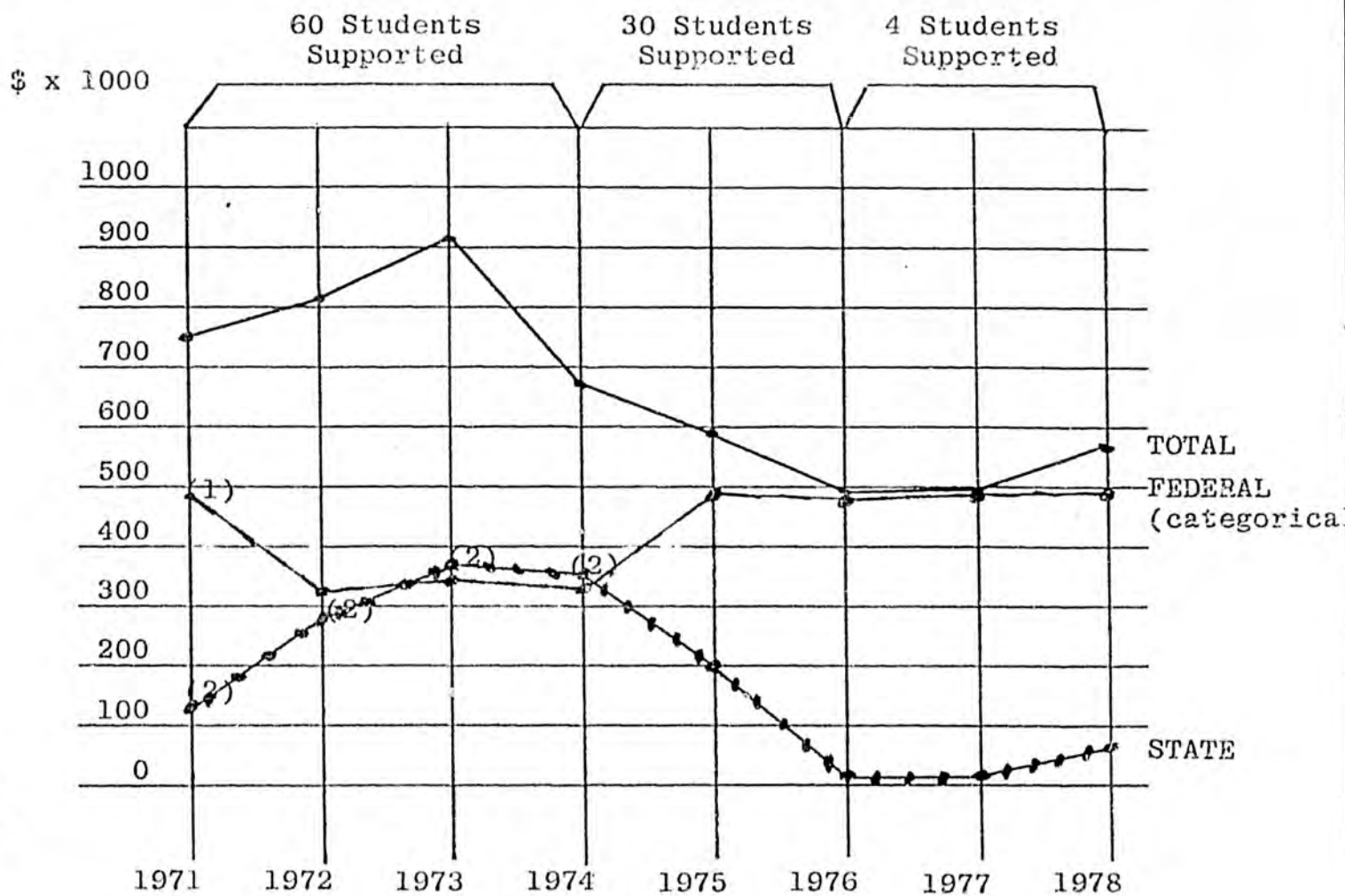
Native Students 
Native Teachers 

* Number of Teachers

SOURCE OF FUNDING
X-CED/ARTTC 1970-1978



BRU Cross-Cultural Education Development Program (X-CED) BRU CODE 05-12-2-25-00-00 REVISED



(1) Includes ESEA Title I in FY 71.

(2) Includes PL 874 funds in FY 71, 72, 73, 74.

From 1971 through 1974 the total budget included direct financial support (stipends) for an average of 50 students and their dependents, an annual total of approximately \$310,000.

In 1975 and 1976 student support was reduced to approximately \$150,000 covering 25-30 students plus dependent allowance.

In 1977 and 1978 student support was provided for four graduate interns only, plus dependent allowance, approximately \$35,000. Financial assistance for undergraduate students is provided under federal Basic Education Opportunity Grants and BIA scholarships. Number of students (undergraduate) increased in 1975 from approximately 60 to 80; number of teachers & others taking graduate courses from 0 to 15 full time equivalents; 4 full time graduate interns.

OVERALL COST
PER STUDENT IN X-CED

1975-76: \$324,000 (TC) + 147,523 (COP) + 19,000 (GF) = \$490,523

\$490,523

-87,429 Direct Stipends to 18 students and dependents.

\$403,103 Total Budget for Operations and Delivery.

$\frac{\$403,103}{85.5 \text{ FTE}} = \$4,660 \text{ Cost Per Student}$

1976-77: \$380,000 TC) + 63,750 (9 mos. bilingual grant to UA) +
20,600 (GF) = \$464,350

\$464,350

-35,780 Direct Stipends to 18 students and dependents.

\$428,570 Total Budget for Operations and Delivery.

$\frac{\$428,570}{82 \text{ FTE}} = \$5,226^* \text{ Cost Per Student}$

*Reflects salary increases in ADOE and U of A, air fares and cost of phone and postage.

X-CED ENROLLMENT STATISTICS

<u>PERIOD</u>	<u>NO. OF STUDENTS</u>	<u>CREDIT HOURS</u>	<u>F.T.E. Hrs./12</u>	<u>NOTES</u>
Fall, 1974	39	627	52	Accepting full-time students only. Open to part-time and graduate. Elective - 6 hr. maximum.
Spring, 1975	144	1044	87	
Summer, 1975	12	<u>72</u>	<u>6</u>	
Total 1974-75		1743	145	
Fall, 1975	112	1012	84	Elective - 6 hr. maximum.
Spring, 1976	118	1036	86	
Summer, 1976	6	<u>36</u>	<u>3</u>	
Total 1975-76		2084	173	
Fall, 1976	105	860	72	Added Lower Kuskokwim Bilingual; figures are enrollment as of 2/1/77.
Spring, 1977	118	1085	90	
Summer, 1977	4	<u>24</u>	<u>2</u>	
Total 1976-77		1969	164	

ARTTC/X-CED GRADUATES

1972-1977 & 1978 (Projected)

1972 ARTTC GRADUATES

1. Linda Garrett (C)
2. Jim Graham (C)
3. Dan Haslett (C)
4. Larry Hayden (C)
5. Flossie Hopson (N)
6. Kathryn (Krogstad) Kortie (C)
7. Steve Kortie (C)
8. Kathy Kurtz (C)
9. John Laughlin (C)
10. Bob Mandell (C)
11. Cecilia (Ulroan) Martz (N)
12. Perry Mendenhall (N)
13. Mike Miller (C)
14. Olinka Nicolai (N)
15. Darrell Offt (C)
16. Stan Senungetuk (N)
17. Bridget Smith (C)
18. Loddy (Sundown) Jones (N)
19. Ferdinand Sharp (N)
20. Shelley Trainer (N)
21. Tom Wagner (C)

1974 ARTTC GRADUATES

22. Nels Alexie (N)
23. Pat (Norton) Beals (N)
24. Patty Bowen (C)
25. Louise (Kelly) Britton (N)
26. Virginia Demmert (N)
27. Lary Hill (N)
28. Pauline Hobson (N)
29. Lois (Edwin) Huntington (N)
30. Merriline Kangas (N)
31. Leo Kinneeveauk (N)
32. Ella Kowunna (N)
33. Genevieve Kratzer (N)
34. Lillian (Brendible) McGilton (N)
35. Lulu Nazaruk (N)
36. Edith (Hildebrand) Nicholas (N)
37. Mary "Dee" Stickman (N)
38. Linda Swenson (N)
39. Alice Weber (N)
40. John Weise (C)

1975 X-CED GRADUATES

41. Emma (Hedlund) Hill (N)
42. Eileen MacLean (N)
43. Shirley Wheeler (N)

1976 X-CED GRADUATES

44. Laura Aaberg (N)
45. Tom Browner (C)
46. Sophie (Manutoli) Shield (N)

1977 X-CED GRADUATES

47. Loretta Pollock (C)
48. Joann Duchume (N)
49. Eileen Weise (N)

1978 X-CED GRADUATES (Projected)

50. Gail Fouts, MAT (C)
51. Joyce Shales, MAT (N)
52. Russ Griffin, MAT (C)
53. Dorothy Jordan, MAT (N)
54. Jeanne (Brighte) Jones (N)
55. Vicky Becwar-Lewis (N)
56. Joshua Lewis (N)
57. Velma Simon (N)
58. Paul Asicksik (N)
59. Marilyn Asicksik (N)
60. Eleanor David (N)
61. William Gumbickpuk (N)
62. Earla Hutchinson (N)
63. Ragine Pilot (N)
64. Gertie Brown (N)
65. Elma Gillett (N)
66. Virginia Ned (N)
67. Jeff Smith (C)
68. Eileen Kozevinkoff (N)
69. Marge Mogg (N)
70. Edna Apatiki (N)
71. Hazel Gogert (N)
72. Wilbur Bavilla (N)
73. Miriam Bavilla (N)

STATE OF ALASKA

JAY S. HAMMOND
GOVERNOR

DEPARTMENT OF EDUCATION

Alaska Rural Teacher Training Corps
Cross-Cultural Education Development Program
(907) 279-0503

2221 E. Northern Lights Blvd.
Suite 220
Anchorage, AK 99504

January 28, 1977

Office of the Governor
attn: Sue Greene, Special Assistant
Pouch A
Juneau, AK 99811

Dear Sue:

The risk of bending protocol in addressing you directly is transcended by the concern a small group of educators and I have relative to what we perceive to be an issue perhaps not being given adequate consideration. Among all the activities being engaged in pursuant to the new State Regulations relating to small rural high schools, the settlement of the Tobeluk et al. vs. Lind, et al. case and passage of the school construction bond proposition, the questions of where the rural secondary school teachers will come from, how have they been prepared to competently meet rural high school students' needs, where they will have been prepared, how many (if any) will be Natives and what should the teacher preparation and inservice programs be like, remain, in our view, as yet unanswered and of concern to too few at this time.

While the University of Alaska and the X-CED/ARTTC BRU of the State Dept. of Education may be faulted for not having the foresight to have begun dealing with the then potential problem a year or more ago, perhaps the uncertainty of small high schools becoming a reality is sufficient reason why the budget of the U. of A. didn't reflect this staff development program need. The fact remains, however, that the FY 78 request of the X-CED/ARTTC BRU did address it in a modest way in a new component. It proposes to work in the undefined area between the rural secondary schools, postsecondary education and the communities. Actually, X-CED is a program "in between" which, sometimes, is awkward. The Dept. of Education cannot pursue the funding of a program at the risk of diminishing funds from any direct

January 28, 1977

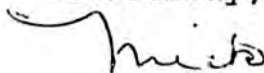
K-12 programs, since its statutory responsibility lies there. Thus, the matter of staff preparation and development seems to be in sort of a limbo. However, we are concerned that there be teachers trained in-State, both at preservice and inservice levels. We feel it essential that their preparation for the small secondary schools aims at how the schools will be and that it enables them to work effectively with whatever the curricula become and, in fact, to aid in curriculum development and refinement.

Actually, a new public need has been created by adoption of the new regulations and settlement of the Tobeluk case and should probably be initially considered separate from the DOE and U. of A. budget submittals.

If the State budget and priority situation is such that the approximately \$100,000 requested cannot be reflected in the Governor's budget, this is most certainly understood and respected. My conscience, but not my concern, is alleviated by calling this issue to your attention, especially since you were unable to be present during its discussion at the BRC hearing.

I am attempting to secure federal financial assistance via proposals to the Fund for Improvement of Postsecondary Education and the U. S. Office of Environmental Education, but will know nothing of these until April. Should any General Funds be appropriated to help develop the program, they could be diminished if federal funds are granted.

Sincerely,



D. M. Murphy, Exec. Director
Cross-Cultural Education
Development Program (X-CED)

DMM:slw

Enclosures: Memo to Lind dated Dec. 14 from Kleinfeld
Letter to Lind dated Dec. 15 from Ray & Darnell
Letter to Lind dated Dec. 20 from Kleinfeld
Alaska Rural Secondary Schools Forum, a Position
Paper, pps. 1, 4, 9, 10, 11.

STATE OF ALASKA

JAY S. HAMMOND
GOVERNOR

DEPARTMENT OF EDUCATION

Alaska Rural Teacher Training Corps
Cross-Cultural Education Development Program
(907) 279-05032221 E. Northern Lights Blvd.
Suite 220
Anchorage, AK 99504

January 10, 1977

U.S. Office of Education
Application Control Center
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Re: 13.925

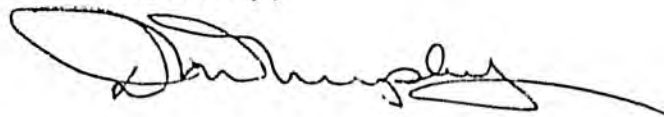
Gentlepersons:

Enclosed herewith is a preliminary proposal being submitted to the Fund for the Improvement of Postsecondary Education under the Comprehensive Program.

Since we are unsure whether Form 001 is appropriate for this submittal by the State Education Agency, also enclosed are 3 copies of Form HEW 606T. Please dispose of the inapplicable form.

Although copies of the pre-application are being sent to the Postsecondary Education Commission (1202), it is not being sent to the State Clearinghouse at this stage. The proposal, if invited, will be submitted to the Clearinghouse in accordance with the OMB Circular.

Sincerely,

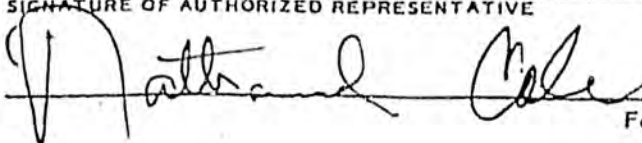


D. M. Murphy, Executive Director
Cross-Cultural Education Development
Program

cc: Marshall Lind, Commissioner of Education
Charles Ray, Dean, School of Education, U of A
Frank Darnell, Director, CNER, U of A
Judith Kleinfeld, ISER, U of A
Marilou Madden, Alaska Dept. of Education
Robert D. Arnold, Center for Equal Opportunity in Schooling, ANF
Kerry Romesberg, Director, Postsecondary Commission

DMM:gg

PREAPPLICATION FOR FEDERAL ASSISTANCE PART I		1. STATE CLEARINGHOUSE IDENTIFIER		
		2. APPLICANT'S APPLICATION NUMBER		
3. FEDERAL GRANTOR AGENCY DHEW/OE ORGANIZATIONAL UNIT FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION ADMINISTRATIVE OFFICE 400 Maryland Ave. S.W. STREET ADDRESS - P.O. BOX Washington D.C. 20202 CITY STATE ZIP CODE		4. APPLICANT NAME Alaska Dept. of Education/X-CED DEPARTMENT DIVISION 2221 E. Northern Lights, Suite 220 STREET ADDRESS - P.O. BOX Anchorage Anchorage CITY COUNTY AK 99504 STATE ZIP CODE		
5. DESCRIPTIVE NAME OF THE PROJECT Rural Small High Schools Development Assistance Project				
6. FEDERAL CATALOG NUMBER 13.925		7. FEDERAL FUNDING NEEDED \$228,490		
8. GRANTEE TYPE <input checked="" type="checkbox"/> STATE, _____ COUNTY, _____ CITY, _____ OTHER (Specify)				
9. TYPE OF ASSISTANCE <input checked="" type="checkbox"/> GRANT, _____ LOAN, _____ OTHER (Specify)				
10. POPULATION DIRECTLY BENEFITING FROM THE PROJECT 6,200		12. LENGTH OF PROJECT 24 months		
11. CONGRESSIONAL DISTRICT a. Alaska-At-Large b.		13. BEGINNING DATE Oct. 1, 1977		
		14. DATE OF APPLICATION January 6, 1977		
15. THE APPLICANT CERTIFIES THAT TO THE BEST OF THIS KNOWLEDGE AND BELIEF, THE DATA IN THIS PREAPPLICATION ARE TRUE AND CORRECT, AND THE FILING OF THE PREAPPLICATION HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT.				

TYPED NAME Nathanial Cole		TITLE Deputy Commissioner of Education		TELEPHONE NUMBER		
SIGNATURE OF AUTHORIZED REPRESENTATIVE 		AREA 907	NUMBER 465-2801	EXTENSION Main SEA		
		907	279-0503-	Project Contact		
For Federal Use Only						

PREAPPLICATION FOR FEDERAL ASSISTANCE
PART II

1. DOES THIS ASSISTANCE REQUEST REQUIRE STATE, LOCAL, REGIONAL OR OTHER PRIORITY RATING? YES NO
2. DOES THIS ASSISTANCE REQUIRE STATE OR LOCAL ADVISORY, EDUCATIONAL OR HEALTH CLEARANCE? YES NO
3. DOES THIS ASSISTANCE REQUEST REQUIRE CLEARINGHOUSE REVIEW? YES NO
4. DOES THIS ASSISTANCE REQUEST REQUIRE STATE, LOCAL, REGIONAL OR OTHER PLANNING APPROVAL? YES NO
5. IS THE PROPOSED PROJECT COVERED BY AN APPROVED COMPREHENSIVE PLAN? YES NO
6. WILL THE ASSISTANCE REQUESTED SERVE A FEDERAL INSTALLATION? YES NO
7. WILL THE ASSISTANCE REQUESTED BE ON FEDERAL LAND OR INSTALLATION? YES NO
8. WILL THE ASSISTANCE REQUESTED HAVE AN EFFECT ON THE ENVIRONMENT? YES NO
9. WILL THE ASSISTANCE REQUESTED CAUSE THE DISPLACEMENT OF INDIVIDUALS, FAMILIES, BUSINESSES, OR FARMS? YES NO
10. IS THERE OTHER RELATED ASSISTANCE FOR THIS PROJECT PREVIOUS, PENDING, OR ANTICIPATED? YES NO

PART III - PROJECT BUDGET

FEDERAL CATALOG NUMBER (a)	TYPE OF ASSISTANCE LOAN, GRANT, ETC. (b)	FIRST BUDGET PERIOD (c)	BALANCE OF PROJECT (d)	TOTAL (e)
1. 13.925	Grant	228,490	129,000	357,490
2.				
3.				
4.				
5.				
6. TOTAL FEDERAL CONTRIBUTION		\$228,490	\$129,000	\$357,590
7. STATE CONTRIBUTION		23,280	15,320	38,600
8. APPLICANT CONTRIBUTION (applicant is state agency)				
9. OTHER CONTRIBUTIONS (univ.)		32,000	17,000	49,000
10. TOTALS		\$283,770	\$161,320	\$445,090

PART IV - PROGRAM NARRATIVE STATEMENT
(Attach per instruction)

PART II (cont.)

Item 10. State General Funds may be appropriated in a currently unknown amount. If any, funds will likely not exceed \$100,000. State budgetary restrictions suggest that a substantial appropriation is unlikely and knowledge of such must await adjournment of the legislature in April or May, 1977. The F.I.P.S.E. will be apprised should such an appropriation be made.

PART III (cont.)

Item 7 & 8. The applicant is a state agency. The projected contribution is as follows:

	<u>Year 1</u>	<u>Year 2</u>
Waiver of 8% Indirect Costs	\$18,280	\$10,320
Administration/Accounting	5,000	5,000
	<u>\$23,280</u>	<u>\$15,320</u>

Item 9. Other Contributions. University of Alaska: The projected contribution is as follows:

	<u>Year 1</u>	<u>Year 2</u>
Steering Committee time & travel	\$15,000	\$10,000
Consulting & assistance, other staff, faculty	15,000	5,000
Shared & contributed equipment and facilities	2,000	2,000
	<u>\$32,000</u>	<u>\$17,000</u>

*

PREAPPLICATION

UNDER

The Comprehensive Program of the
FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION

* * * * *

Submitted by

The Alaska Department of Education

As A Cooperative Activity With The

University of Alaska

and the

General Assistance Center of the Alaska Native Foundation

* * * * *

Prepared by

The Cross-Cultural Education
Development Program

2221 E. Northern Lights Blvd.
Suite 220
Anchorage, Alaska 99504

FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION

Form Approved:
O.M.B. No. 85-R0287Preliminary Final

This application should be sent to:
Office of Education: No. 12.925
Application Control Center
400 Maryland Avenue, S.W.
Washington, D.C. 20202

1. Application No. _____

2. Employer Identification No. _____

3. LEGAL APPLICANT

a. Alaska Department of Education

Legal Applicant Name
Cross-Cultural Education

b. Development Program

Department, Division, or Branch

c. 2221 E. Northern Lights - Rm. 220

Street Address, or P.O. Box

d. Anchorage AK 99504

City State Zip

e. Alaska-At-Large f. _____

Congressional District(s)

4. APPLICATION TYPE:

 New Grant Modification of Old Grant

5. PROJECT DIRECTOR

a. D. M. Murphy
Nameb. Exec. Director, Cross-Cultural Ed.
Titlec. (907) 279-0503
Telephone: Area Code Number

7. Federal Funds Requested:

1st Year

2nd Year (If Applicable) \$129,000

3rd Year (If Applicable) -0-

Total: _____

6. INSTITUTIONAL INFORMATION
(If Applicable)

Approx. Total Enrolled _____

(Check One) 2 yr. 4 yr. Graduate

Public (310) (210) (240)Private (320) (230) (250)

8. DURATION OF PROJECT:

Starting Date Oct. 1, 1977

Ending Date Sept. 30, 1979

No. of Months 24

9. POPULATION DIRECTLY
BENEFITING FROM THE PROJECT

4,000 rural secondary students

200 educators, 2,000 other citizens

10. PROPOSAL TITLE:

Rural Small High Schools Development Assistance Project

11. BRIEF ABSTRACT OF PROPOSAL: Settlement in Sept., 1976 of a class action suit on behalf of rural Native high school age youth against the state has resulted in an unprecedented effort by the state to build high schools, develop secondary programs and to uniquely prepare professional staff. Immediately this will involve some 60 small villages. The University of Alaska has, therefore, had placed upon it an unusual demand to assist the public schools and communities. High schools with enrollments of from 10 to 50 students will not be uncommon and will require educators prepared in unconventional, interdisciplinary post-secondary programs not yet existent. Development of models, analysis & dissemination of developing programs, socio-economic impact and inter-unit coordination will be undertaken.

The applicant certifies to the best of his/her knowledge and belief, that the data in this application are true and correct, and the filing of the application has been duly authorized by the governing body of the applicant.

12. CERTIFICATION BY AUTHORIZING OFFICIAL

Nathaniel Cole
NameDeputy Commissioner of Education (907)465-2801
Title Phone

Signature

January 6, 1977
Date

BUDGET
1st Year Only
(Use same format for each continuing year)

BUDGET ITEM

A. Direct Costs:

1. Salaries & Wages

a. Professional* (4 @ 34,000)	\$ 136,000
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b. Consultant*	-0-
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c. Clerical (1 Secty. I)	18,000
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2. Employee Benefits (@ 18.5%)	28,490
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3. Travel*	23,000
------------	--------

4. Materials & Supplies	4,000
-------------------------	-------

5. Equipment (Purchase or Rental)*	2,000
------------------------------------	-------

6. Production (Printing, Reproduction, Audio-visual)*	5,000
--	-------

7. Other* (telephone, Mailing, computer)	12,000
--	--------

B. Indirect Costs: (Waived and contributed under Institutional Support @ 18,280)	-0-
---	-----

TOTAL	\$ 228,490
-------	------------

Institutional Support (1st year total) \$ 55,280

* Items to be detailed in Budget Narrative, if applicable.

Explanation of Institutional Support

The applicant is a state agency. The projected contribution is as follows:

	<u>Year 1</u>	<u>Year 2</u>
Waiver of 8% Indirect Costs	\$18,280..	\$10,320..
Administration/Accounting	5,000	5,000
	<u>\$23,280</u>	<u>\$15,320</u>

Other Contributions. University of Alaska: The projected contribution is as follows:

	<u>Year 1</u>	<u>Year 2</u>
Steering Committee time & travel	\$15,000	\$10,000
Consulting & assistance, other staff, faculty	15,000	5,000
Shared & contributed equipment and facilities	2,000	2,000
	<u>\$32,000</u>	<u>\$17,000</u>

*

STATE OF ALASKA

JAY S. HAMMOND
GOVERNOR

DEPARTMENT OF EDUCATION

Alaska Rural Teacher Training Corps
Cross-Cultural Education Development Program
(907) 278-0503

2221 E. Northern Lights Blvd.
Suite 220
Anchorage, AK 99504

January 10, 1977

TO: Fund for the Improvement of Postsecondary Education

FROM: D. M. Murphy, Exec. Director, Cross-Cultural Education
Development Program, Alaska Dept. of Education

SUBJECT: Introductory Note on the Preliminary Proposal

Although the applicant is the Alaska Dept. of Education, we wish to make clear that the proposed project, and all planning leading thereto, is a joint effort between the State Education Agency, research and teaching units of the University of Alaska, involved school districts, and appropriate non-profit organizations which may lend non-cost support to the task we are mutually facing. An inter-unit steering committee, representing the involved interests, has been meeting informally and will become formalized to provide guidance for the project and the larger effort of which it is a part.

Since the task at hand is of such scope and complexity that it transcends the capacity of any single unit to deal with it effectively, steering committee members (whose names are shown below) are recommending that the grant, if approved, be made to the State Department of Education, Cross-Cultural Education Development Program. That State Program, or Budget Request Unit, will, in turn, subcontract grant funds, and any appropriated State General Funds, to the University of Alaska and the Alaska Native Foundation. The University units which can best address the problems we are facing and carry out the objectives of the proposed project are the School of Education, the Center for Northern Educational Research, and the Institute of Social and Economic Research. The Alaska Native Foundation will provide two functions, one as a Native non-profit

organization which will assist in maintaining avenues for input and influence of the Native populace which will be involved and affected and, second, as operator of the Type A General Assistance Center funded under Title IV of the Civil Rights Act of 1964 (Amended). Two reasons for this thinking are that the State Education Agency can provide coordination in the context of its responsibility to assist and oversee the development of a new rural secondary school system and, second, its imprimatur will assist in the needed liaison between the University and the rural school districts of the State. Explication of the roles of the University, the Alaska Native Foundation, and the State Department of Education is contained in the preapplication narrative.

If, F.I.P.S.E. is reluctant to approve a grant in this somewhat unusual manner (although the collaborative structure and avenue for Native influence is desirable to the involved interests), we would wish the opportunity to negotiate an arrangement more compatible with the F.I.P.S.E. procedures.

The persons listed below have been directly involved in the thinking and planning toward this project and approval of this preapplication.

Robert D. Arnold, Director
General Assistance Center
(CRA Title IV)
Alaska Native Foundation

Charles Ray, Dean
School of Education
University of Alaska-Fairbanks

Marilou Madden, Director
Education Support
Alaska Dept. of Education

Frank Darnell, Director
Center for Northern Educational
Research, Univ. of Alaska

Judith Kleinfeld, Assoc. Prof.
of Psychology, for Lee Gorsuch
Director, Institute of Social
and Economic Research
University of Alaska

D. M. Murphy, Exec. Director
Cross-Cultural Education
Development Program
Alaska Dept. of Education

Robert Hage, Acting Chancellor
Div. of Rural Education Affairs
University of Alaska

PRELIMINARY PROPOSAL
TO THE
FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION

PART II - NARRATIVE

(a) The Problem

Regulations adopted by the State Board of Education on Sept. 3, 1976 call for the provision of a secondary school in each community of the State in which there lives one or more children available to attend a secondary school and in which there is an elementary school. In the four months since Sept., 1976 there have been established no fewer than 52 small rural high schools and high school programs where formerly there were none. Preceding the adoption of the Regulations and of the Agreement of Settlement of a class action suit⁽¹⁾ on behalf of rural Native students in 126 communities against the State, the legislature authorized placement of a construction bond proposition before the voters. This proposition was approved at the General Election on Nov. 2, 1976. The sum of \$32,670,000 is allocated to small rural high school construction in 37 communities.

The problems faced by the approximately 30 rural school districts in carrying out the terms of the settlement and regulations are complex and rather unprecedented, ranging from building design and construction to the development of education specifications and new curricula and to finding competent staff to carry out the secondary programs. The social impact of teenage youth spending winters at home in small villages (pop. 50-400) for the first time in decades is also of concern.

⁽¹⁾The suit (Anna Tobeluk, et.al. vs. (Commissioner of Education) Lind, et.al. alleged--"a pattern and practice of racial discrimination against Alaska Natives in the non-provision of secondary schools in violation of the Constitution and Laws of the United States and Alaska; and (b) a disparity between the manner in which secondary education is provided to the plaintiffs and the manner in which such education is offered to most other children of Alaska---".

The matter of equal educational opportunities for students of the new and developing rural secondary education system pervades all facets of this unprecedented effort and engages the citizens and educational institutions of the State. Such factors as school facilities design, development of curricula and programs, preparation and inservice training of educational staff, the qualities and competencies they should possess, and the means by which these can be acquired, creation of new communication links, and the socio-economic impact of teenage youth at home in winter are among the overriding concerns which bear upon providing equal educational opportunities for rural youth. High schools with enrollments of two, three, ten, or thirty students obviously demand a new approach to education and rethinking of the entire system. None of the factors can be dealt with in isolation since the solutions to one depend upon solutions to the others. Nor can any single entity such as the State Dept. of Education, the school districts themselves, or a unit of the University of Alaska work effectively toward solutions in the absence of coordination, cooperation, and mutual assistance.

(b) Expected Outcomes

The proposal, if invited, will explicate those parts of the larger rural secondary school development endeavor in which the University of Alaska, the General Assistance Center of the Alaska Native Foundation, and the Cross-Cultural Education Development Program of the State Dept. of Education will assume a definite role. Following is a synopsis:

(1) A review and assessment of the rural secondary school system and its current resources and facilities (spread throughout an area roughly 1/5 that of the Continental United States) will suggest how, as a system, it can be improved. The interrelationships between extremely small high schools (1-30 students), small high schools (30-100 students), and the larger regional high schools and urban high schools and their respective resources will be examined in order to assist the 30 rural districts to meet the terms of the Agreement of Settlement of the Tobeluk case and the new State Regulations. Analysis of the systems potential will take place, such as efficacy of a feeder system from village to rural growth community (Regional High School) to urban schools, in the contexts of both resources available in different places and the differing needs and aspirations of

different students. In so doing, the secondary system which develops must afford equal educational opportunities to the students as specified in federal law and as measured by criteria established by the U. S. Office for Civil Rights and the State.

(2) New teacher education curricula and programs, both preservice and inservice will be designed, developed, and tested. They will have cross-cultural and small high school emphasis and will be designed for delivery both on-campus and in the field. At the undergraduate level, the focus will be on preparing Native persons, particularly residents of the affected communities, to become certificated secondary teachers. Preparation of subject-matter specialists will necessarily give way to preparation of secondary generalists especially skilled to teach in, and administer, small isolated rural high schools in which students are predominantly from minority cultures.

(3) Information, gathered and analyzed from newly established high schools around the State and, to the extent possible, from any existing similar schools in the other states, will be disseminated to the other districts in Alaska. For example, as secondary curricula are developed in the districts and individual schools, the University will provide an avenue for identification of successes and problems which should be shared among the districts. Assistance in the development of secondary curricula and delivery systems will be provided, including review of available curriculum packages to determine which, if any, are suited to enlarge options to rural students. Models, such as student travel programs, student exchange, work-study, presemester at college, and utilization of modern media (satellite, computer) will be examined with an emphasis on helping districts to provide the broadest alternatives possible to the students. Social problems arising in communities because of the presence of teenage youths for which there are few planned non-school activities will be identified and brought to the attention of other communities with an eye to ameliorating them through positive steps which the schools and villages might take.

(4) A model (or models) will be established in a selected rural region wherein the University, school staff, undergraduate (Native) students in education, and the community will be involved in the implementation, testing and documentation of the small high school development, teacher preparation, inservice education, and curriculum and materials development.

(c) Processes for Accomplishment

A staff of four persons is needed to accomplish the tasks conceptualized here. At this stage the steering group has not yet determined precisely within which involved educational unit each position should be located. Yet each unit has a particular established focus, responsibility, and capability and all will interrelate with one another and with faculties of other departments and disciplines within the University which bear upon teacher education and educational development. The sum of the following functions will produce the Expected Outcomes:

(1) One University position will be established to carry out liaison, primarily between rural district superintendents, regional and local school boards, teachers and students, and the University in general and other project staff specifically. Extensive travel will be required, meeting for purposes of identifying needs, assisting with secondary program development, sharing models, successes, and problem areas between the rural districts and with project staff and others involved. As secondary curricula take shape, which in turn implies the qualities and qualifications needed by teachers, this person will work with the person(s) responsible for developing new teacher education programs.

(2) A second University staff position will be created to work with others on design, development, and delivery of new curricula in teacher education. Efforts in this direction to date by faculty of the field-based Cross-Cultural Education Development Program (a State/University Teacher Corps and Bilingual Project) will be capitalized on, but the focus will be bringing the perspectives and methodologies of appropriate academic disciplines to bear upon the development of the cross-cultural, small high school teacher education programs. This will require new (and often missing) involvement of faculties of other University departments and disciplines, since the envisioned interdisciplinary programs will draw heavily from English, anthropology, linguistics, sociology, and psychology. Undergraduate and graduate curricula will be developed for field-based and campus-based delivery, both inservice and preservice. Programs thus developed will undergo review by appropriate academic councils of the University and adopted as regular offerings leading to the B.Ed., MAT, and M.Ed. degrees, approved by the State Board of Education for Secondary Certification.

(3) A third position will carry out what can be termed a delivery/testing function. A field-based faculty member of the School of Education will be assigned to live and work in a rural community (to be designated) in which there is a new small high school (20-40 students) and around which there are several smaller villages with high school enrollments of from 1 to 15. This will serve as a model mini-system in which school staff, local boards, parents, the on-site University instructor, secondary students and undergraduate and graduate students in education will be cooperatively engaged in developing and refining all aspects of secondary education. Continuing liaison between this mini-system and staffs of the project and of the University, SEA, General Assistance Center, and other districts will be maintained. The other members of the Cross-Cultural faculty located in currently established rural Field Centers and appropriate instructors of rural community colleges will also become involved, both in teaching and in providing dissemination to the other school districts in whose regions they work. Village residents who wish to enter careers in education will be enrolled at the undergraduate level to work toward the baccalaureate degree and assist in providing intercultural links and understandings.

(4) The fourth position will be located in the Alaska Native Foundation which, among other activities, is operator of Type A General Assistance Center for Alaska, funded under Title IV of the Civil Right Act (Amended). Avoidance of the rural school districts finding themselves, at a future time, in noncompliance with federal law pertaining to equal education opportunity or facing further litigation for failure to meet the terms of the Settlement in the Tobeluk vs. Lind case, is of paramount concern. The motivating factor, however, is a moral one, to provide an excellent educational experience for Alaska's children. Toward this end, the addition of a staff position to the General Assistance Center to deal with the issues of rural

secondary education development and to provide the needed technical assistance and program monitoring function underlies all other activities.

(5) The staff members and their activities will be linked with one another and with the involved units of the University, State Dept. of Education, and other educational entities. Coordination will take place within the University and, overall, will be the responsibility of the grantee which will have formed a small working/coordinating committee consisting of key representatives of the involved agencies and institutions, e.g., Director, Cross-Cultural Education (SEA); Director of Learning Support (SEA); Dean, School of Education (IHE); Dean, Div. of Rural Education Affairs (IHE); Director, Center for Northern Educational Research (IHE); Director or Designee, Institute for Social and Economic Research (IHE); Director of General Assistance Center (Alaska Native Foundation); Designee of School Superintendents Association; Designee of School Board Association. A working group with well-established liaison with rural school boards and citizens in an important function.

If the budget request exceeds the maximum allowable, F.I.P.S.E. should be aware of current efforts to secure State funds for at least two of the needed positions. Should available federal assistance provide, for example, sufficient for two positions only, the proposal will reduce the scope accordingly and designate the priority activities.

(d) Impact Beyond the Institution

The foregoing narrative describes that the project will be a mutual effort involving at least three units of the University of Alaska (a social research and an educational research institute, the School of Education--both on-campus and field-based branches), the rural Community Colleges, the Alaska Department of Education, school districts in which the new schools are to be developed, the Native communities (boards, parents, youth and Native undergraduates) and, in an assessing and support role, the Division of Policy Development and Planning of the Governor's Office. Through writings and other communications, states with potentially similar situations and other institutions will be apprised of processes and outcomes.



UNIVERSITY OF ALASKA

FAIRBANKS, ALASKA 99701

Institute of Social and Economic Research

Dec. 14, 1976

Dr. Marshall Link
Commissioner of Education
Pouch F
Juneau, Alaska 99811

DEC 21 RECU

Dear Marshall:

It was good to talk with you about putting together a Small High Schools Development Project under the leadership of the Department of Education. As I mentioned, I talked at length to Steve Cowper about the Department's obtaining a special legislative appropriation for this purpose. He was quite favorable, offered to follow through, and suggested that I contact you about it.

Now that the bond issue has passed, the need for such a project has become critical. It is important to develop models of effective small high school programs before inappropriate methods and special interests become entrenched and make future change difficult. Without attention to program development, we may end up with buildings in the villages, but not schools.

This Small High Schools Project could bring together a group of perhaps four staff people, each working on a key aspect of program development. Together, they would form the critical mass necessary for the project to take off, and they would reinforce and complement each other. One staff person might be primarily engaged in a community liaison function. He would work with the school boards and school personnel of the REAA's and local school districts to determine what their needs are, what would be most relevant to them. He would take materials and high school program models developed by the project back to the schools. This person would insure close coordination at all times between the project and the schools.

A second staff person would work primarily on curriculum development. He would review available curriculum packages to determine which, if any, are suited to enlarge the curricular options available to rural students in small high schools. He would monitor innovative programs developed in particular schools and disseminate them to other areas. He would also examine strategies to expand the curriculum that might involve several small high schools or school districts, such as teacher specialists who travel from school to school.

Dr. Marshall Lind
Dec. 14, 1976

2

A third staff person would be responsible for arranging to modify the conventional teacher education programs to produce broadly-prepared secondary school teachers who could handle a number of subject areas. He would work closely with the University of Alaska's teacher training programs and the X-CED program. Of great importance would be involving students in university education programs in the whole problem of small high school design. An intellectual climate needs to be generated that makes the future school personnel interested in and aware of innovative approaches to small high schools.

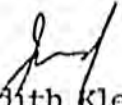
A fourth staff person would examine alternative models for small high schools that enable students to be based in the villages but still expand their experiences so they can make informed choices about the adult life styles they wish to pursue. These models might include travel programs, student exchange programs, a special pre-semester at college, or work-study with regional corporations and other organizations. The emphasis would be on examining the developmental needs of rural students, on the one hand, and the economic and political context, on the other, to develop high school programs which link students into satisfying adult roles. Alternative small high school models would be developed in ways that permit the communities to choose the ones most relevant to them. This staff person would then have the responsibility of developing the necessary institutional arrangements with universities, regional corporations, and other organizations.

This is, of course, only one possible way such a Small High Schools Project might be structured. I have described it, in part, to use it as a point for future discussion.

As you suggested, perhaps it would be a good idea to convene (or re-convene) a Small High Schools Task Force. Last spring, a group of us informally got together to talk about these concerns. MariLou Madden chaired the meeting, and Mick Murphy, Tod Ray, Ray Barnhart, Frank Darnell, Bob Arnold, Jim Eliot and others were involved. This task force could develop a project design, staffing pattern, institutional base, and funding level. It could have drafted appropriate legislation and develop needed political support. I think there is widespread agreement among REEA superintendents, school personnel, university staff and others about the need for the project. The problem is putting it all together.

I hope these thoughts are of some use to you. I would be glad to help in any way I could.

Yours truly,


Judith Kleinfeld (Ed.D.)
Associate Professor of Psychology

cc: Bob Arnold
Mick Murphy
Tod Ray
Frank Darnell

Phone: (907) 479-7143

UNIVERSITY OF ALASKA
FAIRBANKS, ALASKA 99701

December 15, 1976

Dr. Marshall Lind
Commissioner of Education
Pouch F
Juneau, Alaska 99811

Dear Marshall:

We learned today that the budget line item in the X-CED budget, the 02 component, for preparing teachers in small, rural secondary schools has been denied by the budget review committee. We feel this is an unfortunate turn of events since the importance of developing competent staffs for the newly created small, secondary schools is every bit as important, if not more so, than the physical facilities now authorized to house them. That the design of facilities has predated the design of programs for these schools is to be expected; since everyone is familiar with the nature of physical facilities, and thus, the advent of new school buildings is certainly commendable. However, to stop at that point would be very unfortunate and ultimately could defeat the purpose of litigation brought about by Anna Tobeluk, et al, in her class action suit against the state. The need for systematic staff and program development is now of first importance.

The X-CED program represents a unique position in that it holds common ground between the Department of Education and the University. Because of this, there is a tangible connection by which the two agencies are able to cooperate in solving common problems. Thus, the appropriateness of such a line item having been presented in the X-CED budget continues to appear worthwhile. Thus, we support the efforts of the X-CED staff to include this activity in their unit and hope there is some readdress in the budget process which will enable the project to move forward. If you have the opportunity to request that this item in the X-CED budget be reviewed, we certainly would support efforts you make to have it reinstated.

Sincerely yours,

C. K. Ray

C. K. Ray
Dean, School of Education

and

Frank Darnell

Frank Darnell
Director, Center for Northern
Educational Research

FD/ijs


STATE OF ALASKA

JAY S. HAMMOND
GOVERNOR

DEPARTMENT OF EDUCATION

Alaska Rural Teacher Training Corps / 2221 E. Northern Lights Blvd.
Cross-Cultural Education Development Program / Suite 220
(907) 279-0503 / Anchorage, AK 99504

December 16, 1976

MEMORANDUMIMPORTANTTO: Marshall Lind, Commissioner
Alaska Dept. of Education
FROM: D. M. Murphy, Exec. Director
X-CED Program

As of today I've not received the BRC budget and instructions and forms related to the appeal or rebuttal process. Bill Thompson advises that it has been mailed but, in the meantime, read to me the BRC's recommended allowances including the deletion of funds for the rural small high schools staff development component. I understand that deadline is upon us relative to establishing arguments for restoration and, second, that requests for reconsideration submitted to the BRC are conveyed by you. I cannot, therefore, delay initiating such a request while the Postal Service dallies with the proper forms and budget documents.

Ironically, during the past two days I was contacted by Judith Klienfeld and, subsequently, have talked with Marilou Madden, Bob Arnold, Charles Ray, and Frank Darnell regarding strategies to call the attention of other state and university entities to the significance of the need for staff development for small rural high schools and sort out the roles of such entities which should play in everything from research to curriculum development to teacher training. Frankly, the great efforts being made in facilities planning and secondary curriculum development contrast sharply with those being made to prepare teachers and administrators in preservice and inservice programs in-state to staff the new schools and conduct the secondary programs. One result of our discussions, done prior to the news that funds for X-CED's secondary emphasis component were not approved, was that the aforementioned persons, plus Don McKinnon, Jim Elliott, Mike Gaffney and, perhaps, someone from the staff of the Div. of Policy Development and Planning would

December 16, 1976

convene informally in Anchorage on Dec. 22 to discuss the issues and begin formulation of steps which would contribute to solutions. It should be obvious to all that there will be considerable lag time, measured in terms of more than a year, before the first especially trained small secondary school teachers will have completed the now non-existent program. If we fail to see the importance of this new need, and fail to heed the recommendations made during the Alaska Rural Secondary Schools Forum, then I suspect that the REAA's and other rural districts will be forced to engage in outside recruitment and importation and, with luck, some shots at teacher orientation.

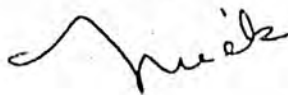
To be critical of the University of Alaska for failing to order its priorities in a manner which would commit the needed funds to this effort seems to me to beg the question. The settlement of the Tobeluk case, the adoption of the new regulations and voter approval of the bond proposition all occurred late in the University's priority and budgetary process. One might argue lack of foresight, but if so there are many of us who would also fall into this category. The point is that this is water under the bridge and remedies can be started. If not, then the rural districts and REAA's suffer for lack of a resource of properly prepared educators. In my view, this shouldn't be allowed to happen, particularly since the issues seem clear and the resources are available to work on solutions.

Not having possession of the forms for submittal to the BRC, I am enclosing a brief set of points I feel should be considered, and a budget projection by category which I feel should be restored. It is the same as the 02-component originally submitted but is repeated for ease of reference. I would welcome the inclusion of a copy of this memorandum should you wish and should you agree to submit the request for reconsideration. The amount asked for is too modest for the entire task, but other avenues open to the University, including a proposal to FIPSE, might bring to bear additional funds needed.

D.M.M.

DMM:slw

cc: Nat Cole
Bill Thompson



School of Education as follows:

100 Personal Services

Secondary Curriculum Coord./Researcher (Asst/Assoc Prof)	\$37,500
Field-Based Secondary Emphasis Instructor. (Asst.Prof)	30,600
Benefits @ .18659	<u>12,709</u>
. SUBTOTAL	\$80,821

200 Travel

Coord. (Supervision and Meetings w/REAA, Superintendents, teachers, board members, etc.)	\$ 5,000
Field Instructor (Field Center to proximate communitites/ direct instruction, analysis)	<u>5,000</u>
SUBTOTAL	\$10,000

300 Contractual

Communications Services	\$ 2,000
Printing and Duplication	2,000
Rent, Field Office (Rural)	<u>3,000</u>
SUBTOTAL	\$ 7,000

02-380:
(Cont'd)

400 Commodities

Stationary and Office Supplies	\$ 500
Other (Instructional Materials)	<u>2,000</u>
SUBTOTAL	\$ 2,500

TOTAL of 02-380

\$100,321



UNIVERSITY OF ALASKA

FAIRBANKS ALASKA 99701

Institute of Social and Economic Research

DEC 22 RECD

December 20, 1976

Dr. Marshall Lind
Commissioner of Education
Pouch F
Juneau, Alaska 99811

Dear Marshall:

I was very concerned to hear that the Governor's Budget Review Committee deleted the \$120,000 item in the X-CED budget for the training of secondary teachers in small high schools. Could you ask them to reopen this question for review? Indeed, perhaps it would be appropriate to ask the committee to consider a larger appropriation designed to carry out in a coordinated, mutually-reinforcing manner the four key functions of teacher preparation, curriculum development, innovative high school models, and community liaison.

Since I have just written to you at length on these matters, it is perhaps not useful here to reiterate the problems which I know you understand well. Of all the functions needed in developing small high school programs, however, teacher training is by far the most critical. Particulars of programs may outlive their usefulness. But people who acquire innovative ideas can influence the course of education in Alaska for many years to come.

Yours truly,

Judith Kleinfeld/by jb

Judith Kleinfeld (Ed.D.)
Associate Professor of Psychology

JK/jb
cc: Mick Murphy

STATE OF ALASKA

JAY S. HAMMOND
GOVERNOR

DEPARTMENT OF EDUCATION

Alaska Rural Teacher Training Corps
Cross-Cultural Education Development Program
(907) 279-0503
2221 E. Northern Lights Blvd.
Suite 220
Anchorage, AK 99504

February 14, 1977

Hon. Thelma Buchholdt
Alaska House of Representatives
Pouch V
Juneau, AK 99811

Dear Thelma:

Enclosed are copies of the materials in which you are interested pursuant to the X-CED program and rural secondary school staff development. Combined with the matters we discussed last Friday and the budget document, perhaps it will help in providing the substance you need in order to better review our budget request, particularly for the 02 Component asking for increase in State funds.

In our conversation you mentioned a bill recently introduced which dealt with rural teacher training. In spite of not having seen the bill, I would appreciate your looking into it to see if it lends itself to the process in which X-CED is engaged and, if so, the possibility of the X-CED BRU receiving appropriation under the bill and carrying out its purposes through the contractual arrangement with the University. Please bear in mind, however, that we tenaciously hold to preparing roundly educated, degreed, certificated teachers, both elementary and secondary. If preparation of aides is the focus, then not only is this not our emphasis, it falls short of the need for preparing fully qualified Native and other cross-culturally trained teachers.

The preapplication to the Fund for the Improvement of Postsecondary Education (FIPSE) conceptualizes both the task before us and one approach to solution. If FIPSE approves this preapplication, they will invite a full proposal. If, then, the proposal is approved, we can begin in earnest. These are two big "if's" and I'd hate to rely on approval of the proposal. But if it's funded (we'll know by mid-April), we could switch The federal

Hon. Buchholdt

-2-

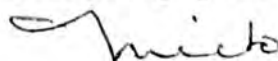
February 14, 1977

funds with all or part of any State funds appropriated for X-CED's 02 Component by means of the Revised Program process. I include this proposal narrative because it deals with the issues and approaches and also lets you know that I'm trying to cover all bases possible.

I appreciate the time and interest you have taken. Call me if there is anything more that I can provide.

Incidentally, would you have a copy of the bill you mentioned sent to me?

Sincerely yours,



D. M. Murphy, Exec. Director
Cross-Cultural Education
Development Program (X-CED)

DMM:slw

SCOMM

#19:14

#11
Va Ed

Alaska Skill Center
P.O. Box 615
Seward, Alaska 99664
Phone 224-5246

The Alaska Skill Center is an Adult Vocational Training Center. Persons who enroll must be at least eighteen years old or have graduated from high school.

Courses offered:

BUILDING TRADES training includes general construction and repair of building components. Topics taught are painting, dry wall, furnace maintenance, basic home wiring, plumbing, and carpentry. The training period is twenty-six weeks long. Tuition is \$240.00 and the lab fee is \$30.00.

FOOD SERVICE training includes short order cooking, food preparation, menu planning, industrial cooking and baking. Cook/Baking training is twenty-four weeks long. Tuition is \$240.00 and the lab fee is \$50.00.

OFFICE OCCUPATIONS training includes Business English and Math, Office Machines, Typing, Office Procedures, Accounting, Switchboard Training and On-the job training in local offices. Students may graduate with levels of: Clerk-Typist, Clerk-General, Accounting Clerk, Clerk-Transcriber or Receptionist. The tuition for 24 weeks of training is \$240.00 and the lab fee is \$30.00.

AUTO MECHANICS includes training in tune-up, brakes, drive-trains, engine overhaul and tire repair. The training is 24 weeks long. The tuition is \$240.00 and the lab fee is \$65.00.

DIESEL MECHANICS includes training in diesel engine overhaul and repair of reversing reduction gears. The training is 24 weeks long. The tuition is \$240.00 and the lab fee is \$65.00.

HEAVY EQUIPMENT MECHANICS includes training in service and repair of construction equipment such as crawler tractors, dump trucks, front end loaders, motor graders and light duty trucks. The training is 28 weeks long. The tuition is \$280.00 and the lab fee is \$75.00.

POWER HOUSE OPERATION is taught in the winter, normally October to March. Classes are eight weeks long. Tuition is \$160.00 and the lab fee is \$20.00.

WELDING classes are held from mid-March through September. Classes are 12 weeks long. The welding course includes gas, arc, M.I.G. and T.I.G. welding. Tuition is \$160.00 and the lab fee is \$45.00.

Student insurance is required. The cost is \$17.50 for a 24 week training program.

SCHOOL IS IN SESSION THROUGHOUT THE YEAR SO STUDENTS CAN START TRAINING AT ANY TIME DURING THE YEAR. (as training slots are open.)

Dormitories are available for students and meals are served in the dining hall seven days a week. Room and board costs \$70.00 per week. Towels, bedding and laundry facilities are included in room and board charges.

REFUNDS: Students who have paid tuition and lab fees and decided not to continue in training at the end of their first training week will be refunded 80% of the tuition payment. No lab fees will be refunded at any time. If at the end of the second week of training a student decides not to continue in training, that student may receive a refund of 60% of the tuition. If a student decides not to continue in training any time after the second training week, no tuition refund will be made.

For further information or an application form, contact the Admissions Office at the Alaska Skill Center.

ALASKA SKILL CENTER

ALASKA DEPARTMENT OF EDUCATION

The Alaska Skill Center is a residential adult vocational training facility. Programs are provided in five departmental areas:

- Building Trades - Carpentry, plumbing, electrical, building maintenance, etc.
- Food Service - Cooking, baking
- Office Occupations - Typing, bookkeeping, filing and basic accounting, etc.
- Mechanical - Power generation, oil technology, heavy equipment, diesel, automotive, welding, etc.
- Basic Education - All students are tested to determine educational levels, to ensure that their reading and math skills are sufficient to enable success in reaching vocational goals. The upgrading of math and reading skills has allowed many students to obtain a G.E.D. certificate while at the Skill Center.

GEOGRAPHICAL DISTRIBUTION OF STUDENTS FY 76-77

Barrow	16	Glennallen, Galena, Copper Center	20
Rural	57		
Kotzebue	11	Palmer, Homer, Moose Pass, Kenai	56
Nome	18	Kodiak	19
		Rural	1
Fairbanks	66	Seward, Cordova, Valdez	142
Rural	88		
Bethel	42	Juneau, Southeast	179
Rural	146	Anchorage	76
		Rural	16
		TOTAL	953

ETHNIC DISTRIBUTION OF STUDENTS FY 76-77

Alaskan Natives	589	62%
Caucasian	335	35%
Other	29	3%

Number of High School G.E.D.'s	83
Number of driver's licenses	64

ALASKA SKILL CENTER
STUDENT WAGE AND TAX STATISTICS

The following statistics were computed from data supplied by the Alaska Department of Revenue in September, 1977.

WAGES

<u>Category</u>	<u>Pre-Training Average</u>	<u>Post Training Average</u>	<u>Percent of Increase</u>
All Students	3931	11,972	205%
Rural Students	2605	9,803	276%
Urban Students	4999	13,897	178%
Building Trades	2557	8,199	221%
Office Occupations	5082	12,680	150%
Food Service	2843	11,116	291%
Mechanical	4593	14,859	224%

STATE TAXES

<u>Category</u>	<u>Pre-Training Average</u>	<u>Post Training Average</u>	<u>Percent of Increase</u>
All Students	96	439	357%
Rural Students	48	338	604%
Urban Students	114	523	359%
Building Trades	39	225	477%
Office Occupations	167	451	170%
Food Service	65	422	549%
Mechanical	103	586	469%

The average cost to the State for each student served in FY 76 and FY 77 was \$2315.
Average cost computation:

Expenditures FY 76	\$1,665,400
FY 77	<u>1,927,966</u>
Total	3,593,366
Less Federal Funds (CETA)	1,387,200
Cost to State	2,206,166

953 Student Served = 2,315 average cost per student

Using the average increase in State taxes paid of \$343, the cost of instruction is returned to the State in 6.7 years.

Studies conducted in the past indicate a significant decrease (more than 50%) in the amount of public assistance required by graduates of the Alaska Skill Center.

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ALASKA SKILL CENTER

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SCOMM

#19:15

#12

MEMORANDUM

State of Alaska

DEPT. Commission on Postsecondary Education
DIV. Alaska Center for Staff Development
SEC. _____

TO: Kathryn Ostrosky

Voc Ed

DATE : December 9, 1977

FROM: Susan Sloan *JS*

SUBJECT: ACSD Activities

As per our telephone conversation of date, enclosed is a copy of the activities held by the Alaska Center for Staff Development during 1976-77. If you need any further information, please feel free to call me at 274-3691.

Workshop/Conference	Activity Location	Date	Number Attending	Contact Hours
Rural Industrial Education In-service	Anchorage	Nov. 2-3	19	304
Instructional Packages	St. Mary's	Nov. 2-3	14	112
Instructional Management	St. Mary's	Nov. 3-5	14	224
Crisis Intervention	Nome	Nov. 11-12	22	330
Autistic Project In-service	Anchorage	Nov. 18-19	2	30
Developing Mastery in Basic Skills	Noorvik	Dec. 7-10	4	40
Suicide Intervention	Anchorage	Dec. 13-14	8	96
Autistic Project Orientation	Anchorage	Dec. 15	3	22
Curriculum Adaptation, Instructional Management, Assessment and Evaluation	St. Mary's	Jan. 4-7	23	690
Women in Treatment Training of Trainers	Anchorage	Jan. 4-7	15	480
Assessment Interviewing and Treatment Planning, Training of Trainers	Anchorage	Jan. 10-13	8	256
Greenhouse Management	Anchorage	Jan. 10-14	12	450
Learning Styles, Learning Environment	St. Paul	Jan. 12-19	18	900
State Vocational Education Advisory Council In-service	Juneau	Jan. 17-18	14	210
Adult and Continuing Education In-service	Juneau	Jan. 19	10	75
Curriculum Development	Anchorage	Jan. 23-28	42	1575
Developing Mastery in Basic Skills, Learning Environment, Influencing Behavior, Assessment and Evaluation	Deering	Jan 24-27	4	112

APPENDIX I
 ACTIVITIES SPONSORED BY
 ALASKA CENTER FOR STAFF DEVELOPMENT
 FY 1976 - 1977

Workshop/Conference	Activity Location	Date	Number Attending	Contact Hours
Administrative Planning Workshop D.O.E. Program Support Division (Facilitator)	Juneau	July 13-14	8	56
Training for Teachers of Autistic Children	St. Louis	August 2-20	3	270
Cross Cultural Workshop	Anchorage	August 12-13	28	252
Greenhouse Management Workshop	Anchorage	August 16-20	11	385
Health Occupations In-service	Anchorage	August 21-25	6	210
Home Economics Conference	Anchorage	August 23-26	22	462
Administrative Planning Workshop Anchorage Borough School District Occupational And Career Education	Anchorage	Sept. 1-2	3	33
Adult Education Planning Conference	Anchorage	Sept. 10	3	15
Communication and Planning With Regional Resource Centers	Anchorage	Sept. 15	15	105
Developing Mastery in Basic Skills	Anchorage	Sept. 16-17	19	285
Career Education Orientation	Anchorage	Sept. 23	16	128
Education Program Support	Anchorage	October 18-19	80	960
Adult Basic Education Teacher Training	Anchorage	October 18-22	21	735
Career Guidance Competencies	Anchorage	October 22-23	47	369
Short Term Client Systems	Anchorage	October 25-30	18	720
Instructional Packages	Kotzebue	October 26-27	19	152
Developing Mastery in Basic Skills	Kotzebue	October 17-28	19	152

Workshop/Conference	Activity Location	Date	Number Attending	Contact Hours
Training of Teachers of Autistic Children	Anchorage	Jan. 27-29	4	90
Developing Mastery in Basic Skills, Instructional Management, Influencing Behavior, Assessment and Evaluation	Buckland	Jan. 31 - Feb. 3	4	90
Adult Basic Education Teacher Training	Anchorage	Jan. 31 - Feb. 4	14	525
Training for Teachers of Autistic Children	Anchorage	Feb. 3-4	11	165
Problem Delineation	Anchorage	Feb. 7-8	12	180
Supplemental Program Application Writing	Anchorage	Feb. 9-11	48	1056
Vocational Education Planning Task Force	Juneau	Feb. 14	5	35
Instructional Packages, Instructional Management, Developing Mastery in Basic Skills	Anchorage (For Iditarod Districts)	Feb. 22-24	24	540
Crisis Intervention	Petersburg	Feb. 25-26	17	255
Influencing Behavior	Anchorage (For St. Mary's)	March 1	19	142
Instructional Management	Anchorage (For North Slope Schools)	March 2	10	75
Mini-Courses for Vocational Educators in Selected Subjects	Anchorage (For ASVA)	March 2-4	16	50
Training of Trainers	Anchorage	March 14-18	15	525
Home Economics In-service	Dillingham	March 17-22	11	385
Judevine Parent Training	Anchorage	March 19	14	98

Workshop/Conference	Activity Location	Date	Number Attending	Contact Hours
Instructional Management, Assessment and Evaluation	Kivalina	March 22-24	7	154
Making a Difference with Youth	Anchorage	March 21-25	22	770
Career Guidance Cadre Training	Anchorage	March 24-26	10	200
Behavior Modification	Kiana	March 28-31	11	231
Vocational Education Planning Task Force	Anchorage	March 30-31	5	35
Judevine Teacher Training	Kenai	April 2	15	105
Health Occupations Workshop	Anchorage	April 2-4	2	42
Instructional Management	Egegik	April 11-14	3	84
Manpower Regional Advisory Council	Anchorage	April 12-13	29	406
Governor's Youth Planning Council	Anchorage	April 14-15	15	210
Short Term Client Systems	Anchorage	April 25-29	6	210
Proposed Comprehensive System For Personnel Development	Anchorage	May 9-10	34	510
Program and Financial Management	Anchorage	May 23-25	26	546
Community Education Basic Concepts	Anchorage	June 6-10	12	390
Vocational Education Evaluation Criteria	Anchorage	June 6-10	16	560
School Administrators' Conference	Sitka	June 13-17	23	805
Organization and Operation of Community Schools	Anchorage	June 20 - July 1	19	1330
Planning for Improvement of Instruction	Seward	June 23-24	40	440
TOTALS			1089	22434

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Developing Mastery in Basic Skills	Kotzebue	October 17-28	19	152

Workshop/Conference	Activity Location	Date	Number Attending	Contact Hours
Rural Industrial Education In-service	Anchorage	Nov. 2-3	19	304
Instructional Packages	St. Mary's	Nov. 2-3	14	112
Instructional Management	St. Mary's	Nov. 3-5	14	224
Crisis Intervention	Nome	Nov. 11-12	22	330
Autistic Project In-service	Anchorage	Nov. 18-19	2	30
Developing Mastery in Basic Skills	Noorvik	Dec. 7-10	4	40
Suicide Intervention	Anchorage	Dec. 13-14	8	96
Autistic Project Orientation	Anchorage	Dec. 15	3	22
Curriculum Adaptation, Instructional Management, Assessment and Evaluation	St. Mary's	Jan. 4-7	23	690
Women in Treatment Training of Trainers	Anchorage	Jan. 4-7	15	480
Assessment Interviewing and Treatment Planning, Training of Trainers	Anchorage	Jan. 10-13	8	256
Greenhouse Management	Anchorage	Jan. 10-14	12	450
Learning Styles, Learning Environment	St. Paul	Jan. 12-19	18	900
State Vocational Education Advisory Council In-service	Juneau	Jan. 17-18	14	210
Adult and Continuing Education In-service	Juneau	Jan. 19	10	75
Curriculum Development	Anchorage	Jan. 23-28	42	1575
Developing Mastery in Basic Skills, Learning Environment, Influencing Behavior, Assessment and Evaluation	Deering	Jan 24-27	4	112

Workshop/Conference	Activity Location	Date	Number Attending	Contact Hours
Training of Teachers of Autistic Children	Anchorage	Jan. 27-29	4	90
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TOTALS			1089	22434

SCOMM

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ALASKA STATE VOCATIONAL ASSOCIATION

ANCHORAGE, AK 99504

#13

Testimony

presented to the

ALASKA STATE HOUSE INTERIM COMMITTEE ON EDUCATION

Anchorage, Alaska

October 28, 1977

Edith Wells, President

Alaska State Vocational Association

The Alaska State Vocational Association is an organization of school administrators and teachers interested in the improvement and extension of needed vocational education programs within the State. There are currently over five hundred persons employed in vocational education in Alaska. The Association is a loosely organized umbrella for divisions representing Agriculture and Aquaculture, Business and Office, Career Education, Distributive Education, Guidance and Counseling, Health Occupations, Home Economics, Industrial Arts, Technology, Trades and Industries, Manpower Programs, Local Administrators, and New and Related Services. So far as I am aware, it is the only professional education organization that is composed of both administrators and classroom teachers. ASVA is proud to represent both.

The organizational structure is based on a concept of area chairpersons in order to more actively involve the membership in both current problem solving and the dissemination of professional information. We have area chairpersons serving in northern Alaska, in Fairbanks, in Juneau, in south-central Alaska, and as far east as Tok Junction. A chairperson serves as the initiator of legislative information needing to be disseminated through our communications network.

ASVA holds a conference in March when a concentration of effort is given to improvement of instruction through planned workshops for teachers in each of the division areas expressing a need or interest for such professional development.

We also publish a newsletter four times annually and a directory of members, state legislators, advisory council members, and state department of education personnel.

Our interest in appearing before this committee, then, is to make our services available to you in whatever way we can to further our strong belief that vocational education should be available to everyone in the State.

NEED FOR STATEWIDE PROGRAMS

To provide a philosophical base for comments, the following points are outlined as necessary to improve statewide programs:

1. Programs are already strong and continuing in many areas; however, there is need for quality vocational education statewide.

2. It is basic to program development that there be a strong staff within the State Department of Education with a well qualified director for this unit to provide leadership in coordination and planning. It is gratifying that after almost a year, the position of unit administrator for career and vocational education has recently been filled.

3. Program specialists are needed in each area at the state level.

4. There is need for specific certification requirements and endorsements for vocationally qualified personnel to insure the best instruction.

5. The needs of rural Alaska must be met in providing quality vocational instruction, training, and preparation for employment.

Staffing. Vocational education at the state level is currently understaffed. Whereas specialists or program chiefs are usually available as resource persons in most academic areas--at least in larger school districts--even these are generally lacking in vocational education because of the numbers of professional personnel involved in any one district. In the past program specialists have been provided through the Department of Vocational Education. Recently, because of understaffing caused by growth and reorganization within the DOE, specialists have been reassigned to more

administrative functions leaving the important curricular areas with no resource persons except as they may be available and "as time allows." This is not acceptable. If more staff is needed, funds should be available in order to hire them.

Youth Organizations. Youth organizations have not received the total support they need. These groups are an integral part of vocational education programs. Much of teaching is done through chapter activities in Future Farmers of America (FFA), Future Homemakers of America (FHA-HERO), Vocational Industrial Clubs of America (VICA), Future Business Leaders of America (FBLA), Office Education Association (OEA), and Distributive Education Clubs of America (DECA). A full-time resource person at the state level is needed to coordinate statewide leadership conferences and student organization activities. Activities are now largely supported by volunteer efforts of instructors and the students themselves in organization of community service projects, sales promotions, and intra-school activities.

Certification Requirements. Quality programs are possible only when fully qualified instructors and administrators with periodically updated skills and knowledge are available to direct them. The State DOE has recently waived special endorsements as a criterion for certification to teach vocational courses. We believe the State should continue to require certification, to include a requirement for work experience in the major area to be taught. The recent action of the Department to delete this certification is a step backward.

We are aware of the concern in rural school districts for securing and retaining qualified personnel, but we believe the best interests of quality education in Alaska will not be served by eliminating certification and/or endorsements by the State. Rather, a provision for waivers could be made that

includes a planned program to provide for in-service instruction in areas of deficiency. This would require funding for implementation.

ALASKA STATE FIVE-YEAR PLAN FOR VOCATIONAL EDUCATION

During the hearings on the State Plan in May, 1977, the Association went on record as being particularly pleased with the depth of in-service plans and the provisions for their expansion as well as the emphasis given articulation. Legislative support is needed to finance centers and institutions able to coordinate offerings for this purpose. Vocational degree programs should be readily available within the State. Approved apprenticeship programs are needed for some teachers.

We are concerned that opportunities be made available for vocational personnel to continue to upgrade skills. Even the best prepared instructor is in need of technological update at intervals. For this reason, legislative support is sought for a cooperative education program for instructors that would allow them to leave their current teaching positions to join cooperating business and industrial firms willing to employ them for periods of from six weeks to a year to become familiar with new equipment, systems, and industry policies. ASVA will be pressing for the inclusion of cooperative education programs for teachers in the State Plan.

ARTICULATION

Talent Bank. There are many ways in which articulation of programs can be achieved through additional support at a state level. Currently the Department of Education supports a talent bank which in concept was meant to provide a delivery system for innovative and outstanding programs throughout the State. This talent bank has not been utilized to the extent that it could provide services. The program should be funded fully for maximum use.

Film Production. Plans are being considered for the cooperative production of film clips and 15-20 minute film presentations suitable for use on television as well as on the banquet circuit and in classrooms to teach persons in the State with a concise presentation of what is available in the field of vocational education in Alaska and where and how it can be made available to individuals. These films have been successfully produced in several states in the lower 48 through assistance from the American Vocational Association. Results have been very worthwhile. Information about existing programs could, in this way, be transported to the most remote villages in the State as well as to urban areas. The Alaska Advisory Council for Vocational Education has expressed interest in a cooperative production. Total funding need is estimated to be \$5000 for "seed" money. Production staff (provided by AVA) then secure the rest of the financing through local business and industry.

FEDERAL FUNDING FOR VOCATIONAL EDUCATION

ASVA members are very concerned that in the State Department of Education both the Commissioner of Education and the Unit Administrator for Career and Vocational Education have expressed the belief that federal dollars are not "worth the strings attached." We believe that at present these "strings" represent a necessary quality control for programs, and we would strongly protest the denial of federal funding in Alaska.

IN CONCLUSION, let me reiterate that the Alaska State Vocational Association stands ready to serve as resource personnel in any way we may be of service to the Committee in securing the best possible program in vocational education for the State of Alaska.

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Sen. Chancy Croft
Interim Committee on
Educational Programs

BILINGUAL/BICULTURAL
PROGRAMS

TABLE OF CONTENTS

FILE COPY

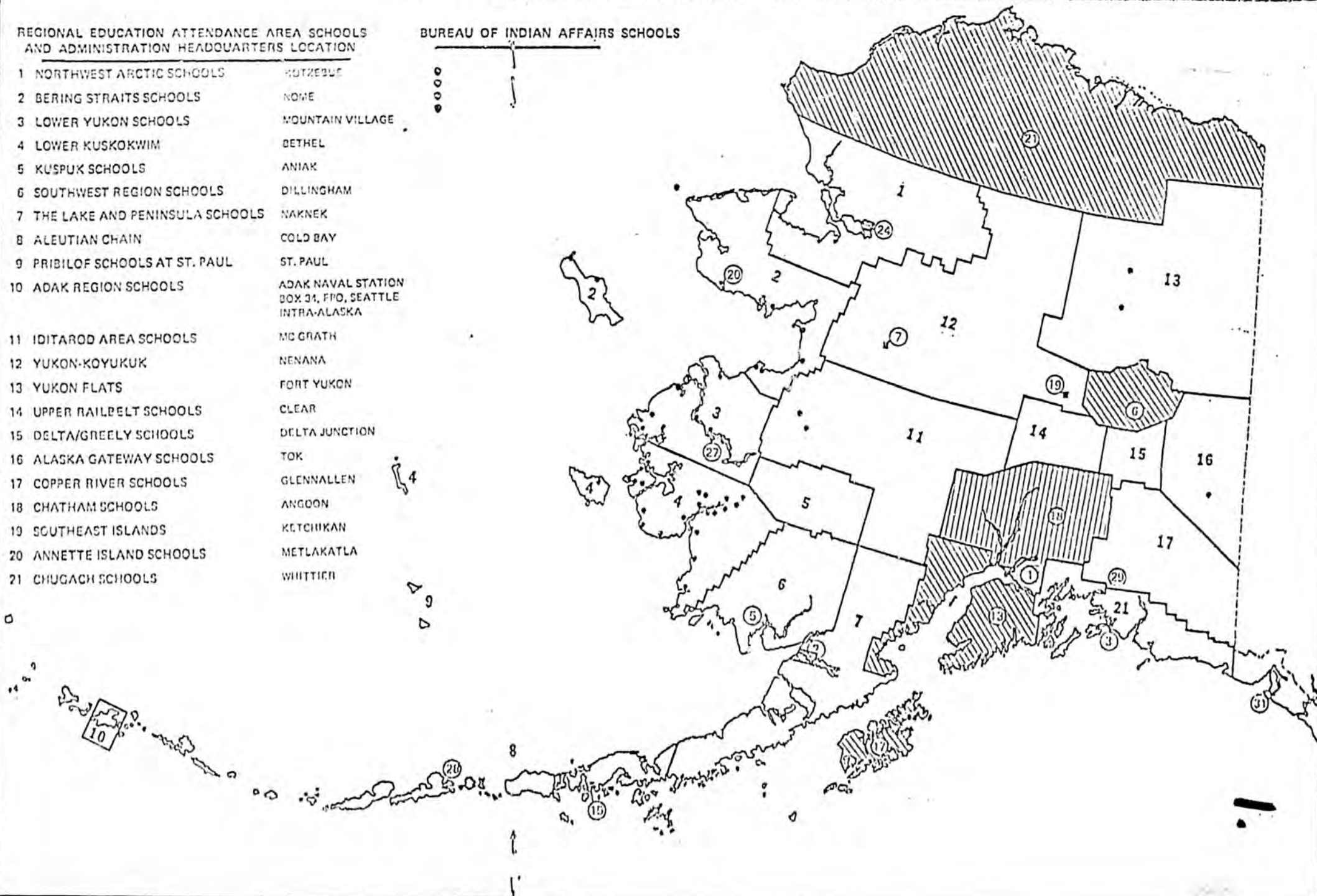
1. Map of School Districts - CNER
City, Borough and REAA's
2. Draft of Bilingual Regulations - Approved October 22, 1977
3. Proposed Amendment to Foundation Formula - Rep. Buchholdt
4. Actions - State Board of Education -- March, May, June Meetings
5. Chronology of Events re Bilingual Negotiations - OCR
6. Chronology of Events re Bilingual Negotiations - DOE
7. Federal Funds Involved in Non-Compliance
8. Hearings Schedule - DOE
9. NEA-Alaska Position Paper
10. Lau Remedies - HEW
11. News Clippings - October 22, September 29
12. Program Outlines
National Bilingual Materials Development Center
Alaska Rural Teacher Training Corps - X-CED

Legislative Reference Library
Legislative Affairs Agency
State Capital
Pouch Y
Juneau, AK 99811

REGIONAL EDUCATION ATTENDANCE AREA SCHOOLS
AND ADMINISTRATION HEADQUARTERS LOCATION

BUREAU OF INDIAN AFFAIRS SCHOOLS

1	NORTHWEST ARCTIC SCHOOLS	KUTZEBUE
2	BERING STRAITS SCHOOLS	NOME
3	LOWER YUKON SCHOOLS	MOUNTAIN VILLAGE
4	LOWER KUSKOKWIM	BETHEL
5	KUSPUK SCHOOLS	ANIAK
6	SOUTHWEST REGION SCHOOLS	DILLINGHAM
7	THE LAKE AND PENINSULA SCHOOLS	NAKNEK
8	ALEUTIAN CHAIN	COLD BAY
9	PRIBILOF SCHOOLS AT ST. PAUL	ST. PAUL
10	ADAK REGION SCHOOLS	ADAK NAVAL STATION BOX 34, FPO, SEATTLE INTRA-ALASKA
11	IDITAROD AREA SCHOOLS	MC GRATH
12	YUKON-KOYUKUK	NENANA
13	YUKON FLATS	FORT YUKON
14	UPPER RAILBELT SCHOOLS	CLEAR
15	DELTA/GREELEY SCHOOLS	DELTA JUNCTION
16	ALASKA GATEWAY SCHOOLS	TOK
17	COPPER RIVER SCHOOLS	GLENNALLEN
18	CHATHAM SCHOOLS	ANGOON
19	SOUTHEAST ISLANDS	KETCHIKAN
20	ANNETTE ISLAND SCHOOLS	METLAKATLA
21	CHUGACH SCHOOLS	WHITTIER



PROPOSED REGULATIONS FOR BILINGUAL/BICULTURAL
EDUCATION IN ALASKA

4 AAC 34.010 is amended to read as follows:

4 AAC 34.010 PURPOSE. The purpose of this chapter is to encourage and assist school districts, in cooperation with local communities, to meet the special needs of children of limited English speaking ability. The department believes that providing equal educational opportunity to these children through the establishment of bilingual/bicultural programs of education will provide more effective use of both English and the student's language, foster more successful secondary and higher education careers, facilitate the obtaining of employment, tend to bring about an end to the depreciation of local culture elements and values by the schools, stimulate better communication between the community and the schools in solving educational problems, effect a positive student self image, allow genuine options for all students in choosing a way of life, and facilitate more harmonious relationships between the student's culture and the mainstream of society. (Eff. 12/29/76, Register 60; am / / , Register)

Authority: AS 14.07.060
AS 14.30.410

4 AAC 34.030 is amended to read:

4 AAC 34.030 GRANT APPLICATION. The commissioner may award grants to school districts upon applications submitted to him/her by their governing bodies. A district's application must contain the following:

- (1) an assessment of the bilingual/bicultural education needs of students in the district conducted in accordance with the provisions of sec. 50 of this chapter;
- (2) a bilingual/bicultural education program which meets the requirements of secs. 55 through 80 of this chapter and which assures that:

(A) the governing body has a statement of philosophy consistent with the bilingual/bicultural education philosophy expressed in sec. 10 of this chapter;

(B) there are comprehensive program objectives in measurable terms for each component of a program;

(C) to the extent possible, all programs offered by the district and all sources of funds available for bilingual/bicultural education will be coordinated;

(D) there is a budget consistent with program specifications and requirements. (Eff. 12/29/76, Register 60; am / / , Register)

Authority: AS 14.07.060
AS 14.30.410

4 AAC 34 is amended by adding new sections to read:

4 AAC 34.050 IDENTIFICATION AND ASSESSMENT OF LANGUAGE DOMINANCE. (a)

Before December 1, 1977, each school district shall carry out an identification and assessment of language dominance for the purpose of categorizing each student in the district in one of the following:

<u>Category</u>	<u>Definition</u>
A	students who speak a non-English language exclusively;
B	students who speak mostly a non-English language, but also speak some English;
C	students who speak a non-English language and English with equal ease;
D	students who speak mostly English but also speak a non-English language;
E	students who speak English exclusively but whose manner of speaking reflects the grammatical structure of another language;
F	students who speak English exclusively but do not fit category E.

(b) Following the ~~initial~~ assessment made under (a) of this section, districts shall identify and assess all students new to the district within 30 days of their enrollment in school.

(c) The identification and assessment process under (a) and (b) of this section shall consist of the following:

(1) informing parents through workshops, public meetings or public announcements of the purpose and importance of both the assessment procedure and the development of bilingual/bicultural programs and of the necessity for complete and accurate data on the parent questionnaire, and how to complete the questionnaire which they will be asked to complete.

(2) selecting qualified persons to administer the assessment instruments and evaluate the results and orienting or training these persons;

(3) providing a parent questionnaire, reviewed and accepted by the department, to the parents or guardians of each student and assuring that the questionnaire is completed and returned. For the purpose of determining which students are clearly category F and do not require further assessment, the parent questionnaire should be reviewed by one or more of the student's regular classroom teachers, as determined by the school principal. If the responses on the parent questionnaire indicate that the student is category F and the reviewing teacher or teachers agree that the child is not in categories A through E, the district may identify that student as being in category F and need not carry out the remaining steps of the assessment process as to that student;

(4) using a language observation questionnaire, reviewed and accepted by the department, for all students not initially identified as being category F. Based on the results of this instrument and the parent questionnaire, a student shall be tentatively identified as being in one of the six categories set out in ^(a)(b) of this section;

(5) administering a language assessment instrument, which has been reviewed and accepted by the department, to all students tentatively identified under (4) of this subsection as being in categories A through D. Following administration of this instrument, the student shall be identified as being in that category which reflects the least degree of English facility as established by the three assessment instruments;

(6) reviewing the results of the parent questionnaire and language observation questionnaire for those students tentatively identified under (4) of this subsection as being in categories E and F and modifying those results as necessary with systematic or prior observation by the staff of the students' school and identifying those students as being in either category E or F.

(d) Each district shall submit to the department, no later than December 1, 1977 for the initial assessment required under (a) of this section and by November 1 of each subsequent year, a compilation and analysis of its assessment data.

4 AAC 34.055 ANNUAL PLAN OF SERVICE. (a) Each district with a school attended by eight or more students who speak the same non-English language and for whom a bilingual/bicultural education program is required under (e) of this section shall file with the department, by March 15 of each school year, a bilingual/bicultural plan of educational service which complies with the provisions of secs. 60 through 80 of this chapter.

(b) The plan of service required under (a) of this section must contain the following:

- (1) a parent community involvement component;
- (2) a curriculum/instructional component;
- (3) a materials development component;
- (4) a staff development component;
- (5) a description of the district's process for implementing and coordinating the plan of service;
- (6) an evaluation component.

(c) A district may request variances from the bilingual/bicultural education program requirements set out in secs. 60 through 80 of this chapter. In the exercise of his/her discretion, the commissioner may grant a requested variance upon a showing by the district of program feasibility and that the proposal promises to provide equal educational opportunity.

(d) Upon filing of a plan of service, the department will review it and either approve it or return it for necessary modifications within 60 days of its receipt. Upon approval by the department the district shall implement its plan.

(e) Appropriate bilingual/bicultural education programs must be provided to the following students:

- (1) all students in categories A and B;
- (2) those students in categories C, D and E who are achieving at or below:
 - (A) minus one standard deviation on a normed test; or
 - (B) one year below grade level as measured by the district's ongoing student achievement testing program.

(f) A district may, at its option, provide bilingual/bicultural education programs to students who are not included in (e) of this section.

(g) A district may meet the educational needs of category E students described in (e)(2) of this section through non-bilingual programs of instruction which it provides generally to its underachieving students. However, the plan of service required by this section must identify and describe those programs.

(h) Districts may comply with the requirements of secs. 60 through 80 of this chapter by a phased-in process designed to accomplish full implementation of those requirements by the end of the 1978-1979 school year. The phase-in must at least meet the following time frames:

(1) initiation of appropriate community involvement activities under sec. 60 of this chapter by the end of the first semester of the 1977-1978 school year:

(2) significant progress toward establishing appropriate curricula under sec. 65 of this chapter, with particular emphasis on providing programs to students in categories A and B, identifying instructional materials necessary under sec. 70 of this chapter, and recruitment and training of instructional staff under sec. 75 of this chapter by the close of the 1977-78 school year; and

(3) submission of the district's initial plan of service under this section by March 15, 1978.

4 AAC 34.060 PARENT AND COMMUNITY INVOLVEMENT. (a) Districts shall provide for the direct involvement of the parents of bilingual/bicultural students and other members of the community in the initial development and subsequent evaluation and improvement of the program, including providing sufficient information and allowing adequate time for the parents to review and discuss all aspects of the program with responsible district personnel.

(b) Districts shall conduct an informational program for parents of students and other members of the community in each language group for which a bilingual/bicultural program is or will be conducted. This program includes notices in appropriate media and languages as well as community meetings where feasible.

4 AAC 34.065 CURRICULUM/INSTRUCTIONAL PROGRAM. (a) Unless a variance has been approved by the commissioner under sec. 55(b) of this chapter, the bilingual/bicultural curriculum of the district must include, for each category of student for whom a program must be provided under (e) of sec. 55 of this chapter, one or more of the following options:

- (1) Category A and B students at the primary and intermediate level:
 - (A) a bilingual/bicultural curriculum; or
 - (B) a transitional bilingual/bicultural education curriculum;
- (2) Category A and B students at the secondary level:
 - (A) a bilingual/bicultural curriculum;
 - (B) a transitional bilingual/bicultural education curriculum;
 - (C) a high intensity language training curriculum;
- (3) category C and D students at all levels:
 - (A) a bilingual/bicultural curriculum;
 - (B) an English as a second language curriculum;
 - (C) a supplemental English skill and concept development curriculum;
 - (D) a non-English as a second language curriculum;
- (4) category E students at all levels:
 - (A) an English as a second language curriculum;
 - (B) a supplemental English skill and concept development curriculum;
 - (C) a non-English as a second language curriculum.

(b) The district plan must also provide a process for re-evaluating the needs of each student in the bilingual/bicultural program on an on-going basis with re-assignment to another curriculum or individualizing of instruction occurring as necessary to assure appropriate educational services.

(c) At the request of a student's parent or guardian and if the requested alternative program is reasonably available, the district shall place the student in its regular program for non-bilingual students or in a level of the bilingual program with less non-English emphasis than that called for by the student's assessment category.

(d) In schools with fewer than eight students in one or more of the categories A through E, for whom a program must be provided under (e) of sec. 55 of this chapter, districts shall either provide those students with a curriculum as set out in (a)

of this section or it shall individually meet the needs of each of those students by means of one-to-one tutoring and assistance.

(e) As used in this section:

(1) A "bilingual/bicultural curriculum" means a program of instruction which makes use of a student's non-English language and cultural factors and maintains and develops the student's skills in that language and culture. Additionally, it introduces, develops and maintains all the necessary English skills for the student to function successfully in English. The non-English instruction may vary from being in the non-English language arts to being in all discipline areas, with the appropriate combination of non-English and English instruction determined by the district in conjunction with the parents of its bilingual students.

(2) A "transitional bilingual/bicultural education curriculum" means a program of instruction which makes use of a student's non-English language and cultural factors in instruction only until the student is fully functional in English. Once this occurs, further instruction in the non-English language is discontinued. Until the student is fully functional in English, instruction in the language arts of the non-English language is provided, and English is taught as a second language.

(3) An "English as a second language curriculum" means a program of instruction which teaches English as a second language, has culturally relevant material in its curriculum, and provides instruction in other subject matter in English.

(4) A "high intensity language training curriculum" means a program of instruction which gives a student intensive instruction in English until that student is fully functional in English, with the student working exclusively on acquisition of English language skills. Following acquisition of those skills, the student is phased into the same curriculum as that provided to the district's non-bilingual students.

(5) A "supplemental English skill and concept development curriculum" means a program of instruction in which the instructional content and methods address the language interference needs of students by appropriate supplementing of the curriculum provided to the district's non-bilingual students.

(6) A "non-English as a second language curriculum" means a program of instruction which teaches the student's non-English language as a second language. At the primary level emphasis is on oral language skill development. At the intermediate and secondary levels, language literacy instruction would begin after oral skills are learned. Instruction in other subject matter is conducted in English. At all levels, a special effort is made to maximally incorporate the student's non-English culture into the curriculum. (Eff. / / , Register)

Authority: AS 14.07.060
AS 14.30.410

4 AAC 34.070 MATERIALS. (a) ^A district shall provide adequate instructional materials to support and achieve the goals of the instructional programs selected under sec. 65 of this chapter.

(b) If adequate materials are not available, the district shall establish an action plan for developing or otherwise securing needed materials. The district plan should involve classroom teachers, individuals who are native to the non-English language and culture for which the materials are to be developed and linguists in the development and review of materials so as to assure that the materials are educationally and linguistically sound and that they are an accurate reflection of the appropriate language and culture.

4 AAC 34.075 INSTRUCTIONAL STAFF. (a) Districts shall insure that the skills of their instructional staff are commensurate with the type of programs selected.

(b) If regularly certificated (Type A) teachers who are appropriately bilingual cannot be obtained, bilingual instructors may be used to implement the program. However, if bilingual instructors are used:

(1) the district shall implement an action plan to train or otherwise secure certificated (Type A) teachers who are bilingual in the non-English languages for which the district offers its program; and

(2) the district shall assure that the salaries of its bilingual instructors are commensurate with the level of responsibilities and duties performed by them.

(c) Nothing in (b) of this section limits a district's authority to require, as a condition of continued employment, that a bilingual instructor enter into a formal program of training which leads to a Type A certificate.

(d) Each district shall develop a staff training plan for all bilingual program instructional personnel, both permanent and temporary, which includes, but is not necessarily limited to, the following:

- (1) objectives which are directly related to the needs of the students;
- (2) methods by which those objectives can be reached;
- (3) methods for selecting teachers, paraprofessionals, and potential teachers for training;
- (4) the names of individuals who will conduct training;
- (5) the location of the training;
- (6) content of the training, including as one element linguistic/cultural familiarity with the students' background;
- (7) a design for evaluating the training; and
- (8) a proposed time frame for carrying out the training plan.

(e) As part of the plan of service required under sec. 55 of this chapter, each district shall set out specific recruitment and selection processes for its bilingual program staff and shall establish, through cooperative agreements with institutions of higher education, a career ladder for its bilingual paraprofessionals which leads to regular (Type A) certification. The district shall encourage its paraprofessionals to pursue this career ladder by providing a progressive salary schedule which reflects their training and experience.

(f) The student to staff ratio for the district's bilingual program may not be higher than the overall student to staff ratio for the district. However, unless approved by the commissioner, each school in a district must have at least one regularly certificated (Type A) staff member. (Eff. / / , Register)

Authority: AS 14.07.060
AS 14.30.410

4 AAC 34.080 EVALUATION. Each district shall establish a procedure for evaluating annually the components of its bilingual/bicultural education program as set out in its annual plan of service. This procedure shall include, but not necessarily be limited to, collecting information concerning the progress of students enrolled in the program. (Eff. / / , Register)

Authority: AS 14.07.060
AS 14.30.410

PROPOSED AMENDMENT TO INCLUDE BILINGUAL/BICULTURAL EDUCATION
IN THE PUBLIC SCHOOL FOUNDATION FORMULA 8/17/77

It is proposed that Alaska statute 14.17.041 be amended by adding a new subsection (e) as follows:

(e) Bilingual education schedule:

ADM Full-Time Equivalent	No. Instructional Units
1 - 8	1
9 - 15	2
16 - 24	3
25 - 35	4
36 and over	4 plus 1 for each 11 pupils or fraction of 11 pupils in Full-Time Equivalent ADM

As a corresponding measure the following insertion should be made in Alaska Statute 14.17.031 (a):

() the number of units from bilingual education determined from sec. 41(e) of this chapter as approved by the department.

Actions - State Board of Education - June 28, 1977

4.

(9) Malcolm Roberts moved and Thelma Langdon seconded the motion to request a postponement of the Administrative Hearings of the Bilingual proceedings which were initiated by the Office of Civil Rights of the Department of Health, Education and Welfare to a date no sooner than December 1, 1977.

Note: This motion was amended by telephone on July 5, 1977 to change the date. It now reads: "to request a postponement of the Administrative Hearings of the Bilingual proceedings which were initiated by the Office of Civil Rights of the Department of Health, Education and Welfare to a date no sooner than October 31, 1977."

(10) Beverly Horn moved and Malcolm Roberts seconded the motion to request through the proper authorities that the funds which have been deferred be released until after the Administrative Hearing. Motion carried.

* (11) Thelma Langdon moved and Darwin Heine seconded the motion to request the Department of Education to move immediately in conjunction with the districts to carry out Bilingual-Bicultural student assessments in accordance with the process developed in cooperation with the Office of Civil Rights of the Department of Health, Education and Welfare. Motion carried.

* (12) Darwin Heine moved and Beverly Horn seconded the motion that the Department of Education be directed to develop as soon as possible, based on the best data available from the districts, a formula under the Foundation program designed to provide adequate support for Bilingual-Bicultural programs in the state. Motion carried.

June 29

(13) Thelma Langdon moved and Darwin Heine seconded the motion that the State Board of Education reappoint Marshall L. Lind as Commissioner of Education for a period of one year, through August 15, 1978. Motion carried.

(14) Thelma Langdon moved and Beverly Horn seconded the motion to adopt the task force recommendation that there be no change in current practice, that the Department of Education should explore further the matter of private school certification. Motion carried.

(15) Thelma Langdon moved and Darwin Heine seconded the motion that the Commissioner be instructed to appoint a certification working standards committee to develop certification standards for Alaska. The committee should consist of at least seven members, with the following representation: 1 administrator, 1 school board member, 1 elementary teacher, 1 secondary teacher, 1 lay person (PTA), 1 from higher education, and 1 Commissioner's representative. Motion carried.

(16) Malcolm Roberts moved and Thelma Langdon seconded the motion that the State Board of Education request the Department of Education to promulgate regulations to eliminate subject matter endorsements, and that certificates only specify level of

EXCERPTS ON OCR -- from Minutes of State Board of Education Meetings

March 24 & 25, 1977:

• Steve Hole briefed the State Board on the history of Alaska's involvement with the Office of Civil Rights, specifically the Lau vs. Nichols case. He brought them up-to-date through January 19, 1977, when we did receive a letter from the Office of Civil Rights stating that the 21 districts had been found in presumptive noncompliance, and that deferral of funds was being recommended. He mentioned that this then touched off a 60 day negotiation period, which we are now in, and as part of this negotiation there is an administrative hearing process taking place. The next part of the hearing process is March 22. Ms. Madden mentioned that if the state's voluntary plan for compliance with the Lau decision is accepted, then the administrative hearing process will cease. Mr. Hole pointed out that basically the Office of Civil Rights seems to be requiring higher standards for us than they have for single districts. It is our belief that they're trying to make the state subscribe to especially tough standards because they are moving against the state instead of a single district. He said that ironically those funds which could be withheld if the administrative hearing process does not end favorably in a settlement, not negotiated, would include bilingual and Civil Rights monies. Alaska is one of the few states in the nation that does have a state-mandated bilingual education program.

May 5 & 6, 1977:

• Malcolm Roberts expressed his concern about the Civil Rights issue, and said that every action on the part of the State Board and the Department of Education indicates they are totally dedicated to trying to improve civil rights and bilingual and bicultural education. Mr. Roberts also commented that the Department and the state's school districts were being "shoved and pushed around" too much.

• Commissioner Lind reported that he and Sylvia Carlsson, Special Assistant to the Commissioner for Minority Affairs, had given their depositions to the Office of Civil Rights in regard to presumptive noncompliance of Title VI. Dr. Lind felt that too much time had been spent on this subject, and if the districts were given the option of complying with the detailed requirements OCR is proposing, or losing federal funding, they would probably forego the federal monies.

Malcolm Roberts felt that a resolution should be drawn up in support of the Department's and the State Board's position. He felt that a small group of people are trying to run education in Alaska, rather than those who should, and that this group is hurting the cause to which the Department and the State Board are dedicated.

June 28 & 29, 1977:

(12) Darwin Heine moved and Beverly Horn seconded the motion that the Department of Education be directed to develop as soon as possible, based on the best data available from the districts, a formula under the Foundation program designed to provide adequate support for Bilingual-Bicultural programs in the state. Motion carried.

Chronology of Events: Title VI Lau Review
Involving Unorganized Borough Schools

1. January 1975: OCR investigation on Lau issues begins in Alaska State-operated school system.
2. March 1976: OCR issues findings of Title VI Lau noncompliance to Alaska Unorganized Borough School District (transitional successor to ASOSS).
3. April 1976: OCR, DOE, and AUBSD officials meet to discuss how to resolve the March findings. Agreement reached that State DOE will take lead responsibility to provide guidance to REAA districts.
4. May 1976: State Board of Education directs DOE to establish minimum guidelines for bilingual education for Alaska school districts.
5. June 1976: OCR and DOE meet to discuss what elements should be addressed in State Lau guidelines plan.
6. June 1976: DOE meets with REAA superintendents to inform them that DOE will be undertaking the lead responsibility to develop State guidelines on Lau/bilingual matters.
7. September 1976: OCR sends letter to DOE explaining why OCR is looking to DOE as agency with lead responsibility for providing compliance plan to resolve the March findings. (Attached.)
8. November 1976: DOE sends in its first Lau compliance plan. OCR meets with DOE and explains OCR written analysis determining the plan unacceptable. (Written OCR analysis attached.)
9. December 1976: DOE sends in a draft revised Lau plan.
10. January 1977: OCR provides oral and written analysis of December draft plan, determining it unacceptable. (Written OCR analysis attached.)

11. February 1977: OCR initiates fund termination proceeding under Section 602 of 1964 Civil Rights Act. Named respondents include all REAA districts and State DOE. (Notice of Opportunity for Hearing attached.)
12. March 1977: DOE submits to OCR its third Lau compliance plan.
13. April 1977: OCR determines the March 1977 DOE plan unacceptable. (OCR analysis attached.) DOE, OCR, and Alaska Legal Services agree on new scenario for development of State minimum guidelines "handbook".
14. June 1977: Acceptable "handbook" negotiated, and submitted and explained to REAA staff.
15. July 1977: Process of public input initiated. Title VI enforcement hearing postponed to October 31, 1977. (Stipulation postponing hearing attached.)

BACKGROUND INFORMATION

CHRONOLOGY OF EVENTS RELATING TO THE CURRENT NEGOTIATIONS BETWEEN THE ALASKAN SCHOOL DISTRICTS AND ALASKA DEPARTMENT OF EDUCATION, AND THE FEDERAL OFFICE FOR CIVIL RIGHTS

1964: Title VI, Civil Rights Act enacted on federal level

1965: Bilingual Education Act, enacted on federal level

1972: Alaska state legislature passed law calling for the establishment of bilingual education programs in those schools of the State-Operated-Schools-System with 15 or more students of limited English-speaking ability.

1974: The U.S. Supreme Court ruled in *Lau v. Nichols* that schools must provide equal educational opportunity for those students whose primary language is other than English.

January, 1975: The U.S. Department of Health, Education and Welfare Office for Civil Rights (OCR) sent forms to three school systems in Alaska: Alaska State-Operated-Schools System, Anchorage School District and North Star Borough School district (Fairbanks). The three districts were selected at random by OCR.

The forms were to determine whether there were any compliance problems with the Civil Rights Act of 1964 in any of the districts; more specifically, the forms required the districts to show how many students covered by the *Lau* decision were being served in each district and how those students were being served.

Spring, 1975: Alaska State-Operated-Schools submitted data to (OCR).

June, 1975: Alaska Senate Bill 35, decentralizing the Alaska-State-Operated-School System, was signed into law. The ASOSS was abolished and in its place was created a one-year interim school district known as the Alaska Unorganized Borough School District (AUBSD). The district was to function only until July 1, 1976, when the new districts were to take over.

The legislation also changed the state's bilingual education law, calling for bilingual-bicultural education programs in those schools with eight or more students of limited English-speaking ability.

August, 1975: OCR-Region X, in Seattle, requested additional information regarding data submitted

by ASOSS on the form. At this point, however, ASOSS was no longer existing and had been replaced by a new governing body, a new administration and the new organization known as AUBSD. That administration submitted information about the transition being caused by Alaska Senate Bill 35 and, in particular, about the interim function of AUBSD.

Summer, 1975: The OCR convened a national task force to specify remedies to eliminate educational practices ruled unlawful under the Lau decision. The result was a set of minimum guidelines labeled the "Lau remedies."

January, 1976: AUBSD was notified by OCR-Region X that it had been found in "presumptive noncompliance" with Title VI of the Civil Rights Act of 1964. More specifically, according to OCR, ASOSS/AUBSD had failed to serve its students who had language problems. The finding by OCR was based on an analysis of the data submitted by the now defunct organization ASOSS.

February, 1976: AUBSD submitted arguments to OCR-Region X that it did not have the authority, resources, personnel, funding or time left, given its six remaining months of existence, to answer the changes as outlined in the finding of presumptive noncompliance.

March, 1976: AUBSD was notified that it had been found in noncompliance with Title VI of the Civil Rights Act of 1964; that it must take action to remedy the earlier-stated problems – more specifically, it must assess students, develop educational plans, obtain approval from OCR of plans and impose plans upon the new districts taking over on July 1. OCR stated that failure to comply would result in a withdrawal of federal funds from AUBSD and the new districts.

April, 1976: At the request of AUBSD, representatives from AUBSD, the Alaska Department of Education (DOE), University of Alaska and OCR met in Juneau. DOE agreed to assume a leadership role in resolving the issue, if that action met with the approval of the State Board of Education.

May, 1976: The State Board of Education approved a resolution stating that DOE would enter into negotiations with OCR in behalf of all school districts in the state, in the matters pertaining to compliance with Title VI of the Civil Rights Act of 1964. In particular, the board directed the department to:

- (1) identify and assess the primary or home language of the state's students;
- (2) develop minimal guidelines for use by all school districts;
- (3) prepare a time schedule of events for the assessment, development and implementation of a plan

July, 1976; AUBSD was ended and 21 new school districts formed in its place, each guided by a locally elected district school board.

September, 1976: OCR notified DOE that it would have to submit a comprehensive educational plan detailing (1) assessment of students; (2) programs to remedy needs of children with linguistic problems; (3) staffing; (4) funding resources. In effect, the plan on which DOE was working shifted from being a set of guidelines for bilingual education programs to being a compliance document.

November, 1976: DOE submitted its first plan to OCR. It was rejected by OCR. With its rejection of the first plan, OCR also put into action the mechanism for deferring federal funds and notified the 21 districts of that action.

December, 1976: DOE's second plan was submitted to OCR.

January, 1977: OCR found the second plan unacceptable.

February, 1977: OCR notified the districts that a deferral on application for federal funds was being placed on them.

March, 1977: DOE submitted another plan to OCR.

The General Counsel of the U.S. Department of Health, Education and Welfare notified the districts of the official deferral of federal funds, under Title VI of the Civil Rights Act.

The deferral of federal funds led to the initiation of a federal administrative hearing process. The process began with a prehearing conference on March 22. It was attended by attorneys for the districts still involved in litigation, the DOE attorney and legal representatives for OCR.

April, 1977: DOE was notified that its third plan was unacceptable.

DOE requested the assistance of the Center for Equal Opportunity in Education to develop the next version of the plan. Negotiations between DOE, the Center and OCR resulted in the

development of the handbook entitled "A Handbook for Bilingual-Bicultural Education Programs in Alaska."

The administrative hearing was rescheduled for July 20, 1977.

June, 1977: OCR and DOE reached agreement on a plan for compliance. The plan contains three parts: 1) the handbook, to be adopted by the State Board of Education as regulation and used by the state's 51 school districts in resolving noncompliance issues; 2) the DOE management plan spelling out how the handbook will be implemented; 3) a memorandum of agreement between DOE and OCR on the handbook and the management portion of the process. All three parts of the plan have to be ratified by the State Board of Education.

June 27, 1977: The State Board of Education directed the Department to ask for public input on the plan by promulgating a regulation calling for the adoption of the handbook as state regulation. The Board also directed the Department to go ahead with language assessment activities and a cost analysis of full implementation of the plan.

The Board also requested from OCR a postponement of the administrative hearing then scheduled for July 20, asking that the hearing be postponed until no earlier than October 31.

OCR also made public that the Anchorage school district has been found in noncompliance with the Lau remedies. At stake are approximately \$3.5 million in federal funds.

Also, in June, 1977, the OCR found the North Star Borough School District (Fairbanks) in noncompliance with the Lau remedies. At stake are some \$400,000 in federal funds.

The administrative hearing is now set for October 31, 1977. Public hearings on the handbook began August 24 and continue through October 5. Content of the memorandum of agreement and the management plan is being negotiated, with presentation of both documents scheduled for an October meeting of the state board of education. At the same meeting the results of the public testimony on the compliance handbook will also be presented.

FEDERAL FUNDS RECEIVED BY DISTRICTS INVOLVED IN TITLE VI NON-COMPLIANCE PROCEEDING

SCHOOL DISTRICT	PL 874	TITLE IVC ESEA	VOC ED HDCP	TITLE IVB ESEA	PL 89-313	TITLE I ESEA	INDIAN ED	TITLE VIB EHA	TITLE VII ESEA FY 77	TOTAL
Alaska Gateway	384,506.07			4,613	49,843	51,657	33,931	- 0 -	63,853	588,403
Aleutian Chain	161,929.76			2,046	21,166	31,804	37,470		35,000	289,416
Bering Strait	741,850.24			4,783	29,360	155,883	77,230		136,000	1,145,106
Copper River	350,771.09	31,800	31,600	1,363	62,817	14,740	26,218			519,309
Delta-Greely	1,000,625.95			1,371	114,025	12,785	9,159			1,137,966
Iditarod	424,590.25	17,000	48,000	2,854	11,607	55,009	46,005			605,065
Kuspuk	640,224.60			3,518	18,435	72,246	69,944			804,368
Lake & Peninsula	620,090.10			2,142	33,456	40,629	65,989			762,306
Lower Kuskokwim	2,002,661.48			11,413	107,880	553,622	281,026			1,890,151
Lower Yukon	1,388,229.75			5,846	101,735	241,546	152,794			1,890,151
Northwest Arctic	1,921,711.82			3,884	122,900	206,768	262,915			2,518,179
Pribilofs	455,522.50			1,268	16,387		37,470			510,647
Southwest Region	1,287,183.54			5,329	68,961	102,831	104,291		108,128	1,676,724
Upper Railbelt	361,898.66			2,271	18,435		5,381			387,986
Yukon Flats	421,674.50			3,452	22,532	64,218	38,362		118,436	668,674
Yukon Koyukuk	1,266,452.61			5,791	57,355	75,471	122,194			1,527,264
TOTALS	13,429,922.92	48,800	79,600	61,944	856,894	1,679,209	1,370,379	- 0 -	461,417	17,988,166

7.

SCHEDULE OF HEARINGS ON PROPOSED REGULATION: BILINGUAL-BICULTURAL EDUC.

- August 9: Informational, Nake & Peninsula (Naknek)
- August 12,13: Informational, Cold Bay
- August 15: Informational, Alaska Central Railbelt
- August 18: Lower kuskokwim, Bethel (1:30, City Council Chambers
- August 24: Formal, Anchorage (4600 De Barr, 7:30 pm)
- August 24: Formal, Juneau (6th Floor, SOB, 1:30 pm)
- August 25: Formal, Fairbanks (Main Building, Room 103, 9th & Cushman ,
7:30 pm
- August 25: Formal, Ketchikan (District Board Room, 7:30 pm)
- August 30: Informational, Noorvik (Northwest Arctic)
- September 6: Informational, Delta/Greely
- September 8: Informational, Alaska Gateway, Tok
- September 19: Formal, Bethel (Music Room, Highschool, 7:30 pm)
- September 21: Formal, Fairbanks (same location as above, 7:30 pm)
- September 21: Formal, Nome (New Wing, Elem. School, 7:30 pm)
- September 28: Formal, Kotzebue (Board Room, 7:30 pm)
- October 3: Formal, Dillingham (Youth Center, 7:30 pm)
- October 5: Formal, Soldotna (Borough Assembly, 7:30 pm)

NEA-ALASKA POSITION PAPER ON
PROPOSED BILINGUAL/BICULTURAL REGULATIONS

INTRODUCTION

NEA-Alaska has for some time supported the concept of bilingual/multicultural education. Since 1969, at the national level, and 1975, at the state level, NEA-Alaska members have had resolutions officially backing the concept of equal educational opportunity for bilingual students. Consistent with this long-standing record of support, NEA-Alaska makes the following constructive comments and counter-proposals on the Department of Education's proposed Bilingual/Bicultural Regulations (4AAC 34.060) and related Handbook for Bilingual/Bicultural Education Programs in Alaska.

NEA-Alaska believes that the underlying goal of these Department regulations must be to assure that Alaskan school children are functional in English. This is not to say, however, that students who are initially non-English speakers (categories A and B) are to be made into monolingual English speakers. Instead, the goal should be to enable students to totally function in either their original language and culture, or English. Whether those students who are already bilingual (category C) or dominant in English (category D, E, or F) should be taught a non-English language or in a non-English language is a district and individual parent option. Requiring non-English instruction for such students (categories C, D, E and F), should not be mandated by State Regulations.

Because Alaskan school districts are so varied in the lingual and cultural backgrounds of their students, NEA-Alaska believes it is essential that State Department regulations be written to apply to all non-English situations existing in Alaskan school districts -- not just to those non-English languages indigenous to the State.

Furthermore, the diversity of Alaskan districts means the type of bilingual/multicultural curriculum appropriate to a district may well vary. Thus, there should be a variety of general curriculum types from which a district may select one or more appropriate to its unique needs.

For consistency in enforcement and clarity in understanding, NEA-Alaska believes that the bilingual/bicultural regulations, as well as all other Department regulations, should be written in a concise, straight-forward manner. Discussions dealing with underlying, philosophy and rationale are not appropriate as regulations and should not be included as part of them. With such a thought in mind, we propose the following bilingual/multicultural regulations.

COUNTER-PROPOSAL

ASSESSMENT

* Each school district in the State shall conduct a student assessment prior to May 31, 1977 of all its students so as to categorize each one as either:

<u>Category</u>	<u>Definition</u>
# A	The student speaks a non-English language exclusively.
# B	The student speaks mostly a non-English language, but does speak some English.
# C	The student speaks a non-English language and English with equal ease.
# D	The student speaks mostly English, but, does speak some non-English.
# E	The student speaks English exclusively although he/she either first learned a non-English language or a non-English language is spoken most often in his/her home.
# F	The student speaks English exclusively but does not fit category E.

- * Subsequent to May 31, 1977, each district shall assess all students new to the district upon enrollment.
- * Each district's assessment plan for categorizing students shall use the parent questionnaire below; the language observation questionnaire below; and a validated language assessment instrument which will appropriately categorize students initially identified as potential category A, B, C, D, or E students by the parent or language observation questionnaires.

PARENT QUESTIONNAIRE

Please fill out this paper and return it to school as soon as you can.
 If you have any questions about filling out this form, please return the signed form to school and someone will come to your home.

A. Child's Name _____ Age _____ Grade _____
 B. Parent's Name _____
 C. Address _____

Part I

1. Do you speak any language other than English? Yes No
 If yes, please tell us what languages you speak.

2. Do you speak any language other than English to your child? Yes No
 If yes, please tell us what languages you use.

3. What was the first language your child learned? _____

Part II

- If you speak a language other than English, please fill out this part.
1. When your child speaks to you he/she uses:
 - _____ English only
 - _____ mostly English and some other language
 - _____ English and the other language equally
 - _____ mostly the other language and some English
 - _____ only the other language
 2. When your child speaks to his/her friends, he/she uses:
 - _____ English only
 - _____ mostly English and some other language
 - _____ English and the other language equally
 - _____ mostly the other language and some English
 - _____ only the other language

Comments _____

Please have your child return this to school by _____

Date _____ Signature _____

LANGUAGE OBSERVATION QUESTIONNAIRE

To be filled out by one of the following: (Please check)

- _____ Bilingual Teacher
- _____ Bilingual Paraprofessional
- _____ Bilingual Resident not a Paraprofessional

Grade _____ Child's Name _____
 Age _____ School _____

1. Does the child ever use a language other than English? Yes No
 What language is it? _____
2. What language does the child usually speak when involved in non-school activities? _____
3. What language does the child use when speaking with friends? _____
4. What is the language used by adults in the home? (Check one)
 _____ English _____ Other _____ Both at once
5. Does the child speak English? (Check one) Yes No

Comments _____

Date _____ Signature _____

- * Each district shall inform parents through workshops, public meetings, or public announcements of the purpose and importance of the entire assessment procedure, post-assessment programs, and complete and accurate data on the parent questionnaire, as well as how to complete the questionnaire.
- * Each district shall select qualified bilingual persons to administer the assessment tools and orient or train these people.
- * Each district shall forward to the Department of Education compilation and analysis of all assessment data.

BILINGUAL/MULTICULTURAL PLANS

- * Each district will provide all students within it with instruction in and familiarity with the cultures of all other students in the State, with particular emphasis on those cultures present within the district.
- * Each district with a school attended by eight (8) or more students with the same non-English language and in any one of the student categories A to E, or any combination of those five (5) categories shall, file with the Department of Education, no later than March 15 of each school year, a bilingual/multicultural plan of educational service. The district's plan of service must:

COMMUNITY INVOLVEMENT

- # provide for the involvement of the parents of program students in the development of the program, allowing adequate time and information for the parents to review, and discuss with responsible district personnel, all aspects of the program. In a district in which several non-English language programs are functioning, parents will be involved in developing only their children's program.
- # provide for the district to conduct an informational program for parents of each language group for which a bilingual program will be conducted. Such an informational program will include notices in all appropriate media as well as community meetings where feasible.

CURRICULUM

- # The district's plan should provide a curriculum which reflects the lingual/cultural background and tradition of its students. Such a curriculum shall include, for each category of student, one or more of the options described below unless a variance is obtained.
 - o For its category A and B students:
 - District options are to provide its primary (K-3) and intermediate (4-8) students either a bilingual/bicultural curriculum or a transitional-bilingual-education curriculum. (See definitions below.) If the TBE curriculum is selected, the district must show that each student is ready to make the transition into English and will succeed in the educational program in which he/she

is placed. (The district must be sure not to prematurely place the linguistically/culturally different student who is not ready to participate effectively in an English-language curriculum in such.)

- District options are to provide its secondary (7-12) students, either: a bilingual/bicultural curriculum, a transitional-bilingual-education curriculum, an English-as-a-second-language curriculum, or a high-intensity-language-training curriculum. (See definitions below.) All secondary curricula must be to assure the maximum possible involvement of the student in the regular school program as soon as possible.

Category B secondary students should not be placed in instructional situations in which instruction is exclusively in non-English unless they have the necessary prerequisite skills of the non-English language (such as, possibly, literacy). If a student lacks the necessary prerequisite skills for non-English instruction in a course, he/she should be provided those skills before taking the course.

- o For category C and D students: district options are to provide either a bilingual/bicultural curriculum; an English-as-a-second-language curriculum; a supplemental English skill and concept-development curriculum, in which instructional content and methods address the language interference needs of students; or a non-English-as-a-second-language curriculum. (See definitions below.)
- o For category E students: district options are to provide either an English-as-a-second-language curriculum; a supplemental English skill and concept-development curriculum, in which instructional content and methods address the language interference needs of students; or a non-English-as-a-second-language curriculum. (See definitions below.)
- o As referred to above, the following definitions hold:
 - A bilingual/bicultural curriculum (BB) uses a student's non-English language(s) and cultural factors in instruction as well as maintains and develops the student's skills in his/her non-English language(s) and culture(s). Additionally, such a curriculum introduces, develops, and maintains all the necessary English skills for the student to function successfully in English. The non-English instruction may vary from being just in the non-English language arts to being in all discipline areas. Each district, in conjunction with its bilingual students' parents, shall set an appropriate combination. The end result of a bilingual/bicultural curriculum is a student who can totally function in both (several) languages and cultures.
 - A transitional-bilingual-education curriculum (TBE) uses the student's non-English language and cultural factors

in instruction only until the student is fully functional in English. At that time further instruction in the non-English language is discontinued. During the interim, until the student becomes functional in English, instruction in the language arts of the non-English language is provided. English is taught as a foreign language, in a non-intensive manner under this curriculum.

- An English-as-a-second-language curriculum (ESL) non-intensively teaches English as a foreign language. Instruction in other subject matter is taught in English.
- A high-intensity-language-training curriculum (HILT) gives the student intensive instruction in English until he/she is fully functional in English. During this time the student exclusively works on acquisition of English language skills. Following acquisition of these skills, he/she is phased into the same curriculum other students have.
- A non-English-as-a-second-language curriculum (NSL) non-intensively teaches the non-English language as a foreign language. At the primary level emphasis is on an oral language skill development. At the intermediate and secondary levels, language literacy instruction begins after oral skills are learned. Instruction in other subject matter is taught in English. A special effort is also made to maximally incorporate the non-English culture into the curriculum.

// provide for each student's needs to be reevaluated on an on-going basis, with reassignment to another curriculum, or individualizing of instruction, occurring as necessary to assure appropriate educational services.

MATERIALS

// make provision to provide adequate instructional materials to achieve the program's goals. That is, the district must develop an action plan for developing the needed materials if they are not already available. Such an action plan should involve classroom teachers, people native to the culture, and linguists in the development and review of materials so as to assure that the materials are educationally and linguistically sound as well as an accurate reflection of the appropriate culture.

INSTRUCTIONAL STAFF

// provide that staff members implementing it are regularly certified (Type A) appropriately bilingual teachers.

// provide that, if regularly certified (Type A) appropriately bilingual teachers cannot be obtained to implement it,

- o the district shall implement an action plan to train and/or secure regularly certified (Type A) teachers who are bilingual in the non-English languages in which the district will offer its program.

- o regularly certified (Type A) teachers and skilled, non-English-speaking paraprofessionals shall implement it. In this interim arrangement the regularly certified (Type A) teacher shall have primary responsibility for the direct education of the students. He/she shall diagnose learning needs, plan instructional methodology, and initiate and deliver instructional activities. The paraprofessional, who has the language and cultural background to communicate effectively with children, shall be used to assist the teacher in these responsibilities either by working under the supervision of the teacher with a group of children or as a tutor with just one or two students. The paraprofessional should not be restricted to tasks unrelated to teaching such as checking roll, taking off children's boots, etc.

include a staff-training plan for all instructional personnel (either permanent or interim which includes:

- o objectives directly related to students' needs
- o methods by which the objectives can be reached
- o methods for selection of teachers, paraprofessionals, and potential teachers to receive training
- o names of personnel doing the training
- o location of the training
- o content of the training. The content should provide a linguistic/cultural familiarity with the students by including topics such as:
 - the structure of the relevant language
 - the basic phonetic aspects of the language
 - the ethnology of the people of the relevant language
 - the types and uses of instructional materials in the relevant language that are available
 - effective methods of instruction for students of the relevant non-English culture
 - techniques of directing and working with bilingual paraprofessionals (for regularly certified (Type A) teachers who will be working with paraprofessionals)
 - techniques in teaching students in English who have language interference from a non-English language (required of teachers working with category C, D, or E students)
- o design for evaluation of training
- o proposed time frame

- # set forth defined, specific recruitment and selection processes for its bilingual-program staff.
 - # provide for the availability of a career ladder leading to regular (Type A) bilingual certification for all bilingual paraprofessionals through cooperative agreements with institutions of higher education. The district shall further encourage ascending this career ladder by providing a progressive, salary schedule for paraprofessionals which reflects their training and experience.
 - # assure that the student to regularly certified (Type A) teacher ratio for the program shall be no greater than the student to teacher ratio for the district. If bilingual paraprofessionals are used as part of the program, the student to bilingual paraprofessional ratio shall be no greater than 8 to 1.
- * Upon approval by the Department, a district which has submitted a bilingual/multicultural educational plan of service shall implement that plan.
 - * A district may request a Departmental variance from the above plan requirements. The Department will, in the exercise of its discretion, grant the variance as requested or subject to specific modifications, upon a showing of educational feasibility and effectiveness in insuring equal educational opportunity for the program students.
 - * If there are no materials available for a district to use in implementing its plan, the district shall be granted a temporary variance from certain requirements of these regulations. In the interim, the district must concentrate on generating appropriate instructional materials as soon as possible.
 - * Failure of the Department to fully fund a district's approved program will be a valid reason for waiving the compliance of a district with the requirements of these regulations.
 - * Once an initial plan has been filed with the Department and approved, only necessary revisions to the plan need be subsequently filed, on an annual basis.
 - * A student's parent may choose to have the student not participate in the district's bilingual program or participate in a level of the program with less non-English emphasis than called for by the student's assessment category.
 - * If a district has a school with less than eight (8) students in any one or combination of the five (5) categories, A to E, the district shall individually meet each of those student's needs by means of one-on-one tutoring and assistance.
 - * The Department of Education shall fund a district's bilingual/multicultural educational plan of service on a foundation program basis. Such funding shall be in addition to other foundation-program funding to which the district is entitled. Instructional units for bilingual/multicultural plans shall be determined, for each district, in the ratio of one unit for every eight (8) plan students.

LANGUAGE CENTER

- * The State Department of Education shall establish a Language Center to aggressively

gather and disseminate educational materials in the non-English languages and cultures identified in district bilingual/multicultural plans of educational service.

- * The materials available through the Center should not only be commercially prepared ones but also teacher/paraprofessional-made and used (proven) materials.
- * Funding and staffing of the Language Center will be through Department of Education funds.

CONCLUSION

NEA-Alaska believes that the State Department of Education's proposed Bilingual/Bicultural Regulations and related handbook can and must be improved. Toward that end the above comments and proposals have been offered. Furthermore, NEA-Alaska believes that before any modifications are made or before any new regulations are proposed, there must be the active involvement of experienced classroom teachers who have worked with all categories of non-English speaking students. Only then will the final regulations reflect both the compassion and realism that all non-English speaking students need and deserve. Toward that end, we trust that you will soon be contacting us.

RECEIVED JUN 21 1976

10. ✓



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

OFFICE FOR CIVIL RIGHTS

TASK FORCE FINDINGS SPECIFYING REMEDIES
AVAILABLE FOR ELIMINATING PAST EDUCATIONAL
PRACTICES RULED UNLAWFUL UNDER LAU v.
NICHOLS

SUMMER 1975

TABLE OF CONTENTS

I.	Identification of Student's Primary or Home Language ...	1
II.	Diagnostic/Prescriptive Approach	4
III.	Educational Program Selection	6
IV.	Required and Elective Courses	13
V.	Teacher Requirements	15
VI.	Racial/Ethnic Isolation and/or Identifiability of Schools and Classes	18
VII.	Notification to Parents of Students Whose Primary or Home Language is Other Than English	19
VIII.	Evaluation	20
IX.	Definition of Terms	21

The immediate implementation of the requirements listed within does not apply to those school districts which have had a substantial number of recent school-age Indo-Chinese immigrants whose primary or home language is other than English in the 1975-76 school year.

I. Identification of Student's Primary or Home Language.

The first step to be included in a plan submitted by a district found to be in noncompliance with Title VI under Lau is the method by which the district will identify the student's primary or home language. A student's primary or home language, for the purpose of this report, is other than English if it meets at least one of the following descriptions:

- A. The student's first acquired language is other than English.
- B. The language most often spoken by the student is other than English.
- C. The language most often spoken in the student's home is other than English, regardless of the language spoken by the student.

These assessments (A-C, above) must be made by persons who can speak and understand the necessary language(s).

Then the district must assess the degree of linguistic

function or ability of the student(s) so as to place the student(s) in one of the following categories by language.

- A. Monolingual speaker of the language other than English (speaks the language other than English exclusively).
- B. Predominantly speaks the language other than English (speaks mostly the language other than English, but speaks some English).
- C. Bilingual (speaks both the language other than English and English with equal ease).
- D. Predominantly speaks English (speaks mostly English, but some of the language other than English).
- E. Monolingual speaker of English (speaks English exclusively).

In the event that the student is multilingual (is functional in more than two languages in addition to English), such

assessment must be made in all the necessary languages.

In order to make the aforementioned assessments the district must, at a minimum, determine the language most often spoken in the student's home, regardless of the language spoken by the student, the language most often spoken by the student in the home and the language spoken by the student in the social setting (by observation):

These assessments must be made by persons who can speak and understand the necessary language(s). An example of the latter would be to determine by observation, the language used by the student to communicate with peers between classes or in informal situations. These assessments must cross-validate one another (Example: student speaks Spanish at home and Spanish with classmates at lunch). Observers must estimate the frequency of use of each language spoken by the student in these situations.

In the event that the language determinations conflict (Example: student speaks Spanish at home, but English with classmates at lunch), an additional method must be employed by the district to make such a determination (for example the district may wish to employ a test of language dominance as a third criterion). In other words, two of the three criteria will cross-validate or the majority of criteria will cross-validate (Yield the same language).

Due to staff limitations and priorities, we will require a plan under Lau during this initial stage of investigation when the district has 20 or more students of the same language group identified as having a primary or home language other than English. However, a district does have an obligation to serve any student whose primary or home language is other than English.

II. Diagnostic/Prescriptive Approach

The second part of a plan must describe the diagnostic/prescriptive measures to be used to identify the nature and

extent of each student's educational needs and then prescribe an educational program utilizing the most effective teaching style to satisfy the diagnosed educational needs. The determination of which teaching style(s) are to be used will be based on a careful review of both the cognitive and affective domains and should include an assessment of the responsiveness of students to different types of cognitive learning styles and incentive motivational styles -- e.g., competitive v. cooperative learning patterns. The diagnostic measures must include diagnoses of problems related to areas or subjects required of other students in the school program and prescriptive measures must serve to bring the linguistically/culturally different student(s) to the educational performance level that is expected by the Local Education Agency (LEA) and State of nonminority students. A program designed for students of limited English-speaking ability must not be operated in a manner so as to solely satisfy a set of objectives divorced or isolated from those educational objectives established for students in the regular school program.

III. Educational Program Selection

In the third step the district must implement the appropriate type(s) of educational program(s) listed in this section (III, 1-5), dependent upon the degree of linguistic proficiency of the students in question. If none seem applicable check with your Lau coordinator for further action.

1. In the case of the monolingual speaker of the language other than English (speaks the language other than English exclusively).

A. At the Elementary and Intermediate Levels:

Any one or combination of the following programs is acceptable.

1. Transitional Bilingual Education Program (TBE)
2. Bilingual/Bicultural Program.
3. Multilingual/Multicultural Program (see definitions, page 21).

In the case of a TBE, the district must provide predictive data which show that such student(s) are

ready to make the transition into English and will succeed educationally in content areas and in the educational program(s) in which he/she is to be placed. This is necessary so the district will not prematurely place the linguistically/culturally different student who is not ready to participate effectively in an English language curriculum in the regular school program (conducted exclusively in English).

Because an ESL program does not consider the affective nor cognitive development of students in this category and time and maturation variables are different here than for students at the secondary level, an ESL program is not appropriate.

B. At the Secondary Level:

Option 1 - Such students may receive instruction in subject matter (example: math, science) in the native language(s) and receive English-as-a-Second Language (ESL) as a class component (see definitions, page 21).

Option 2 - Such students may receive required and elective subject matter (examples: math, science, industrial arts) in the native language(s) and

bridge into English while combining English with the native language as appropriate (learning English as a first language, in a natural setting).

Option 3 - Such students may receive ESL or High Intensive Language Training (HILT), (see definition, page 21) in English until they are fully functional in English (can operate equally successfully in school in English) then bridge into the school program for all other students.

A district may wish to utilize a TBE, Bilingual/Bicultural or Multilingual/Multicultural program in lieu of the three options presented in this section (III.1.B.). This is permissible. However, if the necessary prerequisite skills in the native language(s) have not been taught to these students, some form of compensatory education in the native language must be provided.

In any case, students in this category (III.1.B.) must receive such instruction in a manner that is

expeditiously carried out so that the student in question will be able to participate to the greatest extent possible in the regular school program as soon as possible. At no time can a program be selected in this category (III.1.B.) to place the students in situations where the method of instruction will result in a substantial delay in providing these students with the necessary English language skills needed by or required of other students at the time of graduation.

NOTE: You will generally find that students in this category are recent immigrants.

2. In the case of the predominate speaker of the language other than English (speaks mostly the language other than English, but speaks some English):

A. At the Elementary Level:

Any one or combination of the following programs is acceptable.

1. TBE
2. Bilingual/Bicultural Program
3. Multilingual/Multicultural Program.

In the case of a TBE, the district must provide predictive data which show that such student(s) are ready to make the transition into English and will educationally succeed in content areas and the educational program in which he/she is to be placed.

Since an ESL program does not consider the affective nor cognitive development of the students in this category and the time and maturation variables are different here than for students at the secondary level, an ESL program is not appropriate.

B. At the Intermediate and High School Levels:

The district must provide data relative to the student's academic achievement and identify those students who have been in the school system for less

than a year. If the student(s) who have been in the school system for less than a year are achieving at grade level or better, the district is not required to provide additional educational programs. If, however, the students who have been in the school system for a year or more are underachieving (not achieving at grade level), (see definitions, page 21) the district must submit a plan to remedy the situation. This may include smaller class size, enrichment materials, etc. In either this case or the case of students who are underachieving and have been in the school system for less than a year, the remedy must include any one or combination of the following 1) an ESL, 2) a TBE, 3) a Bilingual/Bicultural Program 4) a Multilingual/Multicultural Program. But such students may not be placed in situations where all instruction is conducted in the native language as may be prescribed for the monolingual

speaker of a language other than English, if the necessary prerequisite skills in the native language have not been taught. In this case some form of compensatory education in the native language must be provided.

NOTE: You will generally find that students in this category are not recent immigrants.

3. In the case of the bilingual speaker (speaks both the language other than English and English with equal ease) the district must provide data relative to the student(s) academic achievement.

In this case the treatment is the same at the elementary, intermediate and secondary levels and differs only in terms of underachievers and those students achieving at grade level or better.

- A. For the students in this category who are underachieving, treatment corresponds to the regular program requirements for all racially/ethnically identifiable classes or tracks composed of students who are underachieving, regardless of their language background.

- B. For the students in this category who are achieving at grade level or better, the district is not required to provide additional educational programs.
4. In the case of the predominant speaker of English (speaks mostly English, but some of a language other than English) treatment for these students is the same as III, 3 above.
 5. In the case of the monolingual speaker of English (speaks English exclusively) treat the same as III, 3 above.

NOTE: ESL is a necessary component of all the aforementioned programs. However, an ESL program may not be sufficient as the only program operated by a district to respond to the educational needs of all the types of students described in this document.

IV. Required and Elective Courses

In the fourth step of such plan the district must show that the required and elective courses are not designed to have a discriminatory effect

- A. Required courses. Required courses (example: American History) must not be designed to exclude pertinent minority developments which have contributed to or influenced such subjects.
- B. Elective Courses and Co-curricular Activities. Where a district has been found out of compliance and operates racially/ethnically

identifiable elective courses or co-curricular activities, the plan must address this area by either educationally justifying the racial/ethnic identifiability of these courses or activities, eliminating them, or guaranteeing that these courses or co-curricular activities will not remain racially/ethnically identifiable.

There is a prima facie case of discrimination if courses are racially/ethnically identifiable.

Schools must develop strong incentives and encouragement for minority students to enroll in electives where minorities have not traditionally enrolled. In this regard, counselors, principals and teachers have a most important role. Title VI compliance questions are raised by any analysis of counseling practices which indicates that minorities are being advised in a manner which results in their being disproportionately channeled into certain subject areas or courses. The school district must see that all of its students are encouraged to fully participate and take advantage of all educational benefits.

Close monitoring is necessary to evaluate to what degree minorities are in essence being discouraged from taking certain electives and encouraged to take other elective courses and insist that to eliminate discrimination and to provide equal educational opportunities, districts must take affirmative duties to see that minority students are not excluded from any elective courses and over included in others.

All newly established elective courses cannot be designed to have a discriminatory effect. This means that a district cannot, for example, initiate a course in Spanish literature designed exclusively for Spanish-speaking students so that enrollment in that subject is designed to result in the exclusion of students whose native language is English but who could equally benefit from such a course and/or be designed to result in the removal of the minority students in question from a general literature course which should be designed to be relevant for all the students served by the district.

- V. Instructional Personnel Requirements (see definitions, page 21)
Instructional personnel teaching the students in question must be linguistically/culturally familiar with the background of the students to be affected.

The student/teacher ratio for such programs should equal or be less than (fewer students per teacher) the student/teacher ratio for the district. However, we will not require corrective action by the district if the number of students in such programs are no more than five greater per teacher than the student/teacher ratio for the district.

If instructional staffing is inadequate to implement program requirements, in-service training, directly related to improving student performance is acceptable as an immediate and temporary response. Plans for providing this training must include at least the following:

1. Objectives of training (must be directly related to ultimately improving student performance)
2. Methods by which the objective(s) will be achieved
3. Method for selection of teachers to receive training
4. Names of personnel doing the training and location of training
5. Content of training

6. Evaluation design of training and performance criteria for individuals receiving the training
7. Proposed timetables

This temporary in-service training must continue until staff performance criteria has been met.

Another temporary alternative is utilizing para professional persons with the necessary language(s) and cultural background(s). Specific instructional roles of such personnel must be included in the plan. Such plan must show that this personnel will aid in teaching and not be restricted to those areas unrelated to the teaching process (checking roll, issuing tardy cards, etc.)

In addition, the district must include a plan for securing the number of qualified teachers necessary to fully implement the instructional program. Development and training of para professionals may be an important source for the development of bilingual/bicultural teachers.

VI. Racial/Ethnic Isolation and/or Identifiability of Schools and Classes

A. Racially/Ethnically Isolated and/or Identifiable Schools -

It is not educationally necessary nor legally permissible to create racially/ethnically identifiable schools in order to respond to student language characteristics as specified in the programs described herein.

B. Racially/Ethnically Isolated and/or Identifiable Classes -

The implementation of the aforementioned educational models do not justify the existence of racially/ethnically isolated or identifiable classes, per se. Since there is no conflict in this area as related to the application of the Emergency School Aid Act (ESAA) and existing Title VI regulations, standard application of those regulations is effective.

VII. Notification to Parents of Students Whose Primary or Home Language is Other Than English

- A. School districts have the responsibility to effectively notify the parents of the students identified as having a primary or home language other than English of all school activities or notices which are called to the attention of other parents. Such notice, in order to be adequate, must be provided in English and in the necessary language(s) comprehensively paralleling the exact content in English. Be aware that a literal translation may not be sufficient.
- B. The district must inform all minority and nonminority parents of all aspects of the programs designed for students of limited English-speaking ability and that these programs constitute an integral part of the total school program.

VIII. Evaluation

A "Product and Process" evaluation is to be submitted in the plan. This type of evaluation, in addition to stating the "product" (end result), must include "process evaluation" (periodic evaluation throughout the implementation stage). A description of the evaluation design is required. Time-lines (target for completion of steps) is an essential component.

For the first three years, following the implementation of a plan, the district must submit to the OCR Regional Office at the close of sixty days after school starts, a "progress report" which will show the steps which have been completed. For those steps which have not been completed, a narrative from the district is necessary to explain why the targeted completion dates were not met. Another "progress report" is also due at the close of 30 days after the last day of the school year in question.

IX. Definition of terms:

1. Bilingual/Bicultural Program

A program which utilizes the student's native language (example: Navajo) and cultural factors in instruction maintaining and further developing all the necessary skills in the student's native language and culture while introducing, maintaining and developing all the necessary skills in the second language and culture (example: English). The end result is a student who can function, totally, in both languages and cultures.

2. English-as-a-Second Language (ESL)

A structured language acquisition program designed to teach English to students whose native language is not English.

3. High Intensive Language Training (HILT)

A total immersion program designed to teach students a new language.

4. Multilingual/Multicultural Program

A program operated under the same principals as a Bilingual/Bicultural Program (X,1) except that more than one language and culture, in addition to English language and culture is treated. The end result is a student who can function, totally, in more than two languages and cultures.

5. Transitional Bilingual Education Program (TBE)

A program operated in the same manner as a Bilingual/Bicultural Program, except that once the student is fully functional in the second language (English), further instruction in the native language is no longer required.

6. Underachievement

Underachievement is defined as performance in each subject area (e.g. reading, problem solving) at one or more standard deviations below district norms as determined by some objective measures for non-ethnic/racial minority students. Mental ability scores cannot be utilized for determining grade expectancy.

7. Instructional Personnel

Persons involved in teaching activities. Such personnel includes, but is not limited to, certified, credentia-
lized teachers, para professionals, teacher aides,
parents, community volunteers, youth tutors, etc.

11.

Oct. 22, 1977

Education Board Approves Set Of Bilingual Regulations

The Alaska State Board of Education today adopted a set of bilingual education regulations proposed by the state Department of Education here.

In a special meeting called after yesterday's meeting stretched past the anticipated closing time as about 25 persons testified before the board on the bilingual education issue, the panel also passed a motion to review bilingual programs in six months. And the board adopted a motion directing the state Education Department to deal in the future exclusively with the Washington, D.C., headquarters of the Office for Civil

Rights rather than the regional office in Seattle.

Yesterday the board expressed concern that bilingual education programs be adequately funded by the legislature.

The board's concern was shared by school district superintendents and a contingent of natives from St. Mary's, who were among some 25 persons to testify at a the meeting called to consider revisions of a bilingual handbook initially approved by the Office for Civil Rights.

The revised document apparently caused the civil rights agency to break off negotiations last week with the state over bilingual education in Alaska.

The revised document, reduced from 247 to 11 pages, received mixed reaction from witnesses at Anchorage Community College yesterday.

The new proposals were supported by the larger school districts because they deal with language diversities found in Alaska's urban communities. The original handbook addresses itself primarily to the native languages of Alaska's rural school districts.

"We have moved light years away from where we were in June," said Dr. John Peper, superintendent of Anchorage schools.

Peper and others urged that the legislature finance the program on a per pupil basis rather than by grants in order to guarantee continued financial support.

"If a grant program is what we're

talking about . . . we won't know what we're getting," Peper said.

The new proposals were opposed strongly by Gary Holthaus, a member of the Center of Equality of Opportunity, which drafted the original handbook.

He charged that there is no provision in the new draft insuring that school districts will comply with the state's bilingual education standards.

Larry Beans, assistant superintendent of bilingual education at St. Mary's, urged the board to hold public hearings on the new proposals before acting on them.

Richardson gate was reported to

Education Violation Is Cited

By RAY TYSON
Times Staff Writer

State Education Commissioner Marshall L. Lind says the federal government is breaking the law by withholding funds from Bush schools which don't meet bilingual education guidelines.

And another state official says that in refusing to provide funds for new educational programs in 16 rural school districts, the federal government rejected at least two grant applications that would have helped native students in the Lower Kuskokwim school district.

Citing a federal court case, Lind said in a letter to state Rep. Charles Parr, D-Fairbanks, that the federal Office for Civil Rights has failed to specify which rural districts are at fault.

"The (court) decision states that funds may be cut off 'only to the extent that they are used in, or support programs which practice discrimination,'" Lind said in the letter.

Lind cited the decision as saying: "Other programs or activities free from the taint of unequal treatment may not be condemned along with the blameworthy. Federal funds flowing to these programs and to their innocent beneficiaries must not be terminated."

In one instance, the U.S. Department of Education, on recommendations by the civil rights agency, would not approve two grant requests totaling \$229,000 for educational programs in Lower Kuskokwim school district, which is made up primarily of native students.

Al Weinberg, superintendent, said one application is for additional remedial reading and language instruction and the other is for produc-

(See Page 3, Col. 1)

Education Official Cites Law Violation

(Continued From Page 1)

tion of a bicultural film that may deal with such things as subsistence living.

"As far as I know there has never been a specific investigation by the Office For Civil Rights of what we are doing or are not doing in the Lower Kuskokwim," Weinberg said.

Many Alaska school districts are dominated by natives, said Mary Halloran, state Education Department spokesman. The Northwest Arctic School Board, for example, is made up exclusively of natives, she said.

"Yet the Office for Civil Rights maintains that they are discriminating," she said.

Bilingual education involves instructing students in their native tongue as well as English.

"They (federal government) are saying that we have failed to provide equal educational opportunity for those whose primary language is other than English," Ms. Halloran said.

The Office for Civil Rights charges that the state has failed to identify dominant languages in Alaska and where they are spoken, Ms. Halloran said. She said the state will have that information by December.

The civil rights agency also has determined that the Anchorage and Fairbanks school districts are not complying with federal bilingual guidelines. But to date the agency has not cut off their federal funds.

The Anchorage School District has identified 33 foreign languages spoken in the district. Last year the district began a tutor program that now complies with state bilingual regulations.

Anchorage schools receive \$6 million to \$7 million a year in direct federal aid plus a portion of the \$106 million general operations budget.

Bush schools are entitled to about \$18 million a year in federal aid for ongoing educational programs plus

additional money for new programs. So far the federal government has transferred funds for ongoing programs but continues to defer them for new programs, Ms. Halloran said.

The biggest chunk of federal aid for ongoing programs amounts to \$13.5 million. It is allocated to the state in lieu of taxes on federal property.

If the federal government should halt all aid to the 16 rural school districts, Northwest Arctic school district stands to lose \$2.5 million, Lower Yukon \$1.8 million, Lower Kuskokwim \$1.8 million and Yukon-Koyukuk \$1.5 million.

After rejecting three Alaska bilingual proposals between last November and April, the Office for Civil Rights and state Department of Education reached agreement on a plan in March.

But the plan probably won't be adopted by the State Board of Education until after public hearings on a bilingual handbook are completed next month. Changes in the handbook are expected. It is uncertain whether the civil rights agency will accept them.

A federal administrative hearing officer is scheduled to be in Anchorage Oct. 31 to determine which of the 16 school districts are not complying with federal bilingual guidelines.



JUNEAU ALASKA

Alaska State Legislature

House

August 19, 1977

TO: Sen. Chancy Croft, Member
Rep. Sam Cotten, Member

FROM: Rep. Thelma Buchholdt, Chairman
Interim Committee on Educational Programs

SUBJECT: Local Field Trips to Bilingual and Vocational Centers

The following centers will provide background information for the Committee's scheduled trips to Bethel, Nome and Barrow.

1. National Bilingual Materials Development Center
 Location: 2223 Spenard Rd.
 Director: Dr. Tupou Pulu
 Function: Develop instructional materials in 10 native languages for use in grades 1 to 3 in rural schools
 Staff: 3 fulltime
 20 parttime - Native bilingual specialists
 Funding: Title VII-ESEA grant - \$300,000
 Date of Tour: Tuesday, August 23 - 10 a.m.

2. X-CED Rural Teacher Training Corps
 Location: 2221 E. Northern Lights Blvd.
 Director: D. M. (Mick) Murphy
 Function: Training teachers for cross-cultural, bilingual programs in rural areas
 Staff: 2 fulltime 10 (contractual)
 Funding: Federal funds \$384,800
 GF Match 20,000
 General Funds 103,300
 Total \$508,000
 *Date of Tour: Wedn., Aug. 31
 2:30 p.m.

3. Alaska Center for Staff Development
 Location: 650 W. International Airport Rd.
 Director: Ron Daugherty
 Function: Develop materials and inservice training for vocational education teachers in rural areas
 Staff: 4 fulltime
 16 parttime
 Funding: Grants and contracts from other state agencies ("Other Funds") \$825,000
 *Date of Tour: Wedn., Aug. 31
 1:00 p.m.

*Please notify Kathryn of your preference on dates for tours for the last two centers. 276-1715

ANLC ACTIVITIES 1976-77

Jim Kari received funds from the National Science Foundation to begin work in 1976 on a study of the Ingalik language spoken in Anvik, Shageluk, and Holy Cross. From October 8 to 15 Jim traveled to Shageluk, and also to Grayling to work on Holikachuk. He found that there are very few older Holikachuk speakers. With Harriet Nicholas, Jimmy Alexander, Margaret Alexander, and Hannah Maillele, Jim wrote exercises to teach literacy in Holikachuk and worked on collecting words for a dictionary. Mrs. Maillele speaks both Holikachuk and Ingalik and helped with plant names in both languages. Mr. Alexander provided a number of placenames from the area. In Shageluk, Jim visited with Raymond and Susan Dutchman, Ingalik speakers, and worked also with Reva Morrison, Grace John, and Bertha and Tommy Dutchman. Mrs. Morrison and Mrs. John are learning to write Ingalik. Jim and the Shageluk people worked on wordlists for a proposed Ingalik dictionary. Jim talked with the town teachers and the village chief about getting a language program started in the school, and later gave a presentation to the school board. Hopefully a language program in Ingalik will be started in Shageluk.

From October 25 to 29 Larry Kaplan led a workshop in Buckland, sponsored by the Aglaktit Makpigarruiquuat program, which is directed by Nita Sheldon Towarak. Attending the workshop were Evans Thomas Sr., Bessie Mitchell, Mamie Karmun (from Deering), Nita Towarak, Hilda Sheldon, and educational consultant Pat DeMarco of Fairbanks. During the workshop, Evans Thomas conducted his regular bilingual class as a demonstration. Workshop activities included literacy training, preparation of a unit on beluga hunting, taping songs and stories and transcribing them, and preparation of charts and calendars in Inupiaq.

A week later Larry Kaplan was in Kotzebue (November 8-12) for a Northwest Region bilingual teachers' workshop sponsored by Northwest Arctic School District. 26 teachers

and aides attended, representing every village in the region. The teachers were divided into beginning and advanced sections. Larry taught beginning literacy and grammar; Oscar Swan and Marie Griest also taught literacy. The advanced group also studied use of video tapes, preparation of a kinship chart, analyzing postbases, and dialect comparison. Nita Towarak assisted the advanced group in preparing classroom exercises, and conducted the beginning group on Friday. Susie Sun also helped teach. On the last day of the workshop, some of the bilingual teachers presented demonstrations of their teaching methods, including singing and games.

Larry Kaplan and Pat DeMarco returned to Kotzebue and went on to Noorvik for a workshop January 10-14, 1977. Mauneluk Association sponsored the workshop, which was organized by Nita Towarak. Martha Aiken of Barrow also taught. Participants included Ruthie Ramoth, Violet Pungalik, Angie Newlin, Viola Barr, and Hannah Wells. Activities included development of a kinship textbook, presentation of Barrow Inupiaq materials by Aiken, transcription and proofreading of taped materials, and more work on the grammar material presented at the Northwest workshop in November, including planning a grammar workbook.

Also January 10-14, Jim Kari was in Tyonek for an Ahtna Language Workshop sponsored by the Bilingual-Bicultural Program of Ahtna, Inc. and coordinated by Millie Buck. Participants included Jeannie Maxim, Jane Nicholas, Emma Bell, Ruth Johns, Markle Ewan, Martha Jackson, and Virginia Pete. Activities were literacy training, administration of literacy exams, grammar study, proofreading stories and classroom materials, translating and practicing Ahtna songs, and discussion of the problems of teaching Ahtna. During the workshop four people learned to write Ahtna for the first time.

Jeff Leer conducted a workshop for bilingual teachers in Port Graham and English Bay from January 24 to 29. In Port Graham Jeff worked with substitute bilingual teacher Vera Sawden, doing in-class demonstrations of teaching methods. From January 27 to 29 Jeff was in English Bay working in the school with bilingual

teacher Seraphim Ukatish, who has four classes, again demonstrating teaching methods, assisted by Arthur Moonin. Most of the older elementary school children in these communities speak Sugcestun.

The week of January 31 Larry Kaplan returned to Noorvik with Pat DeMarco to present another workshop for Mauneluk. Bilingual teachers attending were Minnie Grey and Truman Cleveland of Ambler, Amelia Grey of Kobuk, and Marie Clark and Marie Griest of Selawik. Nita Towarak again coordinated the workshop. The focus was on preparation of elementary instructional materials. Units were prepared on spelling, clothing, animals, and colors, including coloring books. Teachers also continued to study grammar. Larry remained in Noorvik for another week to work for Mauneluk and collect linguistic information with Violet Pungalik. Larry then returned to Kotzebue for meetings with regional administrators to discuss features of the bilingual program.

The Iditarod School District held a workshop in Lime Village January 23 to 27, and Jim Kari attended to work with bilingual personnel. Participants included bilingual teachers Vonga Bobby and Pete Bobby, and other interested village residents including Madrona Bobby, Luther Hobson, Nick Alexie, Emma Bobby, Nora Alexie, and 13-year-old Polly Bobby who helped teach the bilingual classes. Activities included literacy training and classroom demonstration of teaching methods, as well as collection of words, especially names of birds, plants, and places. Priscilla Kari presented some of the natural history Dena'ina material she has prepared for school use. The workshop concluded with a party and singing of Dena'ina songs.

Jeff presented the newly developed classroom dictionary for Alaska Peninsula Sugcestun and led participants in writing short stories for picture books. The books will be printed at ANLC this summer.

From February 14 to 20 Jim and Priscilla Kari and Peter Kalifornsky were in Lime Village for a workshop sponsored by the University's Title VII Project. Lime residents who participated were bilingual teachers Pete and Vonga Bobby, Emma Alexie, Luther Hobson, and Nora Alexie. Jim and the participants collected material for classroom use and practiced teaching methods while Peter Kalifornsky helped instruct in literacy. Some subjects covered included placenames, traditional games, and direction words. The place-name map, plant unit, and reader were presented to the classes.

Teacher training in the Northwest Arctic Region continued February 14-18 with a workshop presented by Larry Kaplan and Pat DeMarco, again at Noorvik. Participants were Helen Kagoona and Judith Allen of Kotzebue, Nellie Johnson and Arlene Cleveland of Ambler, Marie Clark and Elsie Foster of Selawik, and Martha Wells and Lillian Harvey of Kiana, all bilingual teachers and aides. Assisting in training and materials development were Nita Towarak and Violet Pungalik. The teachers studied literacy training, elementary materials development, and teaching methods, concentrating on oral language teaching. The workshop participants completed the coloring book series for their area.

Anchorage was the site of a workshop presented by the North Slope School District, February 28-March 4. Both Larry Kaplan and David Baumgartner of Barrow were instructors for the session, assisted by Eileen MacLean and Martha Aiken. Larry taught grammar, Eileen and Martha literacy, and Dave methods and materials. A number of bilingual teachers received University credit for participating in the workshop.

The week of February 28 to March 4, Jim Kari was in Tyonek for the 7th Dena'ina Language Workshop, the largest such to date. Sponsors of participants were the Alaska Native Language Center, Lake and Peninsula School District, Bristol Bay Native Association, Iditarod School District, Kenai Borough School District, and the Tyonek JOM Program. Participants were Annie Johnson, Mary Jensen, Agnes Cusma, Harry and Jim Balluta, Zenia Kolyaha, Vera Carltikoff, Luther Hobson, Pete Bobby, Mike Alex, Peter Kalifornsky, Shem and Billy Pete, and Max and Nellie Chickalusion. Activities began with a general discussion of programs and materials and continued with materials presentation and literacy training. The language dominance test was presented and explained. Max Chickalusion gave a demonstration with his bilingual class. Kinds of materials presented included songs, games, placenames, plant unit, and writing drills. Participants also enjoyed sessions of singing and traditional Dena'ina games, and storytelling by Shem Pete and Mac Chickalusion. The need to form a representation Dena'ina language group was discussed.

Jim Kari continued his work with Dena'ina at Nondalton and Pedro Bay May 2 to 9. Major activities at Nondalton were language testing and discussions with the school board. Language tests were also administered at Pedro Bay, where Jim continued checking his dictionary material. This workshop was sponsored by the Lake and Peninsula School District.

From October 25 through 29 Irene Reed joined Richard Dauenhauer of the Alaska Native Foundation and Father Michael Oleksa of the Dillingham School District in a workshop held in Dillingham to deliver training to teachers involved in programs for teaching Yupik as a second language. 15 to 20 participants were introduced to a curriculum which was in its preliminary form for review, to see about the feasibility of its use in the classroom. Dauenhauer gave general methods training in second language teaching, and Reed dealt with the same subject with specific reference to the structure of Yupik. Father Michael presented some of the methods which he had developed during his two years with the JOM program in Dillingham.

A similar workshop was delivered in Iliamna February 10-15 for people from the Lake and Peninsula School District, which embraces both Yupiks around Lake Iliamna and Sugpiaqs from the Alaska Peninsula. Joining Reed were Steven Jacobson, who taught literacy, and Jeff Leer, who worked with Sugpiaq. Reed again presented methods.

From January 17-21 Reed joined the Yupik Language Workshop staff from Kuskokwim Community College in a workshop held at St. Mary's during which Yupik language teachers there received accredited training in bilingual methods and materials and completed the literacy training necessary for teachers in such 2nd language programs. Special help was given in the area of student evaluation.

Kaplan and Reed went to Nome February 21-25 to work with staff of the Nome School District, addressing the question of where special needs might be met. Kaplan worked intensively with Margaret Seganna, improving her literacy skills, and Reed met with Jenny Alowa and Elvina Douglas on classroom methods and the development of lesson plans. Reed was making her initial visit to the Nome area, meeting with school administrators from the local school districts and the BIA. Sufficient work was not done for students to receive credit at this workshop.

From May 2 through 6, Jeff Leer, Eliza Jones, and Irene Reed drive to Tok where a workshop was held for native language teachers in Tanacross, Upper Tanana, and Ahtna, sponsored by the Alaska Gateway School District. We joined Paul Milanowski, a linguist who works intensively with Upper Tanana. Both literacy and methods of teaching a second language were offered as accredited courses, and plans were made for the development of a comprehensive curriculum in language and culture for the school district. The development of this special curriculum has been coordinated through ANLC bringing in, necessarily, an outside curriculum specialist.

In the first week of May Larry Kaplan taught two University courses at the Kotzebue Extension Center for the bilingual teachers of the Northwest Region. These courses were sponsored by the Northwest Arctic School District with the aim of gaining college credits and eventual certification for bilingual teachers. Larry taught Inupiaq grammar and Ruthie Ramoth taught literacy. There were 23 participants, teachers, substitutes, and aides from all over the region.

During the weeks of May 23 to June 3 Larry Kaplan and Edna MacLean taught University courses for the North Slope Borough School District in Barrow. Participants included bilingual teachers, aides, and materials development specialists from Barrow, Barter Island, Nuiqsut, Anaktuvak Pass, Atkasook, and Wainwright. Larry taught literacy to beginners and Edna taught grammar to the advanced group.

Several ANLC staff members, including Edna MacLean, Larry Kaplan, Irene Reed, and Michael Krauss, will attend the Inuit Circumpolar Conference at Barrow during the week of June 13. Conference participants will attend from Greenland, Denmark, Finland, Canada, and Alaska to discuss matters of cultural exchange among Eskimo groups. Among topics will be language and orthography.

During the last week of February Dermot Collis was in Shishmaref working with bilingual teachers Johnson Sinnok and John Eningowuk. Collis spent most of the trip eliciting words and grammatical forms and also discussed variation of the Inupiaq writing system for the Shishmaref dialect.

In the last week of July and first week of August 1977, Jim Kari traveled to Holy Cross and Shageluk to do research on Ingalik and Holikachuk.

From May 16 through May 27 Jeff Leer went to Sitka to work with the Haidas and Tsimshians in the Tlingit-Haida-Tsimshian workshop. The major product of this workshop was the translation of the first six lessons of Beginning Tlingit, written by Nora and Richard Dauenhauer, into Haida for use by Haida language teachers in Ketchikan and Hyda-burg. The translation of these same

lessons into Tsimshian was also partly proofread by Leer, and some other materials such as songs were written in Tsimshian for use by Flora and Conrad Mather in Ketchikan. Teacher training was also continued at this workshop, with the major emphasis being on how to use the lessons described above. Leer's assistance was not necessary with the Tlingits, since Nora Dauenhauer handled this section of the workshop capably. Accreditation of these courses was given through Sheldon Jackson College.

The ANLC publications program resumed in January 1977 after a 6 months' break in printing activities. ANLC publishing this past 6 months has been geared to the production of limited editions, mostly as requested by school programs, and one truly major undertaking, the Haida Dictionary.

The Haida Dictionary, now in the last stages of binding, is the largest book yet published by ANLC. Its 478 pages comprise three main sections: a 102-page grammatical sketch, written by dictionary editor Jeff Leer, which introduces the reader to the sound system and structure of Alaskan Haida, explains how to use the dictionary, and gives helpful suggestions on studying Haida; the main text, over 3,000 alphabetically listed Haida-to-English entries, compiled by Erma Lawrence with the assistance of Vesta Johnson, Christine Edenso, Nora Cogo, and Robert Cogo, and including both nouns and verbs, the latter provided with example sentences; and an English-to-Haida index. The dictionaries will be sold by the Society for the Preservation of Haida Language and Literature, c/o Mrs. Vesta Johnson, 3715 Baranof, Ketchikan, AK 99901, and will cost about \$10 a copy.

Another new book useful to language learners is A Grammatical Sketch of Siberian Yupik Eskimo by Steven Jacobson, Instructor in Yupik in the University's Alaska Native Language Program. This 98-page introduction to the grammar of Siberian Yupik as spoken on St. Lawrence Island is designed for use by high school and college level students and bilingual teachers, as well as others interested in studying the language. The book, spiral bound for easy use, may be purchased from ANLC at \$3.50.

Our series of bilingual editions of traditional Tanaina literature continues with the publication of Diqelas Tukda (The Story of a Dena'ina Chief) by Shem Pete of Eklutna, and Ndał Tsukdu/Gheldzay Tsukdu (Crane Story/Moon Story) by Katherine Nicolie, both books transcribed and edited by Jim Kari. Diqelas Tukda was a rich, powerful Tanaina chief in the late 19th century. Shem Pete recounts the chief's story, his adventures as a trader, his discovery of a magic talisman, and his poignant death, which Shem himself witnessed as a small boy. Katherine Nicolie's

first story tells how a poor orphan girl befriended a baby crane and was saved when its parents magically destroyed her cruel neighbors; the second story tells about the young shaman who became the "man in the moon."

Niksik Quviasuktug by Virginia Wilson and Eileen MacLean, a primer written to teach native language as a second language, has been translated into Ahtna (as Jack Nic'ana'iłyeł) and Tanaina (Fitka Nik'unu'iltlet), both printed in limited editions for use in Copper Center and Nondalton schools.

Two more volumes of traditional St. Lawrence Island texts appeared this winter, Ayumiim Ungipaghaatangi V, edited by Vera Oovi Kaneshiro, and Qateperewaaghmeng Atqellghii Yuuk by Grace Slwooko. Both are long stories in Siberian Yupik only.

Jeff Leer, working with bilingual teachers from the Sugcestun language area, prepared a number of books for use in Sugcestun language programs this spring. Among them are two brief classroom dictionaries, one for the Port Graham-English Bay dialect and one for the Alaska Peninsula (Perryville) dialect; Joney Qawartaryaucilrra, written and illustrated by Carl Anahonak; a book of short stories written by 7th grade students of bilingual teacher Feona Sawden; and a revised edition of traditional stories collected by Leer and Derenty Tabios in Port Graham and English Bay.

If you wish to receive more information on publications available from ANLC and how to order them, please fill out the form below and return it to us.

Yes, I would like to receive an ANLC publications price list and information on ordering books.
The language I am most interested in is

Name

Address

Town

ZIP

Send to: Jane McGary
ANLC
University of Alaska
Fairbanks, Alaska 99701

CROSS-CULTURAL EDUCATION DEVELOPMENT PROGRAM

- X-CED is -- A program operated jointly by the Alaska Dept. of Education and the University of Alaska, School of Education, Fairbanks, under Contract.
- Governed by a Consortium Board established under the State Board of Education, composed of representatives of rural regions, students, postsecondary institutions, the State Education Agency, Teachers' Association, Administrators' Association, Native organizations.
 - Funded by USOE Teacher Corps and State General Funds, and direct grants to U of A/X-CED from the Office of Bilingual Education and Office of Environmental Education.
 - A staff and teaching faculty in education, based in Anchorage, Fairbanks, Shishmaref, Bethel, Dillingham, Tanana, and Ft. Yukon.
- X-CED Provides -- Academic programs leading to the B.Ed. and Master of Arts in Teaching, cross-cultural in its focus, interdisciplinary in their nature. They lead to elementary and secondary certification.
- Specialties in Cross-Cultural Elementary, Rural School Secondary, Bilingual Education, Human Resource Development (non-certificating).
 - Delivery of these programs to students and inservice teachers on site, in the field in 25 villages served by the five Field Centers.
- X-CED Students -- Are primarily Native, but not exclusively. It is intended for persons who wish to teach in, and administer, schools with high concentration of children culturally different from the larger society, and from low-income families.
- Number nominally 80 full-time undergraduates, 15 teachers taking one or more courses, 4 full-time graduate students, and 5 full-time graduate students/assistants.
 - Who have graduated or are seniors in 1977-78 number 54 Natives and 19 Caucasians. (32 N, 17C to date).
 - Are persons who, for reasons of economics, family situation, community ties, and culture cannot, or would not, leave their homes to attend campus programs for four years or more.

X-CED Costs -- Were high on a per student basis because federal grants provided for direct financial assistance (stipends) at \$6,500/year plus dependent allowance at \$60/month/dependent to 60 students.

- Have diminished as stipends have ended (except for four graduates) and program efficiency has increased.
- Are roughly equal to cost per student on campus at Fairbanks (FY 76: \$4,660; FY 77: \$5,226). There are no buildings, bonds, or debt retirement involved.
- Predominantly covered by Federal Categorical grants (95.7 % in FY 77 and 88.3% projected in FY 78).
- Increasing overall only as a result of uncontrolled increases in salaries set by the legislature and university, air fares, and cost of communication, i.e., inflation.

Schools Need -- Teachers who speak the same language as the students.

- Teachers who are knowledgeable of, and sensitive to, the cultural and physical environment of the places in which they teach.
- Teachers whose teaching styles match the learning styles of the children.
- Educators who can eliminate, rather than exacerbate, the existing cultural discontinuity between schools and communities where such exists (Native villages, ghettos, low income neighborhoods).
- Educators who can create small rural high schools which meet the needs of the youth and communities and which assure that the State is in compliance with laws relating to equal educational opportunity.
- A means for orienting newcomers to rural schools, communities, and cultures.

X-CED Needs -- Closer association with research and other teaching units of the University.

- A continuing source of general funding in addition to the categorical federal grants which are intended to serve purposes of development and demonstration, but which have been used by the State for operation.

- Support for the education of persons who will become teacher trainers in the university faculties of education.
- Serious adoption by the University of Alaska of the Academic Development Plan of 1975, specifically pps. 107-112 pursuant to Teacher Education.

* * * * *

A. SOCIAL DEFINITIONS

CULTURE is defined as the totality of socially transmitted behavior patterns characteristic of a people; a style of social and artistic expression, mode of learning, perspectives, and view of the world held in common by a society or class.

CROSS-CULTURAL is used here as denoting the interrelationships and interactions between individuals and groups of different cultures.

CROSS-CULTURAL EDUCATION denotes the teaching and learning process, both formal and informal, between and among individuals and groups whose cultures differ in one or more respects from one another; this is transcendent of geographical locale, i.e., the principles pertain to urban and rural alike.

B. DISCUSSION OF ISSUES

1. In spite of recent shifts in the structure of power, and in spite of the fact that public education accrues to it more money and more scrutiny than any other national enterprise short of war, education for Native children in rural Alaska and minority children in most schools has not improved substantially during the past decade. There is no new wave of Native young people filling jobs or entering our universities who are demonstrating skills or knowledge or other results of formal schooling different from those of a decade or two ago. While new laws are passed, new systems created, new funds appropriated, new regulations adopted, and new schools constructed, the State and many rural districts are forced by threat of litigation and cessation of federal funding to agree to make good, belatedly, the fundamental principle that children have a right to be taught in the language they speak. Since this principle is now a law of the land, it is not a great extension of the spirit of the law to adopt policies which say that children also have a right to be educated in a manner and in a direction consistent with the goals, aspirations, and within the value systems of their own cultures, regardless of how different they may be from those of the mainstream of society. It is, in fact, this spirit which has caused enactment of state laws and adoption of state regulations which speak to education for a pluralistic society. Yet the results have been systemic and political in nature, not educational. Further, the majority of the improvements in the educational processes for Native and other minority children have come about as a result of two things: (1) federal categorical grant programs and (2) the chance that some school administrators and some teachers have been sufficiently sensitive to the problems that they are willing to assume responsibility for real improvement.

It has repeatedly been made clear that, beyond the laws and regulations, the key factors in improvement of education are the quality and qualifications of the school staffs, and the materials and environment with which they and the children have to work. Yet there remains a general lack of action outside of some communities themselves and among a few individuals, for who teaches, where teachers come from, how were they selected, how they have been

BRU Cross-Cultural Education Development Program (X-CED) BRU CODE 05-12-2-25-00-00 REVISED _____

2 ANALYTIC STATEMENT

prepared to deal with culturally different children and settings, where they have been trained, what their university curriculum was like, what the motives were for coming to teach in Alaska, how long they may stay, what their basic humanistic attitudes are, their adaptiveness and awareness, how many positions could be filled with Native and other State residents were they available, and the cost in educational and financial terms of the constant rotation and flow through the rural school systems of 'temporary' teachers.

Attempts to remedy the situation through in-state undergraduate teacher education programs and providing newcomers and inservice teachers with needed orientation and special training have been spasmodic and poorly funded, subject to neglect and low prioritization by the administrations of the State's universities, the State administrations, and the legislatures, while both common sense and law call for equal educational opportunities for all children and youth. The achievement of this lies almost singularly with the competence, quality, and nature of public school educators as a whole. And while teachers from out of state continue to come, access of rural people to careers as teachers and administrators has been limited by the absence of in-state, field-based programs of sufficient scope and magnitude.

- 2. Among federal legislation related to Civil Rights (Civil Rights Act of 1964, Amended) and Equal Employment Opportunities, is the requirement that school districts file Affirmative Action Plans. Within such plans, the current percentage of minority students enrolled in the schools of the district and the concurrent percentage of minority teachers and administration in the schools are to be shown. If the ethnic and racial composition of the enrolled student body is not reflected in similar percentages in the professional staff, the plan for remedy is to be presented. In Alaska, approximately 80% of the students in REAA and other rural districts is Native while about 4% of the teachers are Native. The problem is the acute lack of Native certificated teachers and school administrators which would make compliance with EEO laws possible in the immediate future.

Statistically, there are approximately elementary and secondary teachers and administrators in the rural schools. Applying the 80% figure for Native enrollment, a need for Native teachers is projected. This manpower need projection has never been dealt with seriously by the State. Yet not only does this projection call for action to come into compliance, the ability to fill this number of career positions with State residents, and particularly with many Native persons who are currently unemployed, should be dealt with directly when formulating State education and manpower policy.

Second, an issue raised by the U. S. Office for Civil Rights in its findings of non-compliance of the REAA's with the Supreme Court Decision in Lau v. Nichols is the absence of regularly certificated teachers whose language and culture is in common with the student, "---failure to provide adequate instructional assistance to students whose primary or home language is other than English." The listing of numbers of Native aides did not meet the terms of the OCR noncompliance finding. The State Plan (Minimum Guidelines as Proposed in 4A AC 34.060) currently undergoing the hearing process speaks to "Teachers holding regular Type A certificates who are fluent in the Native language of the local community" (Ch. XI, Par. 1). The Plan contains an entire chapter, pps. 94-110, and



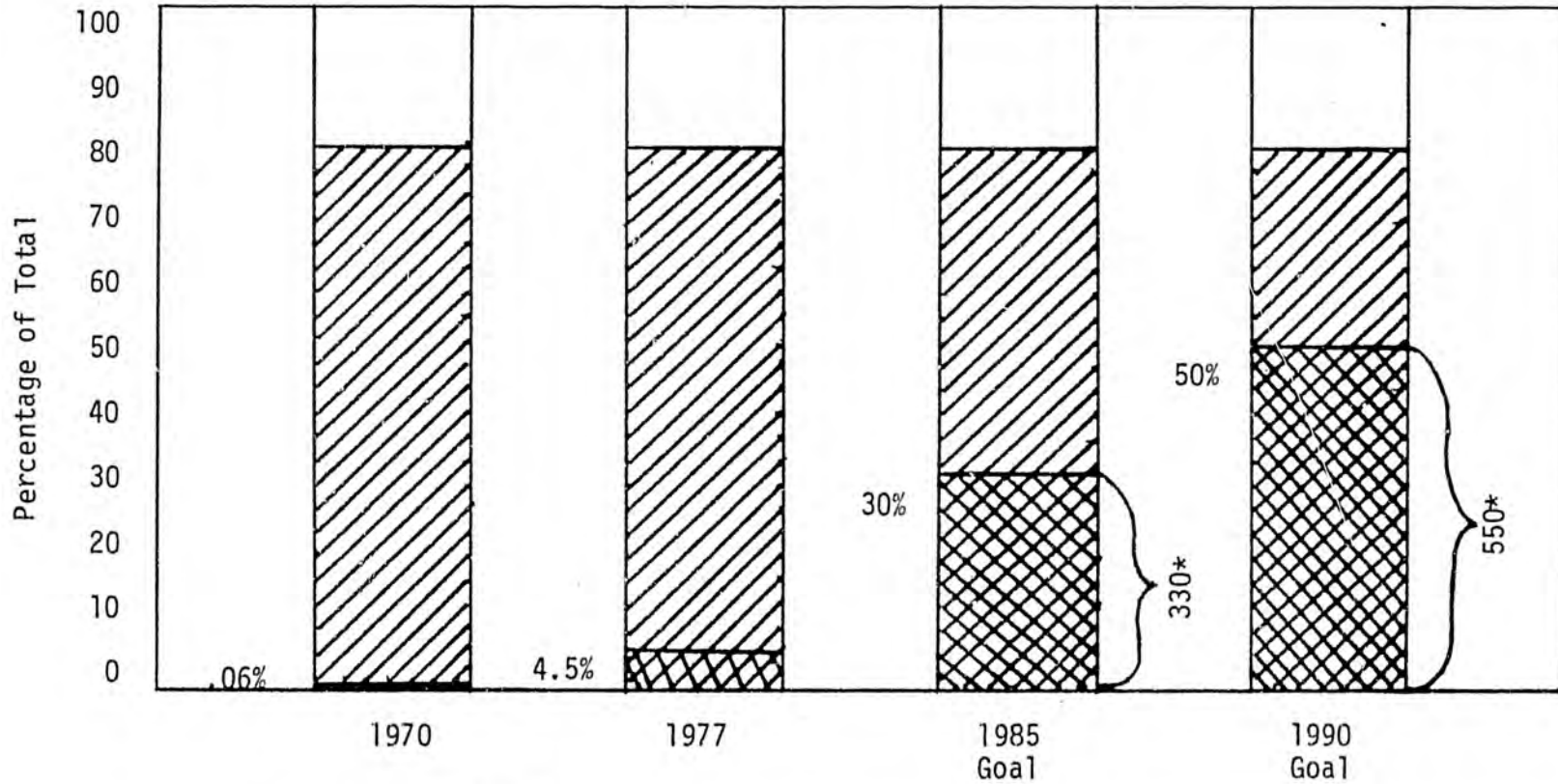
2 Analytic Statement

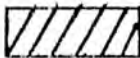
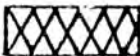
Appendix G (pps. 199-217) related to staff development, training, education, and curriculum. Yet at the current rate that X-CED and the Schools of Education are graduating Native and Cross-Culturally prepared teachers, it would take 15-30 years to fill the 300-400 teaching positions required to meet EEO criteria.

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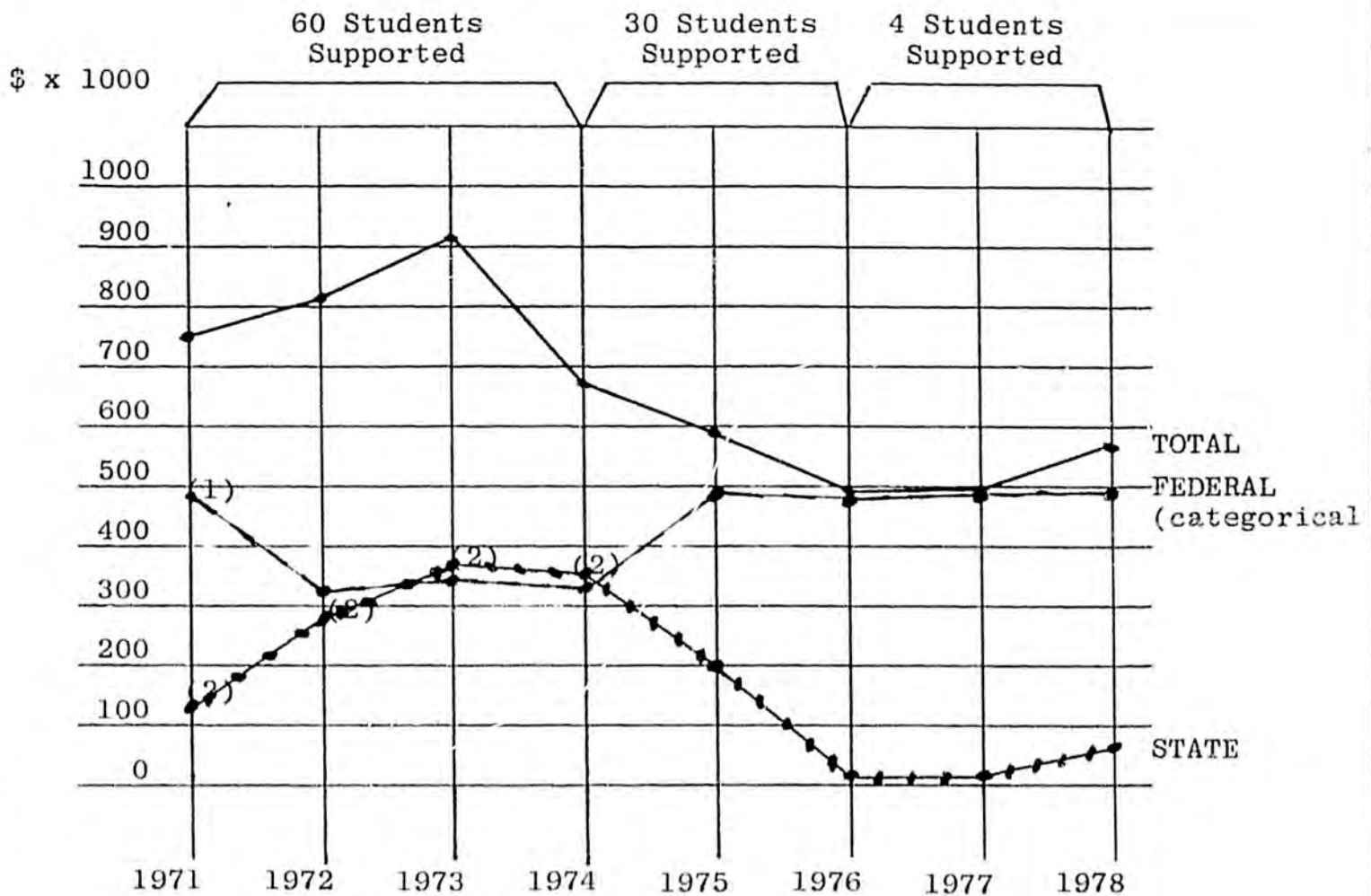
2 ANALYTIC STATEMENT

NATIVE EDUCATOR/NATIVE TEACHER
Percentages in Alaska
Rural School Districts



Native Students 
Native Teachers 

* Number of Teachers



(1) Includes ESEA Title I in FY 71.

(2) Includes PL 874 funds in FY 71, 72, 73, 74.

From 1971 through 1974 the total budget included direct financial support (stipends) for an average of 50 students and their dependents, an annual total of approximately \$310,000.

In 1975 and 1976 student support was reduced to approximately \$150,000 covering 25-30 students plus dependent allowance.

In 1977 and 1978 student support was provided for four graduate interns only, plus dependent allowance, approximately \$35,000. Financial assistance for undergraduate students is provided under federal Basic Education Opportunity Grants and BIA scholarships. Number of students (undergraduate) increased in 1975 from approximately 60 to 80; number of teachers & others taking graduate courses from 0 to 15 full time equivalents; 4 full time graduate interns.

OVERALL COST
PER STUDENT IN X-CED

1975-76: \$324,000 (TC) + 147,523 (COP) + 19,000 (GF) = \$490,523

\$490,523

-87,429 Direct Stipends to 18 students and dependents.

\$403,103 Total Budget for Operations and Delivery.

$\frac{\$403,103}{86.5 \text{ FTE}} = \$4,660$ Cost Per Student

1976-77: \$380,000 TC) + 63,750 (9 mos. bilingual grant to UA) +

20,600 (GF) = \$464,350

\$464,350

-35,780 Direct Stipends to 18 students and dependents.

\$428,570 Total Budget for Operations and Delivery.

$\frac{\$428,570}{82 \text{ FTE}} = \$5,226^*$ Cost Per Student

*Reflects salary increases in ADOE and U of A, air fares and cost of phone and postage.

X-CED ENROLLMENT STATISTICS

<u>PERIOD</u>	<u>NO. OF STUDENTS</u>	<u>CREDIT HOURS</u>	<u>F.T.E. Hrs./12</u>	<u>NOTES</u>
Fall, 1974	39	627	52	Accepting full-time students only. Open to part-time and graduate. Elective - 6 hr. maximum.
Spring, 1975	144	1044	87	
Summer, 1975	12	<u>72</u>	<u>6</u>	
Total 1974-75		1743	145	
Fall, 1975	112	1012	84	Elective - 6 hr. maximum.
Spring, 1976	118	1036	86	
Summer, 1976	6	<u>36</u>	<u>3</u>	
Total 1975-76		2084	173	
Fall, 1976	105	860	72	Added Lower Kuskokwim Bilingual; figures are enrollment as of 2/1/77.
Spring, 1977	118	1085	90	
Summer, 1977	4	<u>24</u>	<u>2</u>	
Total 1976-77		1969	164	

BRU Cross-Cultural Education Development Program (X-CED) BRU CODE 05-12-2-25-00-00 REVISED

ARTTC/X-CED GRADUATES

1972-1977 & 1978 (Projected)

1972 ARTTC GRADUATES

1. Linda Garrett (C)
2. Jim Graham (C)
3. Dan Haslett (C)
4. Larry Hayden (C)
5. Flossie Hopson (N)
6. Kathryn (Krogstad) Kortie (C)
7. Steve Kortie (C)
8. Kathy Kurtz (C)
9. John Laughlin (C)
10. Bob Mandell (C)
11. Cecilia (Ulroan) Martz (N)
12. Perry Mendenhall (N)
13. Mike Miller (C)
14. Olinka Nicolai (N)
15. Darrell Offt (C)
16. Stan Senungetuk (N)
17. Bridget Smith (C)
18. Loddy (Sundown) Jones (N)
19. Ferdinand Sharp (N)
20. Shelley Trainer (N)
21. Tom Wagner (C)

1974 ARTTC GRADUATES

22. Nels Alexie (N)
23. Pat (Norton) Beals (N)
24. Patty Bowen (C)
25. Louise (Kelly) Britton (N)
26. Virginia Demmert (N)
27. Lary Hill (N)
28. Pauline Hobson (N)
29. Lois (Edwin) Huntington (N)
30. Merriline Kangas (N)
31. Leo Kinneeveauk (N)
32. Ella Kowunna (N)
33. Genevieve Kratzer (N)
34. Lillian (Brendible) McGilton (N)
35. Lulu Nazaruk (N)
36. Edith (Hildebrand) Nicholas (N)
37. Mary "Dee" Stickman (N)
38. Linda Swenson (N)
39. Alice Weber (N)
40. John Weise (C)

1975 X-CED GRADUATES

41. Emma (Hedlund) Hill (N)
42. Eileen MacLean (N)
43. Shirley Wheeler (N)

1976 X-CED GRADUATES

44. Laura Aaberg (N)
45. Tom Browner (C)
46. Sophie (Manutoli) Shield (N)

1977 X-CED GRADUATES

47. Loretta Pollock (C)
48. Joann Duchume (N)
49. Eileen Weise (N)

1978 X-CED GRADUATES (Projected)

50. Gail Fouts, MAT (C)
51. Joyce Shales, MAT (N)
52. Russ Griffin, MAT (C)
53. Dorothy Jordan, MAT (N)
54. Jeanne (Brichte) Jones (N)
55. Vicky Becwar-Lewis (N)
56. Joshua Lewis (N)
57. Velma Simon (N)
58. Paul Asicksik (N)
59. Marilyn Asicksik (N)
60. Eleanor David (N)
61. William Gumbickpuk (N)
62. Earla Hutchinson (N)
63. Ragine Pilot (N)
64. Gertie Brown (N)
65. Elma Gillett (N)
66. Virginia Ned (N)
67. Jeff Smith (C)
68. Eileen Kozevinkoff (N)
69. Marge Mogg (N)
70. Edna Apatiki (N)
71. Hazel Gogert (N)
72. Wilbur Bavilla (N)
73. Miriam Bavilla (N)