

**Alaska State Board of Education & Early Development**

**Approved Minutes**

**December 4 & 5, 2014**

**Anchorage, AK**

***Thursday, December 4***

Chair Cox called the meeting to order at 8 a.m. The board, staff, and public recited the Pledge of Allegiance. The board approved the agenda. Jim Merriner declared a conflict of interest with Agenda Item 12B relating to correspondence programs. Mr. Merriner is an employee of the Galena School District, which operates a correspondence program. Chair Cox ruled that he could participate.

**Public Comment**

Christie Reinhardt, of the Governor's Council on Disabilities and Special Education, said proposed waivers from career- and college-ready assessments should not exclude pregnancy, depression, and addiction.

Lisa Parady, executive director of the Alaska Council of School Administrators, said her organization supports an alternate route for superintendent certification, citing the turnover rate. She said limited Type M certificates (for teaching Native languages/culture or military science) are a precedent for a limited Type B certificate for superintendents. She asked for clarification on the portability of the proposed limited Type B certificate.

Sen. Mike Dunleavy, chair of the Senate Education Committee, said the state needs to expand the tent of public education with innovative opportunities. Referring to correspondence programs, Sen. Dunleavy said the state should focus on proficiency outcomes and minimize its control of inputs, giving flexibility to parents-as-teachers.

John Brown, principal of the Mat-Su Central School, said House Bill 278 was a move in the right direction toward flexibility for correspondence programs. Regarding the proposed correspondence regulation, he said local school boards do not have the expertise or time to review curricular materials. Mr. Brown also asked that a provision be removed that would prohibit tutors from having the primary responsibility of planning, instructing, or evaluating students' learning. He said tutors are vetted by the students' certificated teachers.

Zach Lehman, who works in the Mat-Su schools as an advisor to correspondence families, said school staff should be allowed to select curricular materials.

Christine Greco, a former teacher, said the core course requirements for correspondence programs would make it harder for students to receive the help they need.

Jane Carnahan, a teacher and parent, said the state should require correspondence students to take courses in areas in which they are non-proficient, rather than impose a rule that half of the student's courses be in core courses.

Jay Webber, an advisory teacher at Mat-Su Central School, said correspondence families may need to use their fund accounts among multiple students and shouldn't be prohibited from transferring funds between student accounts.

Scott McAdams of Juneau supported a limited Type B certificate, saying it isn't unusual for hospitals to be led by non-doctors.

Carolyn Musgrave, a correspondence program parent, opposed a prohibition on transferring funds between student accounts, saying that teachers in regular schools buy materials for all of their students, not for each student individually. Family accounts allow students to study together, she said.

### *Work Session*

**Agenda Item 1. Board Resolution for Naming SLAM.** Commissioner Hanley said it would be necessary to get Governor Walker's support for a bill to name the State Libraries, Archives and Museums' new building. The legislature names state buildings.

Linda Thibodeau, Director of Libraries, Archives and Museums, recapped the proposed resolution in support of naming the building after Father Andrew P. Kashevaroff, the state museum's first curator and the state's first historical librarian.

Chair Cox said the department should solicit public input for proposed names. The building should include a plaque explaining who the building is named after, she said.

**Agenda Item 2. Educator Certification Advisory Committee.** Dr. Susan McCauley, Director of Teaching & Learning Support, said the department would bring proposed regulations to the board in March.

Sondra Meredith, Administrator of Teacher Certification, said raising the passing scores for Praxis tests would affect few applicants because many of them score higher than Alaska's current passing score. As well, Praxis will be changing its tests over the next two years. At that time, Alaska's new passing scores will be set in line with other states' scores.

Lt. Col. Hays asked if there was data to show that teachers who score low on Praxis tests do not teach as well as higher-scoring teachers.

Ms. Meredith reviewed nine recommendations from the department's Education Certification Advisory Committee and their rationale.

**Agenda Item 3. Alaska School Activities Association.** Billy Strickland, the new Executive Director of the Alaska School Activities Association, provided his education background. He said activities give students aspirations and an opportunity to fail – not every game is won. Mr.

Strickland said many rules about students transferring to another school are obsolete because in-district transfers are more common. He proposed that students who transfer to another school, but whose parents do not move into the new school's boundaries, not be eligible for varsity teams. Mr. Strickland said he wants more participation in state conferences for student government. He said there will be a girls wrestling tournament. He noted that Special Olympics students participate with other students in partner clubs. He said the association will need to develop a policy on transgender students.

Sue Hull noted that it is more difficult to raise funds for student activities because schools have experienced lower revenue from vending machines.

**Agenda Item 4. Alaska Statewide Policy Research Alliance Presentation.** Havala Hanson, Dr. Terri Akey, and Ashley Pierson from the alliance were present, as was Josh Warren from the Department of Labor and Workforce Development. They reviewed an unpublished study of the various paths that Alaska high school graduates take after graduation and early in their careers. Presenters broke down some data by sex, ethnicity, and rural/urban. For example, 26% of graduates immediately attended college full time, and another 9% attended college part time. Forty percent of white students attended college immediately, and 20% of Alaska Natives did so.

Kobe Rizk said all students should see the study when it is published, citing the importance of data about the relationship between educational attainment and income.

**Agenda Item 5. June Retreat.** The board discussed topics for its June retreat. Topics included postsecondary attendance rates, underperformance in early grades, teacher quality, effects of deaths on students in small communities, and working with the University of Alaska.

**Agenda Item 6. Joint State Board/UA Regents Update.** Chair Cox recapped the September 29 meeting of the joint committee, which discussed test scores for entrance to teacher-preparation programs and lower fees and tuition for dual-credit courses. She reported that Dr. Dana Thomas will retire from the university and Dr. Steve Atwater will join the committee.

**Agenda Item 7. Report to the Legislature.** Information Officer Eric Fry reviewed the draft report and took comments from the board for revisions and additions. Ms. Hull said she would send further comments to Chair Cox. Legislative Liaison Marcy Herman said Chair Cox will give the in-person report on February 18.

**Agenda Item 8. Birchtree Charter School Renewal Application.** Cathy Busbey, Principal of Birchtree Charter School, summarized the school, explaining its Waldorf philosophy. Teacher Brandt Bowen and parent Jamey Duhamel also presented.

Sue Hull asked if non-charter schools must report that all of their applicable students have taken early literacy screenings. Commissioner Hanley answered in the affirmative, saying that the department follows up with a school that reports partial participation.

Chair Cox asked the Birchtree representatives why the school objects to early literacy screenings (which are required of grades K-2).

Ms. Duhamel said Waldorf parents do not believe that children are ready to learn reading until age 7. She said state assessments do not suit a larger range of learning. Parents don't want children to compare themselves to each other or feel inadequate if they weren't taught what is being assessed. She said parents would prefer not to assess students in grades K-3.

Lt. Col. Hays asked if Birchtree has a program for advanced students. Ms. Busbey said there is no extended learning program; children are kept with their cohort.

James Fields noted that Birchtree's 8<sup>th</sup>-grade scores on state assessments are above the state average. He asked if the school expects proficiency by the 7<sup>th</sup> grade and received an affirmative answer.

Commissioner Hanley asked the Birchtree representatives if they would ensure that its students be screened for early literacy. Ms. Busbey said they hope to change the law regarding state assessments in charter schools. If the law isn't changed, the school will comply to the best of its ability, she said.

Sue Hull said she didn't think the legislature intended that every child be assessed, especially if parents object.

**Agenda Item 9A. Alaska Performance Scholarship Regulation.** Commissioner Hanley summarized the cover memo and explained the rationale for the proposed changes. In answer to a question, the Commissioner said the end date for a student's extension of eligibility is at the Commissioner's discretion.

**Agenda Item 9B. Assessment Regulation.** Erik McCormick, Director of Assessment, Accountability and Information Management, summarized the proposed regulation.

**Agenda Item 9C. Type B Certificate.** Dr. Susan McCauley summarized the proposed regulation. Sue Hull asked if a superintendent with a limited Type B certificate would have to go through the requirements again if he or she became a superintendent in another district. Sondra Meredith said that such a superintendent would not have to re-do the requirements.

**Agenda Item 9D. Teacher Certification Fees.** Commissioner Hanley explained the proposed regulation, adding that the legislature intends that certification fees cover the costs of the Professional Teaching Practices Commission.

**Agenda Item 10. Center for Alaska Education Policy Research Study.** Representatives of the center reviewed a study it will conduct regarding the cost of teacher turnover, a statewide salary-and-benefits schedule, and tenure. Presenting were Dr. Diane Hirshberg, Liz Brooks, Lexi Hill, and Dr. Dayna DeFeo. They expect to deliver a report to the legislature in June 2015.

Board members discussed the implications and challenges of devising a statewide salary-and-benefits schedule, including community values, the economy, and geographical differences in costs.

**Agenda Item 11. Student Advisor-Elect.** In executive session the board interviewed Aleah Busbey, Dunya Hermann, Alec Burris, and Erik Handeland for the position of student advisor-

elect, who becomes student advisor on July 1, 2015. In open session, the board unanimously selected Mr. Burris, a student at Mat-Su Career and Technical High School.

*Friday, December 5, 2014*

***Work Session Continued***

The board convened at 8:30 a.m. The board removed two items from the consent agenda and approved the December 5 agenda. The board heard testimony from Kelsey Ratcliffe, a student at the University of Alaska Anchorage, regarding poor teacher quality and students with reading difficulties.

**Agenda 12A. Charter Schools.** Dr. Susan McCauley reviewed proposed regulations regarding charter schools. Commissioner Hanley explained the appeal process in the proposed regulations. Dr. McCauley said few charter applications have been denied by local boards, but the legislature believed that the lack of an appeal process might discourage some applicants.

The board directed the department to remove the phrase “approve or” from 4 AAC 33.110(f)(4) line 2 because it is unnecessary.

**Agenda 12B. Correspondence.** Commissioner Hanley said the department changed the proposed regulations in response to written public comment.

The board and staff discussed the proposed regulation 4 AAC 33.422(g), which prohibits the transfer of funds between student fund accounts. The board’s concern was that the provision would prevent families with multiple correspondence students from using their fund accounts efficiently and effectively.

Sue Hull recommended removing the proposed requirement that correspondence parents sign a statement that they understand and will abide by the requirements of state assessments [4 AAC 33.421(f)(1)]. The board and staff discussed Ms. Hull’s recommendation. Ms. Hull said the provision treats correspondence parents differently from parents in other public schools. Barbara Thompson said it is important for correspondence parents to know the conditions of testing.

**Agenda Item 12C. Math Credits.** Commissioner Hanley explained the proposed regulation and its effective date, and said the proposal was initiated at the board’s request.

**Agenda Item 12D. Restraint and Seclusion.** Dr. Susan McCauley said that two sections of Alaska Statute 14.33 needed to be clarified by regulation: 1) the department’s collection of data and 2) the criteria by which the department will approve training programs.

Asked about Christie Reinhardt’s written comment recommending revisions to the criteria, Dr. McCauley said the department followed the guidance language of the U.S. Department of Education.

**Agenda Item 12E. Residential Schools.** Commissioner Hanley reviewed the proposed regulation, clarified how the student count period applies to residential schools, and explained why the deadline to apply for approval is July 1 of each year.

**Agenda Item 12F. Natural and Cultural History Repositories.** Linda Thibodeau reviewed the proposed regulation, noting that it matches national standards for repositories. The department added 4 AAC 58.305(17) in response to written public comment, she said.

**Agenda Item 12G. Accountability.** Commissioner Hanley reviewed the proposed regulation.

**Agenda Item 12H. Assessment.** Erik McCormick reviewed the proposed regulation, which includes participation guidelines for state assessments. The department is responding to the Anchorage School District about its concerns, he said. Mr. McCormick discussed the tools that will be available to students in the computerized Alaska Measures of Progress. He noted that waivers to career- and college-ready assessments are considered case-by-case by districts; families can appeal districts' decisions to the department. He said the department will give non-regulatory guidance to districts regarding when to allow read-aloud accommodations.

**Agenda Item I. Standards.** Commissioner Hanley said the regulation confirms Alaska Statute 14.07.020(b) and defines relevant money as "state money or money from any other source." Barbara Thompson said the statute is clear and she isn't sure the regulation is needed.

### *Business Meeting*

**Agenda Item 13A. Alaska Performance Scholarship.** Barbara Thompson moved and Jim Merriner seconded the motion: I move the State Board of Education & Early Development open a period of public comment on 4 AAC 43.035, Grace period for curriculum requirements; 4 AAC 43.0409(a), Procedures for home-based education and certain religious or other private schools; 4 AAC 43.045, Extensions of eligibility period. The motion passed unanimously.

**Agenda Item 13B. Assessment.** Barbara Thompson moved and Sue Hull seconded the motion: I move the State Board of Education & Early Development open a period of public comment on 4 AAC 06.078 Alternative completion requirements; students with disabilities; 4 AAC 06.717(f) Work ready/college ready transitional skills assessment; 4 AAC 06.775(b) Statewide assessment program for students with disabilities; 4 AAC 06.790 Definitions. The motion passed unanimously.

**Agenda Item 13C. Type B Certificate.** The board inserted section (i) in 4 AAC 12.346, which states: "With the exception of a certificate issued under (f) of this section, no certificate or extension of a certificate available under this section may be issued to an applicant more than once."

James Fields moved and Sue Hull seconded the motion: I move the State Board of Education & Early Development open a period of public comment on amended version No. 1 to 4 AAC 12.346. Administrative certificate (Type B Limited). The motion passed unanimously.

**Agenda Item 13D. Teacher Certification Fees.** Barbara Thompson moved and Jim Merriner seconded the motion: I move the State Board of Education & Early Development open a period of public comment on 4 AAC 12.300(g). The motion passed unanimously.

**Agenda Item 14A. Charter Schools.** The board deleted the phrase “approve or” from 4 AAC 33.110(f)(4) line 2 because it is unnecessary. That section refers only to denials.

Sue Hull moved and James Fields seconded the motion: I move the State Board of Education & Early Development adopt the proposed amendments to 4 AAC 27.057 Charter school transportation policy; 4 AAC 33.110 Charter school application and review procedure; and 4 AAC 33.113 through 4 AAC 33.119 Regarding charter schools. The motion passed unanimously.

**Agenda Item 14B. Correspondence Programs.** Sue Hull moved and Jim Merriner seconded an amendment to strike the phrase “reviewed and selected by the governing body of the” and insert “approved by the school” in 4 AAC 33.421(d). The amendment passed unanimously.

Sue Hull moved and James Fields seconded an amendment to strike “and require parents to sign a written statement that they understand, and will abide by, the requirements of the assessment program” and insert “for an ongoing assessment plan that includes statewide assessments required for public schools” in 4 AAC 33.421(f)(1). The amendment passed 4-3. Voting in favor were Kenny Gallahorn, Sue Hull, James Fields, and Kathleen Yarr. Voting against were Jim Merriner, Esther Cox, and Barbara Thompson.

Jim Merriner moved and Sue Hull seconded an amendment to insert “except in the case of families with multiple students enrolled” in 4 AAC 33.422(g). The amendment passed unanimously.

Barbara Thompson moved and James Fields seconded the motion: I move the State Board of Education & Early Development adopt the proposed amendments to 4 AAC 09.160 Fund balance; and 4 AAC 33.421 through 4 AAC 33.426 Regarding correspondence study programs, as amended. The motion passed unanimously.

**Agenda Item 14C. Math Credits.** Jim Merriner moved and Kenny Gallahorn seconded the motion: I move the State Board of Education & Early Development adopt the proposed amendments to 4 AAC 06.075(b) Increasing the units of credit required for high school graduation. The motion passed unanimously.

**Agenda Item 14D. Restraint and Seclusion.** Sue Hull moved and Kathleen Yarr seconded an amendment to 4 AAC 06.177(6) to insert “places a student on his or her back or stomach or.” The amendment failed unanimously.

Kenny Gallahorn moved and Jim Merriner seconded the motion: I move the State Board of Education & Early Development adopt the proposed amendments to 4 AAC 06.175 Reporting restraint and seclusion incidents and expulsions; and 4 AAC 06.177 Crisis intervention training programs. The motion passed unanimously.

**Agenda Item 14E. Residential Schools.** Sue Hull moved and Jim Merriner seconded the motion: I move the State Board of Education & Early Development adopt the proposed

amendments to 4 AAC 33.090(c); and 4 AAC 33.090(h) regarding district-operated statewide residential educational programs. The motion passed unanimously.

**Agenda Item 14F. Natural and Cultural Repositories.** James Fields moved and Kenny Gallahorn seconded the motion: I move the State Board of Education & Early Development adopt 4 AAC 58.300 through 4 AAC 58.320 Designation of Natural and Cultural History Repositories. The motion passed unanimously.

**Agenda Item 14G. Accountability.** Barbara Thompson moved and James Fields seconded the motion: I move the State Board of Education & Early Development adopt the proposed amendments to 4 AAC 06.812(b) Growth in student academic performance, 4 AAC 06.883 Jury service exemption, 4 AAC 06.895(I) Report card to the public, 4 AAC 06.899 Definitions. The motion passed unanimously.

**Agenda Item 14H. Assessments.** Sue Hull moved and James Merriner seconded the motion: I move the State Board of Education & Early Development adopt the proposed amendments to 4 AAC 06.775(a) Statewide assessment program for students with disabilities, 4 AAC 06.721 College and career readiness assessment waivers, 4 AAC 06.722 Waiver for entering the public school system late, 4 AAC 06.723 Rare or unusual circumstances, 4 AAC 06.724 Procedures for appeal from a denial of a waiver from the college and career readiness assessments. The motion passed unanimously.

**Agenda Item 14I. Standards.** Sue Hull said she was concerned that the regulation repeats a statute, which already gives clear direction. The proposed regulation died for lack of a motion.

**Agenda Item 15. Teaching and Learning Support Report.** Dr. Susan McCauley spoke about the department's role in the upcoming process of updating state standards in the arts.

**Agenda Item 16. Assessment Report.** Erik McCormick presented an update on the Alaska Measures of Progress.

**Agenda Item 17. Rural Report.** Chris Simon, Rural Education Coordinator, reviewed his written report.

**Agenda Item 18. Legislative Report.** Legislative Liaison Marcy Herman reviewed assignments to legislative committees.

**Agenda Item 19. Mt. Edgecumbe High School Report.** Director J Thayne presented a slide show of school accomplishments, using students' photos.

**Agenda Item 20. Libraries, Archives and Museums Report.** Linda Thibodeau reviewed progress on construction of the joint State Libraries, Archives and Museums building in Juneau.

**Agenda Item 21. Department of Law Report.** Assistant Attorney General Rebecca Hattan reviewed the judge's decision in Ketchikan's lawsuit challenging the required local contribution

to schools. The final judgment has not been entered yet. The board discussed potential effects of the decision if it stands.

**Agenda Item 22. Commissioner's Report.** Commissioner Hanley said the districts' perception of the department's role is changing from one of monitoring compliance to that of supporting districts in implementing standards, assessments, and educator evaluations. The Commissioner said he wants the U.S. Department of Education to grant Alaska an extension to when student data must be used as part of educator evaluations. He also wants the U.S. Department of Education to allow Alaska to freeze scores on the Alaska School Performance Index for a year because the state has a new assessment and cannot compare AMP scores with those of the prior assessment. The Commissioner said he plans to talk to stakeholders about proposed regulations so they understand them better.

**Agenda Item 23. Consent Agenda.** The board pulled three items: the report to the legislature, the Birchtree Charter School renewal application, and the resolution in support of naming the State Libraries, Archives and Museums building in Juneau.

Barbara Thompson moved and Sue Hull seconded the motion: I move the State Board of Education & Early Development approve the consent agenda consisting of the following: approval of the minutes of the September 18 & 19, 2014, meeting; approval of the minutes of the October 29, 2014, meeting; and approval of the appointments to the Museum Collections Advisory Committee. The motion passed unanimously.

**Agenda Item 23E. Birchtree Charter School Renewal Application.** Commissioner Hanley said he supports the renewal, suggesting a period of 2, 5, or 10 years. Jim Merriner said the school has changed its charter to be in compliance with state law. Sue Hull moved and Jim Merriner seconded a motion to renew Birchtree Charter School's charter for 10 years. The motion passed unanimously.

**Agenda Item 23 F. Libraries, Archives and Museums Resolution.** With a new governor taking office, Commissioner Hanley said the board should consider postponing the resolution. Chair Cox said she wants to see input from the public regarding the building's name. No motion was made.

**Agenda Item 23D. Report to the Legislature.** Sue Hull suggested that the last section of the report should include recommendations from the board. Topics could include improving results in the early grades, teacher quality and preparation, career and technical education, and dual enrollment. The department will draft the section and bring it to the board for discussion at its January meeting. Jim Merriner moved and Barbara Thompson seconded a motion to accept the draft report with amendments. The motion passed unanimously.

### **Board Comments.**

Kobe Rizk thanked the department for answering the board's questions.

Barbara Thompson thanked the board and the public and welcomed Alec Burris as student advisor-elect.

Jim Merriner welcomed Alec Burris, said he was impressed with Kobe Rizk, and thanked the board and staff.

Sue Hull thanked the Commissioner for his willingness to move forward with a new administration. She said the department has raised its level of credibility by providing districts with accurate, dependable information. She asked for information on the state law that prohibits school boards from spending money to influence ballot measures. She distributed new material from Best Beginnings.

Lt. Col. Hays thanked the board.

Kenny Gallahorn welcomed Alec Burris.

Kathleen Yarr thanked the board.

James Fields said the board does a lot of work that means a lot.

Chair Cox asked if the board would have a member on the advisory committee to the Center for Alaska Education Policy Research. She visited the Alaska Youth Military Academy, which wants to present to the board. She welcomed Alec Burris and thanked department staff. She said the meeting shows that the department reads public comments and changes proposed regulations in response.

The board adjourned at 3:45 p.m.

