

**State Board of Education & Early Development
Tentative Agenda
February 4-5, 2019
State Board Room
Department of Education & Early Development
801 W 10th Street
Juneau, AK 99801**

Mission Statement: *An excellent education for every student every day.*

Monday, February 4, 2019

Work Session

9:30 AM

- Swearing In (Sally Stockhausen and Bob Griffin)James Fields, Chair
- Call to Order and Roll CallJames Fields, Chair
- Pledge of AllegianceJames Fields, Chair
- Adoption of Agenda.....James Fields, Chair
- Disclosures of potential conflicts of interest.....James Fields, Chair

9:40 AM

- 1. Update on FY2020 operating and capital budgets Dr. Michael Johnson, Commissioner
.....Heidi Teshner, Director of Finance and Support Services

9:55 AM

- 2. Legislative Update..... Dr. Michael Johnson, Commissioner
.....Brittany Hartmann, Chief of Staff

10:15 AM

- 3. Regulatory Processes Discussion..... Dr. Michael Johnson, Commissioner
.....Brittany Hartmann, Chief of Staff

10:30 AM

- 4. Regulations to go out for public comment.....Dr. Michael Johnson, Commissioner
 - 4A. Grade 9 Math Sublevel Scores.....Deb Riddle, Division Operations Manager

4B. Basic Competency Exams.....Sondra Meredith, Teacher Certification Administrator

10:55 AM

Break

11:10 AM

Public Comment

Public comment is open on agenda and non-agenda items. Comment at this oral hearing is limited to three minutes per person and five minutes per group. The public comment period is an opportunity for the board to hear the public’s concerns. The board will not engage in discussions with members of the public during the comment period.

Public comment can be made for this meeting, during this time only, by calling 1-844-586-9085 if you are outside of Juneau or Anchorage. For participation from Anchorage, call 563-9085 and from Juneau, call 586-9085. This meeting will be streamed through the Legislative Information Office over <http://www.alaskalegislature.tv/> beginning at 9:30 AM (audio only). Click on the meeting name to listen to the proceedings. When public comment is over, the meeting will continue to be broadcast at the above web site.

In the event there are more than two hours of public comment, the board may move to amend the agenda to extend the oral hearing to accommodate those present before 10:55 AM who did not have an opportunity to comment. The board also reserves the right to adjourn at a later time.

12:00 PM

Working Lunch

12:45 PM

5. Recommended Process to Address UAA’s CAEP Accreditation Revocation.....
.....Dr. Michael Johnson, Commissioner
.....Sondra Meredith, Teacher Certification Administrator

1:45 PM

6. UAF School of Education’s Educator Preparation Program Approval.....
.....Dr. Michael Johnson, Commissioner
.....Sondra Meredith, Teacher Certification Administrator

2:00 PM

7. Adoption of Proposed Regulations.....Dr. Michael Johnson, Commissioner

7A. School Facility Planning and Construction

.....Tim Mearig, Facilities Manager
.....Luann Weyhrauch, Assistant Attorney General

7B. School Facility Commissioning

.....Tim Mearig, Facilities Manager
.....Luann Weyhrauch, Assistant Attorney General

2:15 PM

Break

2:30 PM

8. Executive Session, Student Advisor Selection..... James Fields, Chair

Business Meeting

3:15 PM

9. Recommended Process to Address UAA’s CAEP Accreditation Revocation.....
.....Dr. Michael Johnson, Commissioner
.....Sondra Meredith, Teacher Certification Administrator

3:30 PM

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.....Dr. Michael Johnson, Commissioner
.....Sondra Meredith, Teacher Certification Administrator

3:45 PM

11. Regulations to go out for public comment Dr. Michael Johnson, Commissioner

11A. Grade 9 Math Sublevel Scores..... Deb Riddle, Division Operations Manager
11B. Basic Competency Exams.....Sondra Meredith, Teacher Certification Administrator

3:55 PM

12. Adoption of Proposed Regulations.....Dr. Michael Johnson, Commissioner

12A. School Facility Planning and Construction

.....Tim Mearig, Facilities Manager
.....Luann Weyhrauch, Assistant Attorney General

12B. School Facility Commissioning

.....Tim Mearig, Facilities Manager
.....Luann Weyhrauch, Assistant Attorney General

4:05 PM

13. Approve Director of Educator & School Excellence.....Dr. Michael Johnson, Commissioner

4:15 PM

14. Approve Chief of Staff.....Dr. Michael Johnson, Commissioner

4:25 PM

15. Approve Deputy Commissioner.....Dr. Michael Johnson, Commissioner

4:35 PM

16. Selection of Officers and Subcommittee Appointments.....James Fields, Chair

4:45 PM

17. Approve board report to the legislatureDr. Michael Johnson, Commissioner
.....Erin Hardin, Information Officer
.....James Fields, Chair

4:55 PM

Board Comments

5:00 PM ADJOURN

Tuesday, February 5, 2019

8:00 AM

Meetings with legislators

12:00 PM

Working Lunch

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Oath of Office

◆ ISSUE

Chair Fields will administer the oath of office to the new members of the State Board of Education & Early Development.

◆ BACKGROUND

- Governor Dunleavy has appointed Sally Stockhausen to the First Judicial District seat on the State Board of Education & Early Development
- Governor Dunleavy has appointed Bob Griffin to the Public At-Large seat on the State Board of Education & Early Development
- Governor Dunleavy has re-appointed Tiffany Scott to the Second Judicial District seat on the State Board of Education & Early Development
- AS 39.05.040 requires members of each board within state government to take an oath of office before entering duties of office.
- Chair Fields will conduct the swearing in for the new board members.

“I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska, and that I will faithfully discharge my duties as a member of the State Board of Education and Early Development to the best of my ability.”

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 1

◆ **ISSUE**

The board will be provided an update on the department's FY2020 operating and capital budgets.

◆ **BACKGROUND**

- AS 14.07.150 gives the Commissioner of Education & Early Development the responsibility and authority for preparing and executing the budget, subject to the approval of the State Board of Education & Early Development. The development of the education budget is part of the annual executive budget process.
- The Governor's Office of Management and Budget prepares annual budget requests, issues instructions to all state agencies for budget development, and worked with the department on the FY2020 operating and capital budgets.
- The FY2020 Governor's budget was released on December 14, 2018.
- The FY2020 Governor's Amended budget will be released on February 13, 2019.
- Heidi Teshner, Director of Finance and Support Services, will be present to brief the board.

◆ **OPTIONS**

This is an information item. No action is required.



FY2020 Governor's Operating and Capital Budgets

Released December 14, 2018

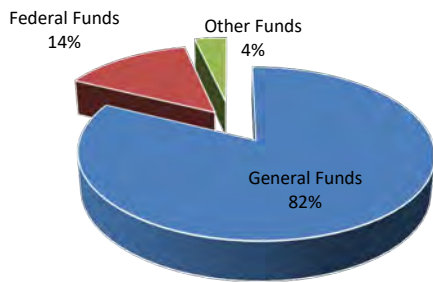
**DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
FY2020 Governor's Budget
(in thousands)**

	Designated General Funds	Unrestricted General Funds	Federal Funds	Other Funds	Total
Agency and Program Operations	23,811.6	36,083.5	230,666.1	44,389.5	334,950.7
K-12 Formula Programs	16,500.0	1,385,233.1	20,791.0	18,492.3	1,441,016.4
Total DEED Funding	\$40,311.6	\$1,421,316.6	\$251,457.1	\$62,881.8	\$1,775,967.1*

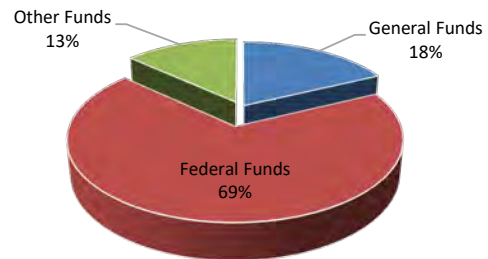
* Includes School Debt Reimbursement, Foundation Program, and Pupil Transportation

	Permanent Full-Time	Permanent Part-Time	Non-Permanent
Position Count	282	14	2

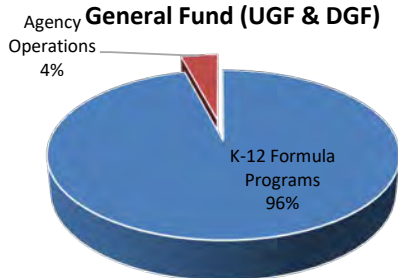
FY2020 Operating Budget by Fund Source



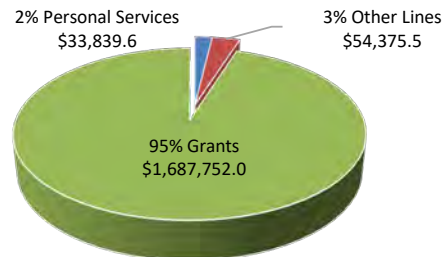
FY2020 Agency and Program Operations by Fund Source



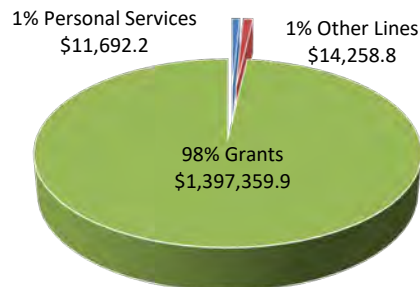
FY2020 Operating Budget General Fund (UGF & DGF)



FY2020 Operating Budget By Line Item - All Funds (in thousands)



FY2020 Operating Budget By Line Item - UGF Only (in thousands)



DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
FY2020 Governor's Budget
(in thousands)

K-12 Formula Programs	DGF	UGF	Federal	Other	Total Funding
Additional Foundation Funding	0.0	30,000.0	0.0	0.0	\$ 30,000.00
Foundation Program	0.0	1,182,603.9	20,791.0	18,492.3	\$ 1,221,887.20
Pupil Transportation	0.0	77,214.6	0.0	0.0	\$ 77,214.60
Boarding Home Grants	0.0	7,453.2	0.0	0.0	\$ 7,453.20
Special Schools	0.0	3,540.9	0.0	0.0	\$ 3,540.90
Youth in Detention	0.0	1,100.0	0.0	0.0	\$ 1,100.00
School Debt Reimbursement	16,500.0	83,320.5	0.0	0.0	\$ 99,820.50
Total Formula Programs	\$ 16,500.0	\$ 1,385,233.1	\$ 20,791.0	\$ 18,492.3	\$ 1,441,016.4

Agency and Program Operations	DGF	UGF	Federal	Other	Total Funding	PFT	PPT	NP
Executive Administration	0.0	870.2	0.0	22.4	892.6	5	0	0
Administrative Services	0.0	966.4	145.0	708.3	1,819.7	13	0	0
Information Services	0.0	503.1	0.0	643.2	1,146.3	4	0	0
School Finance & Facilities	0.0	1,544.2	0.0	930.5	2,474.7	10	0	0
Child Nutrition	0.0	89.6	76,929.3	0.0	77,018.9	10	0	0
Student and School Achievement	499.5	7,459.4	150,795.5	1,269.5	160,023.9	47	0	0
State System of Support	0.0	1,939.7	0.0	0.0	1,939.7	4	0	0
Teacher Certification	942.1	0.0	0.0	0.0	942.1	6	0	0
Early Learning Coordination	0.0	8,290.1	132.2	0.0	8,422.3	2	0	0
Pre-Kindergarten Grants	0.0	3,200.0	0.0	0.0	3,200.0	0	0	0
Alaska State Council on the Arts	10.9	693.5	806.6	2,358.6	3,869.6	5	0	0
Professional Teaching Practices Commiss	259.5	0.0	0.0	0.0	259.5	1	0	0
Mt. Edgecumbe Boarding School	63.2	3.2	252.2	11,657.3	11,975.9	43	11	0
MEHS Facilities Maintenance	250.0	300.0	0.0	1,190.9	1,740.9	0	0	0
State Facilities Rent	0.0	1,068.2	0.0	0.0	1,068.2	0	0	0
Library Operations	63.0	4,311.0	1,303.6	2,839.7	8,517.3	25	0	1
Archives	0.0	1,112.2	40.0	162.9	1,315.1	10	0	0
Museum Operations	522.5	1,193.8	60.0	0.0	1,776.3	13	3	0
Online with Libraries (OWL)	0.3	670.9	0.0	0.0	671.2	1	0	0
Live Homework Help *	0.0	0.0	0.0	138.2	138.2	0	0	0
APK Facilities Maintenance	0.0	1,030.0	0.0	0.0	1,030.0	0	0	0
ACPE - Program Administration & Operatic	6,354.2	760.7	201.7	11,309.0	18,625.6	83	0	1
WWAMI Medical Education	3,096.4	77.3	0.0	0.0	3,173.7	0	0	0
Alaska Performance Scholarship Awards	11,750.0	0.0	0.0	0.0	11,750.0	0	0	0
ASLC - Loan Servicing	0.0	0.0	0.0	11,159.0	11,159.0	0	0	0
Total Agency and Program Operations	\$ 23,811.6	\$ 36,083.5	\$ 230,666.1	\$ 44,389.5	\$ 334,950.7	282	14	2

Fund source	DGF	UGF	Federal	Other	Total Funding
Total DEED Funding	\$ 40,311.6	\$ 1,421,316.6	\$ 251,457.1	\$ 62,881.8	\$ 1,775,967.1

*Funding transferred from the Alaska Higher Education Investment Fund (DGF) to the Public School Trust Fund (Other)

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
FY2019 Management Plan to FY2020 Governor's - General Funds Only (Designated & Unrestricted)
(in thousands)

K-12 Formula Programs:	FY2019	FY2020		% Change
	Management Plan	Governor's Management Plan Budget	to Governor's	
Foundation Program	\$1,191,326.1	\$1,212,603.9	\$21,277.8	1.8%
Pupil Transportation	\$78,184.6	\$77,214.6	(\$970.0)	-1.2%
Boarding Home Grants	\$7,453.2	\$7,453.2	\$0.0	0.0%
Youth in Detention	\$1,100.0	\$1,100.0	\$0.0	0.0%
Special Schools	\$3,558.2	\$3,540.9	(\$17.3)	-0.5%
School Debt Reimbursement	\$108,057.3	\$99,820.5	(\$8,236.8)	-7.6%
Total Formula Programs	\$1,389,679.4	\$1,401,733.1	\$12,053.7	0.9%
Agency and Program Operations:	FY2019	FY2020		% Change
	Management Plan	Governor's Management Plan Budget	to Governor's	
Executive Administration	\$1,051.3	\$870.2	(\$181.1)	-17.2%
Administrative Services	\$916.6	\$966.4	\$49.8	5.4%
Information Services	\$375.5	\$503.1	\$127.6	34.0%
School Finance & Facilities	\$1,643.0	\$1,544.2	(\$98.8)	-6.0%
Child Nutrition	\$89.6	\$89.6	\$0.0	0.0%
Student and School Achievement	\$6,702.6	\$7,958.9	\$1,256.3	18.7%
State System of Support	\$2,209.7	\$1,939.7	(\$270.0)	-12.2%
Teacher Certification	\$926.7	\$942.1	\$15.4	1.7%
Early Learning Coordination	\$9,488.6	\$8,290.1	(\$1,198.5)	-12.6%
Pre-Kindergarten Grants	\$8,000.0	\$3,200.0	(\$4,800.0)	-60.0%
Alaska State Council on the Arts	\$703.7	\$704.4	\$0.7	0.1%
Professional Teaching Practices Commission	\$258.8	\$259.5	\$0.7	0.3%
Mt. Edgecumbe Boarding School	\$459.7	\$66.4	(\$393.3)	-85.6%
MEHS Facilities Maintenance	\$250.0	\$550.0	\$300.0	0.0%
State Facilities Rent	\$1,068.2	\$1,068.2	\$0.0	0.0%
Library Operations	\$6,885.2	\$4,374.0	(\$2,511.2)	-36.5%
Archives	\$1,087.8	\$1,112.2	\$24.4	2.2%
Museum Operations	\$1,680.5	\$1,716.3	\$35.8	2.1%
Online With Libraries (OWL)	\$670.9	\$671.2	\$0.3	0.0%
Live Homework Help *	\$138.2	\$0.0	(\$138.2)	-100.0%
APK Facilities Maintenance	\$1,030.0	\$1,030.0	\$0.0	100.0%
ACPE - Program Admin & Operations	\$6,008.7	\$7,114.9	\$1,106.2	18.4%
WWAMI Medical Education	\$3,096.4	\$3,173.7	\$77.3	2.5%
Alaska Performance Scholarship Awards	\$11,750.0	\$11,750.0	\$0.0	0.0%
ASLC - Loan Servicing	\$0.0	\$0.0	\$0.0	0.0%
Total Agency and Program Operations	\$66,491.7	\$59,895.1	(\$6,596.6)	-9.9%
TOTAL DEED GF FUNDING	\$1,456,171.1	\$1,461,628.2	\$5,457.1	0.4%
* Funding transferred from the Alaska Higher Education Investment Fund (DGF) to the Public School Trust Fund (Other)				

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
FY2019 Management Plan to FY2020 Governor's - All Funds
(in thousands)

K-12 Formula Programs:	FY2019	FY2020		% Change
	Management Plan	Governor's Management Plan Budget	to Governor's	
Foundation Program	\$1,235,806.0	\$1,251,887.0	\$16,081.0	1.3%
Pupil Transportation	\$78,184.6	\$77,214.6	(\$970.0)	-1.2%
Boarding Home Grants	\$7,453.2	\$7,453.2	\$0.0	0.0%
Youth in Detention	\$1,100.0	\$1,100.0	\$0.0	0.0%
Special Schools	\$3,558.2	\$3,540.9	(\$17.3)	-0.5%
School Debt Reimbursement	\$108,057.3	\$99,820.5	(\$8,236.8)	-7.6%
Total Formula Programs	\$1,434,159.3	\$1,441,016.2	\$6,856.9	0.5%
Agency and Program Operations:	FY2019	FY2020		% Change
	Management Plan	Governor's Management Plan Budget	to Governor's	
Executive Administration	\$1,073.7	\$892.6	(\$181.1)	-16.9%
Administrative Services	\$1,753.8	\$1,819.7	\$65.9	3.8%
Information Services	\$1,012.4	\$1,146.3	\$133.9	13.2%
School Finance & Facilities	\$2,552.3	\$2,474.7	(\$77.6)	-3.0%
Child Nutrition	\$76,988.7	\$77,018.9	\$30.2	0.0%
Student and School Achievement	\$158,661.4	\$160,023.9	\$1,362.5	0.9%
State System of Support	\$2,209.7	\$1,939.7	(\$270.0)	-12.2%
Teacher Certification	\$926.7	\$942.1	\$15.4	1.7%
Early Learning Coordination	\$9,618.2	\$8,422.3	(\$1,195.9)	-12.4%
Pre-Kindergarten Grants	\$8,000.0	\$3,200.0	(\$4,800.0)	-60.0%
Alaska State Council on the Arts	\$2,768.5	\$3,869.6	\$1,101.1	39.8%
Professional Teaching Practices Commission	\$258.8	\$259.5	\$0.7	0.3%
Mt. Edgecumbe Boarding School	\$11,830.7	\$11,975.9	\$145.2	1.2%
MEHS Facilities Maintenance	\$1,442.7	\$1,740.9	\$298.2	0.0%
State Facilities Rent	\$1,068.2	\$1,068.2	\$0.0	0.0%
Library Operations	\$8,444.3	\$8,517.3	\$73.0	0.9%
Archives	\$1,288.4	\$1,315.1	\$26.7	2.1%
Museum Operations	\$1,740.5	\$1,776.3	\$35.8	2.1%
Online With Libraries (OWL)	\$670.9	\$671.2	\$0.3	0.0%
Live Homework Help	\$138.2	\$138.2	\$0.0	0.0%
APK Facilities Maintenance	\$1,030.0	\$1,030.0	\$0.0	100.0%
ACPE - Program Admin & Operations	\$17,901.5	\$18,625.6	\$724.1	4.0%
WWAMI Medical Education	\$3,096.4	\$3,173.7	\$77.3	2.5%
Alaska Performance Scholarship Awards	\$11,750.0	\$11,750.0	\$0.0	0.0%
ASLC - Loan Servicing	\$11,742.8	\$11,159.0	(\$583.8)	0.0%
Total Agency and Program Operations	\$3,206,287.4	\$334,950.7	(\$3,018.1)	-0.1%
TOTAL DEED FUNDING	\$4,640,446.7	\$1,775,966.9	\$3,838.8	0.1%

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
FY2019 Management Plan to FY2020 Governor's Detail
(in thousands)

Line #	Component	Description	PFT	PPT	NP	General Funds	Federal Funds	Other Funds	Total
1	Personal Services	FY2020 Health Insurance and Contract Term Increases				\$277.1	\$122.3	\$163.1	\$562.5
2	Foundation Program	Reverse FY2019 Foundation - PEF				(\$1,171,326.1)		(\$18,351.3)	(\$1,189,677.4)
3	Foundation Program	Reverse 2019 Additional Foundation Funding				(\$20,000.0)			(\$20,000.0)
4	Foundation Program	FY2020 Foundation Program to PEF (BSA \$5,930)				\$1,172,603.9			\$1,172,603.9
5	Foundation Program	FY2020 Additional Foundation Funding				\$30,000.0			\$30,000.0
6	Foundation Program	FY2020 Public School Trust Fund Estimate Increase						\$13,154.9	\$13,154.9
7	Foundation Program	Safer School Grant Program for AK Education Challenge				\$10,000.0			\$10,000.0
8	Pupil Transportation	Reverse FY2018 Pupil Transportation - PEF				(\$78,184.6)			(\$78,184.6)
9	Pupil Transportation	FY2020 Pupil Transportation Estimate				\$77,214.6			\$77,214.6
10	Special Schools	FY2020 Special Education Service Agency Decrease				(\$17.3)			(\$17.3)
11	School Debt Reimbursement	Reverse FY2019 School Debt Reimbursement				(\$68,257.3)			(\$68,257.3)
12	School Debt Reimbursement	FY2020 School Debt Reimbursement Estimate				\$83,341.7			\$83,341.7
13	School Debt Reimbursement	FY2020 School Fund Estimated Reduction from DOR				(\$5,300.0)			(\$5,300.0)
14	School Debt Reimbursement	Remove Funding from Alaksa Comprehensive Health Insurance Fund				(\$18,000.0)			(\$18,000.0)
15	Executive Administration	Reverse ESSA Carryforward				(\$185.4)			(\$185.4)
16	Administrative Services	Office of Information Technology Salary Adjustment Billed to Agencies				\$24.0			\$24.0
17	Information Services	New Flexibly Staffed Analyst/Programmer for Department-Specific Application Needs	1			\$123.1			\$123.1
18	School Finance & Facilities	Support for Increased Risk Management Costs				\$135.8			\$135.8
19	School Finance & Facilities	Reduce One-Time REAA & Small Muni School District Fund				(\$249.0)			(\$249.0)
20	Student & School Achievement	Alaska Technical and Vocational Education Formula Funding				\$61.6			\$61.6
21	Student & School Achievement	Establish an Office of School Safety to Support the AK Education Challenge	3			\$750.0			\$750.0
22	Student & School Achievement	Support Funding for Health and Safety Team				\$183.7			\$183.7
23	Student & School Achievement	Increase Interagency Receipt Authorization to Support Outcomes Database Project						\$19.1	\$19.1
24	Student & School Achievement	Kindergarten Through Third Grade Literacy Project				\$320.0			\$320.0
25	Student & School Achievement	Alaska Autism Resource Center						\$50.0	\$50.0
26	Student & School Achievement	Reverse One-Time Mental Health Trust Recommendation						(\$50.0)	(\$50.0)
27	Student & School Achievement	Reduce One-Time Education Curriculum Requirements				(\$4.0)			(\$4.0)
28	Student & School Achievement	Reverse Increase for the Development, Updating, and Adoption of New Science Standards				(\$100.0)			(\$100.0)
29	Student & School Achievement	Reduce One-Time Bree's Law; Dating Violence Programs				(\$144.0)			(\$144.0)
30	Student & School Achievement	One-Time Career and Technical Education State Approved Programs of Study				\$100.0			\$100.0
31	Student & School Achievement	Restore Alaska Resource Education (previously the Alaska Mineral and Energy Resource Education Fund)				\$25.0			\$25.0
32	State System of Support	Reverse One-Time FY2019 Crisis Response and Supporting Costs for State System of Support Programs				(\$403.4)			(\$403.4)
33	State System of Support	One-Time Administrative Order 300 - Revitalize, Restore, and Preserve Alaska Native Languages				\$125.0			\$125.0
34	Early Learning Coordination	Transfer Out Early Childhood Grants Appropriation to Pre-Kindergarten Grants Component to Accurately Align Expenditures				(\$1,200.0)			(\$1,200.0)
35	Pre-Kindergarten Grants	Transfer In Early Childhood Grants Appropriation from Early Learning Coordination Component to Accurately Reflect Expenditures				\$1,200.0			\$1,200.0
36	Pre-Kindergarten Grants	Reverse One-Time Additional Support for Pre-Kindergarten Grant Program				(\$6,000.0)			(\$6,000.0)
37	Alaska State Council on the Arts	Increase SDPR Authorization to Accept Additional Private Grant Funding						\$1,100.0	\$1,100.0
38	Mt. Edgecumbe High School	Add Teaching Position for Increased Student Population	1					\$94.8	\$94.8
39	Mt. Edgecumbe High School	Reverse One-Time Maintenance and Operations for the MEHS Aquatic Center				(\$400.0)			(\$400.0)
40	Mt. Edgecumbe High School	Transfer Out Assistant Aquatic Facilities Manager to Department of Transportation and Public Facilities		-1					\$0.0
41	Mt. Edgecumbe High School	MEHS Aquatic Facility Personnel and Base Funding: Two Lifeguards, Range 11		2				\$325.5	\$325.5
42	MEHS Facilities Maintenance	MEHS Aquatic Facility Base Funding for Maintenance				\$300.0			\$300.0
43	Library Operations	Fund Source Change from Alaska Higher Education Investment Fund to Public School Trust Fund				(\$2,581.4)		\$2,581.4	\$0.0
44	Live Homework Help	Fund Source Change from Alaska Higher Education Investment Fund to Public School Trust Fund				(\$138.2)		\$138.2	\$0.0
45	ACPE - Program Admin & Ops	Multi-Agency Outcomes Database Initiative	3			\$760.7			\$760.7
46	ACPE - Program Admin & Ops	Receipt of Federal Grant from the Institute of Education Science (FY2020-FY2021)					\$201.7		\$201.7

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
FY2019 Management Plan to FY2020 Governor's Detail
(in thousands)

Line #	Component	Description	PFT	PPT	NP	General Funds	Federal Funds	Other Funds	Total
47	ACPE - Program Admin & Ops	Fund Source Change Replacing I/A for Cost of Administering the APS, AEG, and Institutional Authorization Programs				\$345.5		(\$345.5)	\$0.0
48	ACPE - Program Admin & Ops	Reduce Authority to Offset Increase for Outcomes Database Initiative and Federal Receipts for Outcomes Reporting						(\$238.3)	(\$238.3)
49	WWAMI	Increase to Support WWAMI Contractual Obligation				\$77.3			\$77.3
50	ASLC - Loan Servicing	Reduce ASLC Receipt Authority for Administering APS, AEG, and Institutional Authorization Programs						(\$345.5)	(\$345.5)
51	ASLC - Loan Servicing	Reduce Authority to Offset Increase for Outcomes Database Initiative and Federal Receipts for Outcomes Reporting						(\$238.3)	(\$238.3)
		Total FY2020 Operating Changes	9	0	0	\$5,478.3	\$324.0	(\$1,941.9)	\$3,860.4
		Total FY2019 Management Plan	273	14	2	\$1,456,171.1	\$251,133.1	\$64,823.7	\$1,772,127.9
		Total FY2020 Governor's Budget	282	14	2	\$1,461,649.4	\$251,457.1	\$62,881.8	\$1,775,988.3

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
Student Learning and Educator & School Excellence
Program Allocations by Funding Source
(in thousands)

Student and School Achievement / Student Learning Division	Federal	Federal ESEA	General Fund	GF / Mental Health	GF / Match	GF / Program Receipts	Inter Agency Receipts	MHTAAR	Statutory Designated	TVEP	Total	Positions by Program		
												PFT	PPT	
Student and School Achievement														
ESEA Title I Grants to LEAs		43,992.7									43,992.7	6		
ESEA Title I-Part C Migrant Education		15,454.0									15,454.0	4		
ESEA Title I-Part D Neglected & Delinquent		328.4									328.4	1		
ESEA Title II-A Supporting Effective Instruction		9,790.0									9,790.0	2		
ESEA Title III English Language Acquisition		1,276.2									1,276.2	1		
Title IV Student Support and Enrichment grants		5,308.3									5,308.3	1		
ESEA Title IVB 21st Century Community Learning		5,937.0									5,937.0	1		
ESEA Title VI Part B State Assessments and Data		3,505.3	1,800.0								5,305.3	4		
ESEA Title X Part C Education for Homeless Children & Youth		231.6									231.6	1		
IDEA Title VI B 611 Special Education	38,804.5										38,804.5	6		
IDEA Title VI 619 Special Education - Preschool	1,264.8										1,264.8	0		
Carl Perkins Vocational Education Career & Tech PL 109-270	4,693.1				274.4						4,967.5	3		
Charter School Start up Grant			168.8								168.8	0		
Counseling (Suicide Prevention & At Risk)				39.8							39.8	1		
Office of School Health and Safety			1,318.0				1,169.5				2,487.5	4		
Alaska Longitudinal Data System			450.0								450.0	2		
Early Literacy			320.0								320.0			
			25.0								25.0			
Alaska Resource Education Program Education Curriculum Development (SB104)			457.6								457.6	3		
Rural Transition Services				150.0							150.0			
Autism Resource Center				188.0				50.0			238.0			
Senate Youth									1.0		1.0			
Accountability and Oversight			1,819.0								1,819.0	7		
			448.8								448.8			
Interdepartmental RSA Chargebacks											448.8			
Galena TVEP Grant										499.5	499.5			
Project AWARE	1,973.2										1,973.2			
Unallocated / Carryforward	7,317.7	10,918.7							49.0		18,285.4			
Total	\$ 54,053.3	\$ 96,742.2	\$ 6,807.2	\$ 377.8	\$ 274.4	\$ -	\$ 1,169.5	\$ 50.0	\$ 50.0	\$ 499.5	\$ 160,023.9	47	0	

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
Student Learning and Educator & School Excellence
Program Allocations by Funding Source
(in thousands)

Component	Federal	Federal NCLB	General Fund	GF / Mental Health	GF / Match	GF / Program Receipts	Inter Agency Receipts	MHTAAR	Statutory Designated	TVEP	Donated Commodities	Total	Positions by Program	
													PFT	PPT
State System of Support			1,939.7									1,939.7		
Total	0.0		1,939.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1,939.7	4	0
Teacher Certification						942.1	0.0					942.1	6	
Total	0.0	0.0	0.0	0.0	0.0	942.1	0.0	0.0	0.0	0.0	0.0	942.1	6	0
Early Learning Coordination												0.0		
<i>Headstart</i>	132.2		6,853.0										1	
<i>Early Learning Programs</i>			1,437.1										1	
Total	132.2	0.0	8,290.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8,422.3	2	0
Pre-Kindergarten Program			3,200.0									3,200.0		
Total	0.0	0.0	3,200.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3,200.0	0	0
Student Learning and Educator & School Excellence Division Totals														
												Total		
Student & School Achievement	54,053.3	96,742.2	6,807.2	377.8	274.4	-	1,169.5	50.0	50.0	499.5	-	160,023.9	47	0
State System of Support	-	-	1,939.7	-	-	-	-	-	-	-	-	1,939.7	4	0
Teacher Certification	-	-	-	-	-	942.1	0.0	-	-	-	-	942.1	6	0
Early Learning Coordination	132.2	-	8,290.1	-	-	-	-	-	-	-	-	8,422.3	2	0
Pre-Kindergarten Programs	-	-	3,200.0	-	-	-	-	-	-	-	-	3,200.0	0	0
Total	\$ 54,185.5	\$ 96,742.2	\$ 20,237.0	\$ 377.8	\$ 274.4	\$ 942.1	\$ 1,169.5	\$ 50.0	\$ 50.0	\$ 499.5	\$ -	\$ 174,528.0	59	0

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
Public School Funding Program
FY2019 Authorized vs. FY2020 Projection

	FY2019 Authorized	FY2020 Projection	Difference
Regular Average Daily Membership (ADM)	116,814.00	115,041.01	(1,772.99)
Correspondence ADM	12,805.75	13,011.90	206.15
Total ADM	129,619.75	128,052.91	(1,566.84)
Adjusted ADM	255,954.05	256,568.51	614.46
Basic Need	\$1,517,807.5	\$1,521,451.3	\$3,643.8
Required Local Effort	(255,522.5)	(257,515.4)	(1,992.9)
Deductible Impact Aid	(76,601.8)	(82,181.0)	(5,579.2)
Supplemental Funding Floor	0.0	0.0	0.0
Quality Schools Grant	4,095.3	4,105.0	9.7
Military Flow Through and Other	26,027.3	26,027.3	0.0
Total	\$1,215,805.8	\$1,211,887.2	(\$3,918.6)
Funding Sources:			
1004 GF: Public Education Fund/Formula	\$1,171,326.1	\$1,172,633.9	\$1,307.8
1043 P/L 81-874	20,791.0	20,791.0	-
1066 Public School	23,688.7	18,462.3	(5,226.4)
Total	\$1,215,805.8	\$1,211,887.2	(\$3,918.6)

* FY2019 SB142, \$20 million, not included in the above numbers, to be distributed outside the formula in one-time grants allocated on adjusted ADM.

** FY2020 HB287, \$30 million, not included in the above numbers, to be distributed outside the formula in one-time grants allocated on adjusted ADM.

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
FY2020 Projected State Program Allocations (Legislative Appropriations)

School District	FY2020 Projected ADM	Projected Total Foundation @ \$5,930	Projected HB287: \$30M One-Time Grant on AADM	Projected Boarding Home	Projected Residential Boarding Program	Projected Youth in Detention	Projected Special Schools	Projected Pupil Transportation	Projected Municipal Debt Retirement	PROJECTED FY2020 Totals
ALASKA GATEWAY	385	\$8,398,637	\$170,842					\$790,856		\$9,360,335
ALEUTIAN REGION	23	\$1,151,545	\$23,390					\$0		\$1,174,935
ALEUTIANS EAST	217	\$4,695,101	\$114,177					\$74,431	\$657,734	\$5,541,443
ANCHORAGE	45,325	\$322,941,190	\$8,593,863		\$45,600	\$437,246	\$1,134,600	\$21,274,250	\$41,187,811	\$395,614,560
ANNETTE ISLANDS	300	\$3,550,713	\$102,732					\$60,300		\$3,713,745
BERING STRAIT	1,767	\$31,762,231	\$850,120		\$431,184			\$95,418		\$33,138,953
BRISTOL BAY	88	\$950,402	\$37,752					\$250,920		\$1,239,074
CHATHAM	185	\$3,827,090	\$77,692					\$50,530		\$3,955,312
CHUGACH	495	\$4,155,600	\$82,390		\$273,600			\$0		\$4,511,590
COPPER RIVER	440	\$6,837,257	\$141,545					\$577,614		\$7,556,416
CORDOVA	353	\$4,320,363	\$103,186					\$129,850	\$457,090	\$5,010,489
CRAIG	502	\$4,568,844	\$102,715					\$122,354		\$4,793,913
DELTA/GREELY	821	\$10,198,376	\$205,174					\$1,385,310		\$11,788,860
DENALI	972	\$6,980,569	\$156,260					\$442,336		\$7,579,165
DILLINGHAM	452	\$6,004,662	\$137,880	\$34,310				\$605,250	\$742,201	\$7,524,303
FAIRBANKS	13,194	\$110,565,543	\$2,943,423			\$118,854		\$11,657,448	\$8,815,139	\$134,100,407
GALENA	4,196	\$24,881,275	\$492,212		\$3,517,074			\$83,176		\$28,973,737
HAINES	242	\$2,292,445	\$66,697					\$159,160	\$900,673	\$3,418,975
HOONAH	115	\$2,314,491	\$50,724					\$37,950	\$0	\$2,403,165
HYDABURG	102	\$1,877,793	\$37,924					\$0		\$1,915,717
IDITAROD	346	\$6,526,227	\$133,279					\$45,396		\$6,704,902
JUNEAU	4,636	\$37,248,902	\$1,017,808			\$95,829		\$3,059,604	\$7,155,025	\$48,577,168
KAKE	103	\$2,212,187	\$48,662					\$30,900		\$2,291,749
KASHUNAMIUT	313	\$3,238,157	\$110,845					\$1,565		\$3,350,567
KENAI	8,681	\$79,297,077	\$2,100,012			\$97,998		\$8,015,208	\$2,830,958	\$92,341,253
KETCHIKAN	2,274	\$25,314,603	\$592,894					\$1,769,812	\$2,359,033	\$30,036,342
KLAWOCK	114	\$2,186,875	\$57,407					\$73,530		\$2,317,812
KODIAK	2,251	\$24,406,757	\$586,963					\$1,894,918	\$5,743,701	\$32,632,339
KUSPUK	367	\$6,237,280	\$171,677	\$7,540				\$264,974		\$6,681,471
LAKE AND PENINSULA	313	\$9,115,328	\$191,385					\$132,288	\$965,096	\$10,404,097
LOWER KUSKOKWIM	4,065	\$64,572,548	\$1,579,524		\$1,060,616	\$139,172		\$1,243,890		\$68,595,750
LOWER YUKON	2,001	\$31,653,754	\$862,475					\$2,001		\$32,518,230
MAT-SU	19,074	\$169,566,888	\$3,961,886			\$89,548		\$17,021,685	\$18,358,802	\$208,998,809
NENANA	1,290	\$8,883,025	\$176,273		\$1,382,572			\$123,310		\$10,565,180
NOME	689	\$8,846,733	\$196,652			\$121,353		\$462,364	\$157,546	\$9,784,648
NORTH SLOPE	1,983	\$19,462,859	\$719,362					\$2,452,971	\$75,346	\$22,710,538
NORTHWEST ARCTIC	1,986	\$37,351,895	\$810,553		\$663,360			\$52,704	\$4,078,813	\$42,957,325
PELICAN	11	\$537,414	\$11,370					\$0		\$548,784
PETERSBURG	461	\$6,074,143	\$143,687					\$190,854	\$466,996	\$6,875,680
PRIBILOF	70	\$1,121,183	\$31,419					\$0		\$1,152,602
SAINT MARY'S	185	\$3,439,277	\$69,363					\$39,405		\$3,548,045
SITKA	1,187	\$12,323,983	\$309,942					\$555,775	\$1,874,944	\$15,064,644
SKAGWAY	122	\$986,909	\$33,931					\$4,862		\$1,025,702
SOUTHEAST	211	\$6,034,238	\$118,663					\$262,856		\$6,415,757
SOUTHWEST	611	\$10,079,202	\$274,723	\$20,000				\$403,260		\$10,777,185
TANANA	48	\$1,174,827	\$24,056					\$25,296		\$1,224,179
UNALASKA	430	\$4,411,913	\$122,893					\$307,880	\$274,890	\$5,117,576
VALDEZ	657	\$4,803,918	\$172,808					\$507,556	\$1,640,573	\$7,124,855
WRANGELL	330	\$4,131,196	\$93,410					\$255,420	\$168,875	\$4,648,901
YAKUTAT	83	\$1,075,104	\$25,273					\$53,430		\$1,153,807
YUKON FLATS	222	\$5,615,392	\$147,695					\$64,809		\$5,827,896
YUKON/KOYUKUK	1,871	\$16,131,455	\$337,353	\$17,344				\$97,976		\$16,584,128
YUPIIT	464	\$6,104,614	\$190,100					\$928		\$6,295,642
Mt. EDGE CUMBE	430	\$3,419,941	\$84,959							\$3,504,900
OTHER	\1 *	\$26,027,300					\$2,406,349		\$930,500	\$29,364,149
SUBTOTALS	128,053	\$1,211,887,231	\$30,000,000	\$79,194	\$7,374,006	\$1,100,000	\$3,540,949	\$77,214,580	\$99,841,746	\$1,431,037,706

* Includes Special Education Service Agency (SESA) other adjustments.

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
School Construction Debt Retirement AS 14.11.100 - FY2020 Estimated State Aid
For October 15 Reporting

SCHOOL DIST.	90% BOND SALES 7/1/77 TO 1/1/82 2YR LAG	80% ESTIMATED CASH PAYMENTS 2YR LAG	80% BOND SALES 7/1/83 TO 3/31/90 CURRENT PAY	70% BOND SALES 4/1/90 TO PRESENT CURRENT PAY	60% BOND SALES 6/30/99 TO PRESENT CURRENT PAY	90% BOND SALES 6/30/99 TO 10/31/2006 CURRENT PAY	60%-70% ESTIMATED NEW BONDS CURRENT PAY	SCHOOL DIST.	ESTIMATED TOTAL DEBT RETIREMENT BY DISTRICT FOR FY2020
ALEUTIANS EAST				86,895	570,839		0	ALEUTIANS EAST	657,734
ANCHORAGE			456,748	24,471,956	16,176,401		82,706	ANCHORAGE	41,187,811
CORDOVA				268,920	188,170		0	CORDOVA	457,090
DILLINGHAM				742,201			0	DILLINGHAM	742,201
FAIRBANKS				7,419,604	1,395,535		0	FAIRBANKS	8,815,139
HAINES				900,673			0	HAINES	900,673
HOONAH				0			0	HOONAH	0
JUNEAU				6,684,166	470,859		0	JUNEAU	7,155,025
KENAI				2,830,958			0	KENAI	2,830,958
KETCHIKAN				1,991,456	367,577		0	KETCHIKAN	2,359,033
KODIAK				4,325,171	893,530		525,000	KODIAK	5,743,701
LAKE & PEN				775,298	189,798		0	LAKE & PEN	965,096
MAT-SU				15,985,208	2,373,594		0	MAT-SU	18,358,802
NOME				128,840	28,706		0	NOME	157,546
NORTH SLOPE					75,346		0	NORTH SLOPE	75,346
NORTHWEST								NORTHWEST	
ARCTIC				3,415,098	259,913	403,802	0	ARCTIC	4,078,813
PETERSBURG				177,118	289,878		0	PETERSBURG	466,996
SITKA				1,380,919	494,025		0	SITKA	1,874,944
UNALASKA				274,890			0	UNALASKA	274,890
VALDEZ				61,354	1,579,219		0	VALDEZ	1,640,573
WRANGELL				168,875			0	WRANGELL	168,875
TOTALS	\$ -	\$ -	\$ 456,748	\$ 72,089,600	\$ 25,353,390	\$ 403,802	\$ 607,706		\$ 98,911,246

THESE ENTITLEMENTS ARE SUBJECT TO ADJUSTMENTS BASED ON ACTUAL BOND PAYMENTS.

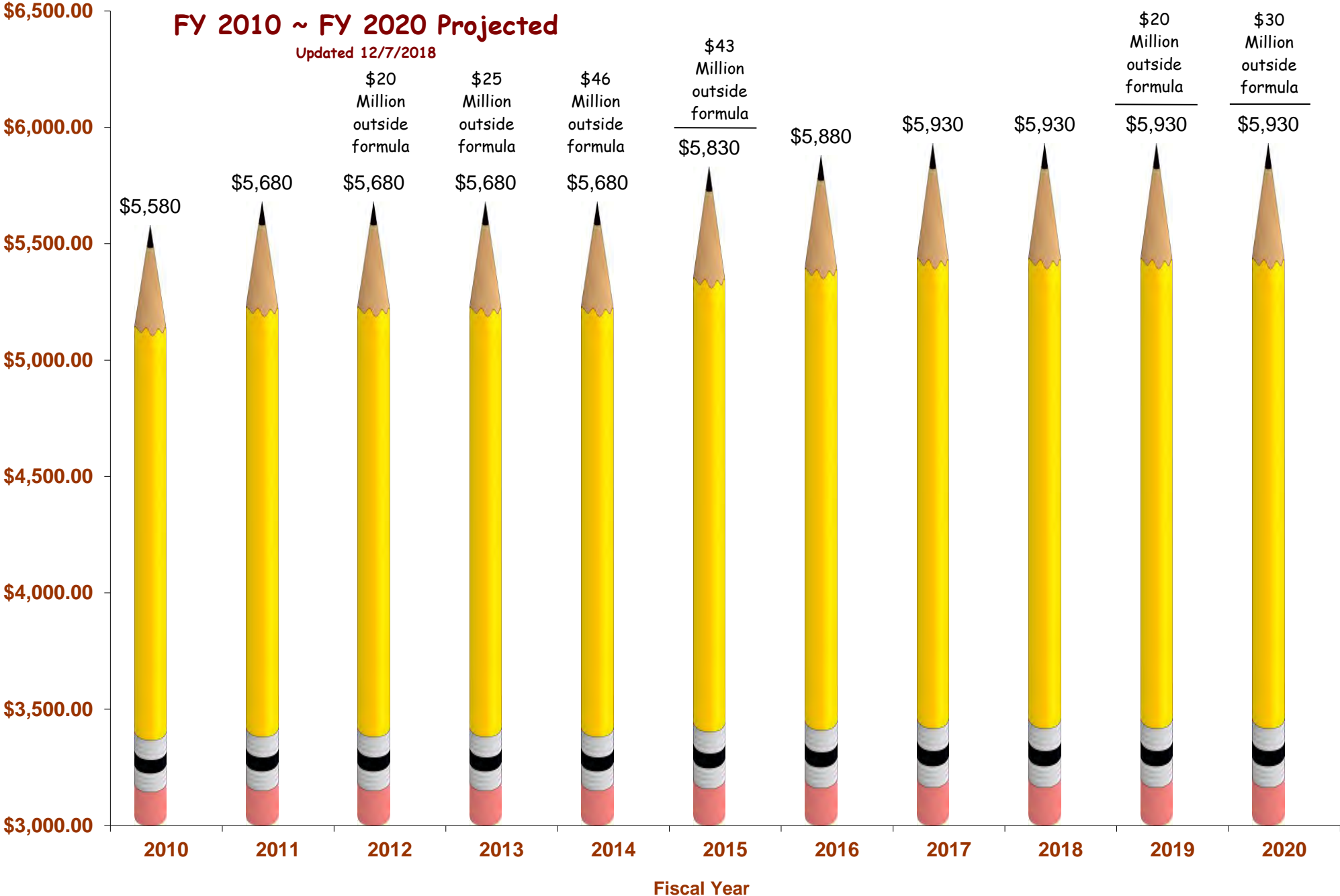
BOND ENTITLEMENT	\$98,303,540
CASH ENTITLEMENT	<u>0</u>
SUB TOTAL	<u>98,303,540</u>
ESTIMATED NEW DEBT	<u>607,706</u>
EST. STATE AID-FY2020	<u>98,911,246</u>
EED OVERHEAD	<u>930,500</u>
TOTAL FY2020 STATE AID	\$99,841,746

Alaska K-12 Funding

Base Student Allocation

FY 2010 ~ FY 2020 Projected

Updated 12/7/2018



**DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
FY2020 Governor's Capital Budget**

School Major Maintenance Grants	
Projects 1 - 47 on the FY2020 Major Maintenance Grant Fund list	\$ 70,997,685
Total School Construction	70,997,685
Total Major Maintenance	-
Total All:	\$ 70,997,685

Deferred Maintenance	
Mt. Edgecumbe High School	\$ 500,000
<p><i>The sum of \$400,000 from the municipal capital project matching grant fund (AS 37.06.010) is appropriated to the Department of Education and Early Development, Mt. Edgecumbe boarding school, for maintenance and operation of the Mt. Edgecumbe Aquatic Center for the fiscal years ending June 30, 2018, June 30, 2019, and June 30, 2020.</i></p>	

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 2

◆ **ISSUE**

This is a discussion regarding proposed legislation for the First Session of the 31st Alaska State Legislature that would impact the department and the board.

◆ **BACKGROUND**

- This agenda item will review pre-filed legislation pertaining to education in the 31st Alaska State Legislature. A listing of pre-filed legislation will be provided at the time of the meeting
- Brittany Hartmann, Chief of Staff, will be present to brief the board.

◆ **OPTIONS**

This is an information item. No action is required.

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 3

◆ **ISSUE**

This is a discussion regarding adopting standards versus the endorsement of standards in regulation with the board.

◆ **BACKGROUND**

- Brittany Hartmann, Chief of Staff, will be present to brief the board.

◆ **OPTIONS**

This is an information item. No action is required.

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Michael Johnson, Commissioner

Agenda Item: 4A

◆ ISSUE

The board is being asked to open a period of public comment on proposed amendments to 4 AAC 06.822(b), relating to the measurement of student growth in Alaska's new accountability system (the System for School Success). The change will update the sub-interval scores on the Performance Evaluation for Alaska's Schools (PEAKS) assessments for grade 9 math that are used to calculate student growth within the accountability system.

◆ BACKGROUND

- The PEAKS grade 9 math assessment was revised for 2018 to reflect a focus on algebra. The changes to PEAKS grade 9 math assessment required the development of new score ranges to determine student performance in each achievement level. These new score ranges were adopted and in force in regulations in October 2018.
- The revised score ranges require an adjustment to the sub-interval score ranges in the student growth indicator in 4 AAC 06.822 so that the sub-interval ranges are aligned with the newly adopted score ranges.
- Behind this cover memo is the proposed amended regulation.
- Deb Riddle, Division Operations Manager, will be present to brief the board.

◆ OPTIONS

This is a work session item. Action will take place under agenda item 11A.

**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 4B

◆ ISSUE

The board is being asked to open a period of public comment on regulations regarding teacher certification.

◆ BACKGROUND

- The proposed regulations include additions to the list of approved basic competency exams. To qualify for a regular Alaska teacher certification, an applicant must pass a basic competency exam per AS 14.20.020(i).
- The three additions to the approved list of basic competency exams address the recommendation from DEED's Performance Review to decrease barriers for educators prepared outside of Alaska to gain Alaska certification.
 - The proposed additional basic competency exams are the Pennsylvania Pre-service Academic Performance Assessment, the Missouri Educator Gateway Assessment, and the Illinois Test of Academic Proficiency.
 - The qualifying scores are those scores accepted in the jurisdiction administering the exams.
- In addition, the proposed regulation allows teachers who have satisfied a basic competency exam in the areas of reading, writing, and mathematics approved by another certifying state agency to use that exam to satisfy the basic competency exam as required by AS 14.20.020(i).
- Regulations currently require career and technical education (CTE) teachers certified through the Type M Limited certificate to pass a basic competency exam requirement. Stakeholders have expressed that this additional requirement has begun to limit the number of CTE offerings for Alaska students.
- The proposed regulation will eliminate the basic competency requirement for Type-M Limited CTE certified teachers.
- Behind this cover memo are the proposed regulations.
- Sondra Meredith, Administrator for Educator Education & Certification, will be present to brief the board.

◆ OPTIONS

This is a work session item. Action will take place under Agenda Item 11B.

4 AAC 12.310(d) is amended by adding new paragraphs to read:

(14) the Pennsylvania Pre-service Academic Performance Assessment with qualifying scores of

(A) reading: 220;

(B) mathematics: 193;

(C) writing: 220;

(15) the Missouri Educator Gateway Assessments with qualifying scores of

(A) reading: 183;

(B) mathematics: 180;

(C) writing: 220;

(16) the Illinois Test of Academic Proficiency with qualifying score of 240 on each of our subtests: reading comprehension, language arts, mathematics, and writing.

4 AAC 12.310 is amended by adding a new subsection to read:

(f) An applicant who has qualified for certification with the certifying agency of another state may satisfy the requirement of AS 14.20.020(i) by providing to the department the applicant’s qualifying scores on the competency examination or examinations required by the certifying agency of the other state. (Eff. 9/29/2005, Register 175; am 9/30/2005, Register 175; am 12/21/2007, Register 184; am 6/27/2014, Register 210; am 4/24/2016, Register 218; am 6/1/2018, Register 226; ____/____/____, Register ____)

Authority: AS 14.07.060 AS 14.20.020 AS 14.20.030
AS 14.20.010

The introductory language of 4 AAC 12.372(a) is amended to read:

(a) The commissioner may issue a limited career or technical education certificate (Type M), valid for **five years** [ONE YEAR], in a specialty area of a career or technical education course if the commissioner determines that

...

4 AAC 12.372(b)(2) is amended to read:

(2) possess an industry certification in the career or technical specialty, or have completed four or more years of full-time work experience in the specialty, for which not more than two years of formal training at a trade school, technical institute, or similar institution may be substituted; in this paragraph, "industry certification" means a **credential** [CREDENTIALING], **license** [licensing], or certification that permits a person to work in the career or technical specialty.

4 AAC 12.372(c) is repealed:

(c) Repealed ____/____/____.

[Language to be repealed: (C) THE DEPARTMENT MAY EXTEND THE INITIAL ONE-YEAR LIMITED CAREER OR TECHNICAL CERTIFICATE ISSUED UNDER (A) OF THIS SECTION FOR AN ADDITIONAL FOUR YEARS IF THE APPLICANT DEMONSTRATES THAT THE APPLICANT HAS MET THE REQUIREMENTS OF 4 AAC 12.310 FOR BASIC SKILLS IN READING, WRITING, AND MATHEMATICS AND THE SCHOOL DISTRICT CERTIFIES ON A FORM PROVIDED BY THE DEPARTMENT THAT THE APPLICANT HAS DEMONSTRATED CLASSROOM INSTRUCTION, CURRICULUM, AND

ASSESSMENT SKILLS. A TEACHER WHO DOES NOT MEET THE REQUIREMENTS OF 4 AAC 12.310 IS NOT ELIGIBLE TO HAVE THE LIMITED CERTIFICATE EXTENDED OR RENEWED UNTIL THE REQUIREMENT IS MET.]

The introductory language of 4 AAC 12.372(d) is amended to read:

A limited career or technical education certificate issued under **(a)** [(c)] of this section may be renewed any number of times for five years upon submission to the department of

...

(Eff. 3/28/2012, Register 201; am 4/24/2016, Register 218; ____/____/____, Register ____)

Authority: AS 14.07.060 AS 14.20.020 AS 14.20.025

**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson Commissioner

Agenda Item: 5

◆ **ISSUE**

The board is being asked to approve the recommended process to address the University of Alaska Anchorage's (UAA's) CAEP accreditation revocation notification received on January 11, 2019.

◆ **BACKGROUND**

- 4 AAC 12.308 requires Alaska's educator preparation programs to meet or substantially meet the standards of the Council for the Accreditation of Educator Preparation (CAEP) in order to receive state approval.
- Under 4 AAC 12.307(a)(1), for the department to issue the teacher certificates listed in that section, the preparation program must be approved by the board under 4 AAC 12.308.
- Neither the board approval nor the CAEP accreditation of the UAA teacher preparation program is currently in effect.
- On April 28-30, 2018, the UAA educator preparation program was reviewed by a CAEP site visit team.
- On January 11, 2019, the department was notified by CAEP that UAA initial teacher preparation program's accreditation was revoked. Detailed information is available in the Accreditation Action Report (https://www.uaa.alaska.edu/academics/school-of-education/_documents/Accessible%20CAEP%20report.pdf).
- UAA must wait for a full year from CAEP's notification date, January 11, 2019, to begin the application process to regain CAEP accreditation. The process to regain accreditation will take at least three years.
- On January 22, 2019, UAA and DEED met to discuss next steps. The recommended process for addressing the revocation of UAA's CAEP accreditation was the result of this meeting.
- The January 11, 2019 Notification letter from CAEP's President, Christopher A. Koch, Ed.D. can be found behind this cover memo.

- Tamara Van Wyhe, Director, Educator and School Excellence, Sondra Meredith, Administrator, Teacher Education and Certification, and Dr. Claudia Dybdahl, Interim Director of UAA's School of Education will be present to brief the board.

◆ **OPTIONS**

This is a work session item. Action will take place under Agenda Item 9.

January 11, 2019

Dr. Cathy A. Sandeen
Chancellor
University of Alaska Anchorage Office of the Chancellor
3211 Providence Drive, ADM 216
Anchorage, AK 99508

Dear Dr. Sandeen:

The Accreditation Council of the Council for the Accreditation of Educator Preparation (CAEP) met on December 14, 2018 and has made the following accreditation decision:

The accreditation of the College of Education at University of Alaska Anchorage is Revoked as described in the Accreditation Action Report.

The Accreditation Council panel reconvened after the meeting in October and reconsidered a stipulation preliminarily recorded for standard 3. The stipulation was changed to an area for improvement. We encourage you to attend to the areas for improvement and stipulations identified in the enclosed Accreditation Action Report. Strengths noted in the site visit report have not been reiterated but are certainly considered part of the Educator Preparation Provider (EPP) accreditation record. You may use the information in context and as detailed in the site visit report at your discretion.

A significant amount of thought and effort goes into the accreditation process. CAEP has confidence in its site visitors and councilors, and I want you to know that your EPP was examined with great care throughout each stage of the accreditation process. The recent meeting of the Accreditation Council culminates several years of preparation and deliberation on the part of both the EPP seeking accreditation and CAEP, beginning with the self-study report process and ending with the deliberation of the Council.

In response to the decision, you can submit comments in writing or by email. These comments will be part of your accreditation record and will be available to the appropriate state licensing agency and the public upon request.

Please note that in response to an adverse decision there are two options available:

- (1) allowing the decision to stand, or
- (2) filing an appeal, as detailed in the

Appeals Policy 3.02: [Appeals Policy](#)

[3.02 Appeals of Adverse Accreditation](#)

Decisions

- CAEP will consider appeals of adverse accreditation decisions provided sufficient evidence is presented that: Stated procedures were not followed by the site visitors, the Accreditation Council, or CAEP staff; or
- Demonstrable bias, conflict of interest, or prejudice by site visitors or members of the Accreditation Council influenced the Accreditation Council's accreditation decision; or
- CAEP's decision was not supported adequately or was contrary to the facts presented and known at the time of the decision.

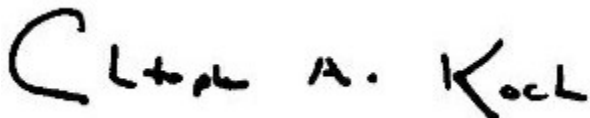
Please note that if you decide not to appeal, the decision will become final. Per Accreditation Policy 5.14(b)4a: "In a case where accreditation is revoked or denied, the EPP can begin the application process after one (1) year from the date of the final decision."

CAEP's notification policy and practices are aligned with the requirements for accreditation agency recognition by the U.S. Secretary of Education. Notification of any final decision to revoke accreditation must be made to the appropriate state licensing agency and the public within 24 hours of a final decision to revoke accreditation. Therefore, the decision to revoke accreditation from the College of Education will be considered final and a matter of public record, unless a notice of intent to appeal is submitted within 15 days. After verification pursuant to Appeals Policy 3.06, and while the appeal is pending, the EPP's prior accreditation or applicant status remains in effect. Following a final decision for revocation, CHEA will be notified as required.

You will receive a copy of the letter and appeals policy sent by certified mail. In the event you elect to file an appeal, you have **15 days from physical receipt of this letter** to file a notice of the intent to appeal the decision of the Council.

All future correspondence should be sent to Dr. Vince O'Neill (vince.oneill@caepnet.org). He can also provide further explanation of the Council's findings or assist you in determining any future courses of action.

Sincerely yours,

A handwritten signature in black ink that reads "Christopher A. Koch". The signature is written in a cursive, slightly slanted style.

Christopher A. Koch, Ed.D. President

Enclosures: Accreditation Action Report, Information for Providers Following Revocation of

CAEP Accreditation,
Appeals Policy

cc: Dr. Claudia
Dybdahl, College of
Education; Leah K.
Brown, College of
Education;
Sondra Meredith, Alaska Department of Education &
Early Development; Robert L. Williams, Alaska
Department of Education & Early Development; Site
Team

**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson Commissioner

Agenda Item: 6

◆ **ISSUE**

The board is being asked to continue the state approval of the initial educator preparation programs at the University of Alaska Fairbanks (UAF) through June 30, 2024.

◆ **BACKGROUND**

- 4 AAC 12.308 requires Alaska's educator preparation programs to meet or substantially meet the standards of the Council for the Accreditation of Educator Preparation (CAEP) in order to receive state approval.
- On April 21st through April 23rd, 2018, the UAF Initial Educator Preparation Program was reviewed by a CAEP site visit team. Per Alaska's CAEP agreement, the department participated in the site visit as an observer.
- On October 22, 2018, the CAEP Board reviewed the recommendations of the site visit team and granted accreditation status to the UAF Initial Educator Preparation Program.
- CAEP's Accreditation Action Report indicates the UAF Initial Educator Preparation Program meets the five CAEP standards. The report identified no stipulations and only three areas for improvement. All previous areas for improvement under NCATE were removed. UAF is required to report annual its progress in the three areas identified for improvement to maintain its CAEP accreditation status.
- The following items can be found behind this cover memo:
 - A list of UAF's initial educator preparation areas;
 - UAF's accreditation letter from CAEP, dated November 15, 2018;
 - UAF's accreditation action report from CAEP;
 - Information for Educator Preparation Programs granted CAEP accreditation; and
 - A summary of CAEP's standards for initial educator preparation programs.
- Tamara Van Wyhe, Director, Educator and School Excellence, and Sondra Meredith, Administrator, Teacher Education and Certification, will be present to brief the board.

◆ **OPTIONS**

This is a work session item. Action will take place under Agenda Item 10.

University of Alaska Fairbanks

P.O. Box 756480
Fairbanks, Alaska 99775
907-474-7341 fax: 907-474-5451
Email: fysoed@uaf.edu
[Website](http://www.uaf.edu/educ) (www.uaf.edu/educ)

Regional Accrediting Association: NWCCU since 1934

Next evaluation: Fall 2019

Standards for Unit and Program Approval: NCATE since March 17, 2005 (Initial and Advanced)

Next visit: CAEP for Initial Licensure Programs: Spring 2018

Standards for Counseling Program Approval: CACREP since January 2018

Next review: March 31, 2020

Approved Teaching Programs

Elementary Education (K-8)

Secondary Education (7-12)

Art (K-12, 7-12)

Biology

Chemistry

Earth Science

English

Environmental Science/Studies

General Science

Geography

Government/Political Science

History

Mathematics

Physical Science

Physics

Social Studies/Science

World Languages

French

Spanish

German

Music (K-8, 7-12 or K-12)

Special Education

Initial Certification (K-12)

Levels

B, PB

B, PB, Med

B

PB, Med

Approved Special Services Program

Counseling (K-8, 7-12, K-12)

Advanced E, MEd

November 15, 2018

Dr. Daniel M. White
Chancellor
University of Alaska Fairbanks
Third Floor, Signer's Hall 1810 Salcha Street
Fairbanks, AK 99775-6480

Dear Dr. White:

The Accreditation Council of the Council for the Accreditation of Educator Preparation (CAEP) met on October 22, 2018, and I am pleased to inform you that the following accreditation status has been granted:

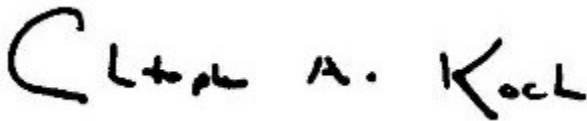
The UAF School of Education at University of Alaska Fairbanks is granted **Accreditation** at the initial-licensure level as described in the Accreditation Action Report.

Included with this letter are two subsequent documents:

- 1) The Accreditation Action Report provides details of the accreditation status.
- 2) Information for EPPs Granted Accreditation provides further information on the Council's decision process and provider responsibilities during the accreditation term.

Congratulations on your accreditation achievement. I appreciate your commitment to excellence in educator preparation accreditation.

Sincerely yours,

A handwritten signature in black ink that reads "Christopher A. Koch". The signature is written in a cursive, slightly slanted style.

Christopher A. Koch, Ed.D. President

Enclosures: Accreditation Action Report, Certificate of Accreditation (sent to provider leadership), and Information on CAEP Accreditation

cc: Dr. Amy L. Vinlove, Ph.D., UAF School of Education
Diane Kardash, UAF School of Education
Cathy Morgan, UAF School of Education
Dararath Charoonsophonsak, UAF School of Education
Sondra Meredith, Alaska Department of Education & Early Development
Robert L. Williams, Alaska Department of Education & Early Development
Site Team

ACCREDITATION ACTION REPORT

University of Alaska Fairbanks
Fairbanks, Alaska

October 2018

This is the official record of the Educator Preparation Provider's accreditation status.
The Educator Preparation Provider should retain this document for at least two accreditation cycles.

ACCREDITATION DECISION

Accreditation is granted at the initial-licensure level. This Accreditation status is effective between Fall 2018 and Spring 2024. The next site visit will take place in Fall 2023.

SUMMARY OF STANDARDS

CAEP STANDARDS	INITIAL-LICENSURE LEVEL	ADVANCED LEVEL
STANDARD 1/A.1: Content and Pedagogical Knowledge	Met	Not Applicable
STANDARD 2/A.2: Clinical Partnerships and Practice	Met	Not Applicable
STANDARD 3/A.3: Candidate Quality, Recruitment, And Selectivity	Met	Not Applicable
STANDARD 4/A.4: Program Impact	Met	Not Applicable
STANDARD 5/A.5: Provider Quality Assurance and Continuous Improvement	Met	Not Applicable

The Educator Preparation Provider is encouraged to refer to the site visit report for strengths and additional information on findings.

AREAS FOR IMPROVEMENT AND STIPULATIONS

Areas for Improvement: Identified areas for improvement are addressed in the provider's annual report. Areas for improvement need not be publicly disclosed, but will become stipulations if they remain uncorrected by the next accreditation review.

Stipulations: None.

INITIAL-LICENSURE LEVEL AREAS FOR IMPROVEMENT AND STIPULATIONS

STANDARD 2: Clinical Partnerships and Practice

	Areas for Improvement	Rationale
1	The EPP has a plan with only a limited role for school partners in the co-construction of instruments and evaluations for clinical practice. (component 2.1)	There is evidence of a plan with limited feedback from EPP partners, but insufficient evidence that partners are part of the co-construction and design of instrumentation.
2	The EPP did not provide a plan for a co-constructed systematic and comprehensive for training clinical educators. (component 2.2)	The EPP does not have a plan to provide consistent training of clinical educators.

STANDARD 5: Provider Quality Assurance and Continuous Improvement

	Areas for Improvement	Rationale
1	The majority of the EPP created assessments have not established sufficient reliability and validity. (component 5.2)	The establishment of reliability and validity were in progress at the time of the visit.

AREA(S) FOR IMPROVEMENT OR WEAKNESS(ES) from previous legacy accreditor review (NCATE or TEAC)

Removed:

Area for Improvement or Weakness	Rationale
1) [NCATE STD1] Candidate data for advanced programs in curriculum and instruction, cross cultural education and language and literacy development do not consistently provide evidence that candidates possess all of the skills and knowledge to help students learn. [ADV]	1) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
2) [NCATE STD2] Not all advanced programs have designed assessments that effectively measure candidates' pedagogical knowledge and skills. [ADV]	2) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
3) [NCATE STD2] The unit did not provide three years of aggregated data for all key assessments across all programs. [ADV]	3) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
4) [NCATE STD3] Not all advanced programs require candidates to participate in field experiences. [ADV]	4) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
5) [NCATE STD4] Not all advanced programs prepare candidates to work with special needs children. [ADV]	5) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
6) [NCATE STD6] The unit does not oversee all teacher education programs offered at the institution. [Both]	6) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI. The initial licensure portion of this AFI will be addressed in CAEP standard 5. The team recommends removal of legacy NCATE AFI.

NOTE: Neither CAEP staff, site visitors, nor other agents of CAEP are empowered to make or modify Accreditation Council decisions. These remain the sole responsibility of the Council itself.

End of document

Information for EPPs Granted Accreditation

Accreditation Council Decision

Accreditation is granted when the Accreditation Council determines that an educator preparation provider (EPP) meets all CAEP Standards, even if areas for improvement (AFIs) are identified in the final decision.

The Council's decision process begins with an initial review panel, which makes a recommendation on whether an EPP meets all CAEP Standards and confirms or modifies the recommendations from the site team regarding areas for improvement (AFIs) and/or stipulations. Recommendations are then reviewed by a joint review panel composed of the initial review panel, plus an additional initial review panel. The role of the joint review panel is to review the recommendations of the initial review panel to ensure rigor, clarity, and consistency, and to make recommendations to the full Accreditation Council.

The full Accreditation Council makes all final decisions relevant to the CAEP Standards based on evidence submitted by the EPP, findings from the site team, and sufficiency of evidence for each standard, and then acts upon the recommendations from joint panel reviews. The Council pays particular attention to consistency across all of the accreditation decisions.

The Action Report is the official record of your accreditation status and should be used to review and guide your provider's efforts continue to meet the CAEP Standards.

Consumer Information and Representation of Accreditation to the Public

CAEP requires accredited EPPs to provide consumer information to the public, including candidate performance data. Title II data must be publicly available on the website (Accreditation Policy 8.01).

When representing its accreditation to the public, an EPP must report the accreditation decision accurately, including the specific academic or instructional programs covered by the accreditation, and the address and telephone number of the Council for the Accreditation of Educator Preparation as provided on the CAEP website. The official statement to be publicly displayed on the EPP's website is provided by CAEP following the Accreditation Council action, as defined by the CAEP Communication Guidelines. (Accreditation Council Policy 8.04)

The accreditation status and term will be posted on the [CAEP website](http://caepnet.org/provider-search) (<http://caepnet.org/provider-search>).

Annual Reports

All EPPs must submit an Annual Report each year in order to maintain accreditation or accreditation-eligibility. The report is opened for entry each year in January and EPPs are given 90 days from the date of system availability to complete the report. Additionally, the Annual Report requires reporting on Accreditation Policy 8.01, which requires accredited EPPs to provide consumer information to the public, including candidate performance data. Title II data must be publicly available on the EPP's website (Accreditation Policy 6.01).

2013 CAEP Standards

Standard 1. Content and Pedagogical Knowledge

The provider ensures that candidates develop a deep understanding of the critical concepts and principles of their discipline and, by completion, are able to use discipline-specific practices flexibly to advance the learning of all students toward attainment of college- and career-readiness standards.

Candidate Knowledge, Skills, and Professional Dispositions

1.1 *Candidates demonstrate an understanding of the 10 InTASC standards at the appropriate progression level(s) in the following categories: the learner and learning; content; instructional practice; and professional responsibility.*

Provider Responsibilities:

1.2 *Providers ensure that candidates use research and evidence to develop an understanding of the teaching profession and use both to measure their P-12 students' progress and their own professional practice.*

1.3 *Providers ensure that candidates apply content and pedagogical knowledge as reflected in outcome assessments in response to standards of Specialized Professional Associations (SPA), the National Board for Professional Teaching Standards (NBPTS), states, or other accrediting bodies (e.g., National Association of Schools of Music – NASM).*

1.4 *Providers ensure that candidates demonstrate skills and commitment that afford all P-12 students access to rigorous college- and career-ready standards (e.g., Next Generation Science Standards, National Career Readiness Certificate, Common Core State Standards).*

1.5 *Providers ensure that candidates model and apply technology standards as they design, implement and assess learning experiences to engage students and improve learning; and enrich professional practice.*

Standard 2. Clinical Partnerships and Practice

The provider ensures that effective partnerships and high-quality clinical practice are central to preparation so that candidates develop the knowledge, skills, and professional dispositions necessary to demonstrate positive impact on all P-12 students' learning and development.

Partnerships for Clinical Preparation:

2.1 *Partners co-construct mutually beneficial P-12 school and community arrangements, including technology-based collaborations, for clinical preparation and share responsibility for continuous improvement of candidate preparation. Partnerships for clinical preparation can follow a range of forms, participants, and functions. They establish mutually agreeable expectations for candidate entry, preparation, and exit; ensure that theory and practice are linked; maintain coherence across clinical and academic components of preparation; and share accountability for candidate outcomes.*

Clinical Educators:

2.2 *Partners co-select, prepare, evaluate, support, and retain high-quality clinical educators, both provider- and school-based, who demonstrate a positive impact on candidates' development and P-12 student learning and development. In collaboration with their partners, providers use multiple indicators and appropriate technology-based applications to establish, maintain, and refine criteria for selection, professional development, performance evaluation, continuous improvement, and retention of clinical educators in all clinical placement settings.*

Clinical Experiences:

2.3 *The provider works with partners to design clinical experiences of sufficient depth, breadth, diversity, coherence, and duration to ensure that candidates demonstrate their developing effectiveness and positive impact on all students' learning and development. Clinical experiences, including technology-enhanced learning opportunities, are structured to have multiple performance-based assessments at key points within the program to demonstrate candidates' development of the knowledge, skills, and professional dispositions, as delineated in Standard 1, that are associated with a positive impact on the learning and development of all P-12 students.*

Standard 3. Candidate Quality, Recruitment, and Selectivity

The provider demonstrates that the quality of candidates is a continuing and purposeful part of its responsibility from recruitment, at admission, through the progression of courses and clinical experiences, and to decisions that completers are prepared to teach effectively and are recommended for certification. The provider demonstrates that development of candidate quality is the goal of educator preparation in all phases of the program. This process is ultimately determined by a program's meeting of Standard 4.

Plan for Recruitment of Diverse Candidates who Meet Employment Needs:

3.1 *The provider presents plans and goals to recruit and support completion of high-quality candidates from a broad range of backgrounds and diverse populations to accomplish their mission. The admitted pool of candidates reflects the diversity of America's P-12 students. The provider demonstrates efforts to know and address community, state, national, regional, or local needs for hard-to-staff schools and shortage fields, currently, STEM, English-language learning, and students with disabilities.*

Candidates Demonstrate Academic Achievement:

3.2 *The provider meets CAEP minimum criteria or the state's minimum criteria for academic achievement, whichever are higher, and gathers disaggregated data on the enrolled candidates whose preparation begins during an academic year.*

The CAEP minimum criteria are a grade point average of 3.0 and a group average performance on nationally normed assessments or substantially equivalent state-normed assessments of mathematical, reading and writing achievement in the top 50 percent of those assessed. An EPP may develop and use a valid and reliable substantially equivalent alternative assessment of academic achievement. The 50th percentile standard for writing will be implemented in 2021.

Starting in academic year 2016-2017, the CAEP minimum criteria apply to the group average of enrolled candidates whose preparation begins during an academic year. The provider determines whether the CAEP minimum criteria will be measured (1) at admissions, OR (2) at some other time prior to candidate completion.

In all cases, EPPs must demonstrate academic quality for the group average of each year's enrolled candidates. In addition, EPPs must continuously monitor disaggregated evidence of academic quality for each branch campus (if any), mode of delivery, and individual preparation programs, identifying differences, trends and patterns that should be addressed under component 3.1, Plan for recruitment of diverse candidates who meet employment needs.

CAEP will work with states and providers to designate, and will periodically publish, appropriate "top 50 percent" proficiency scores on a range of nationally or state normed assessments and other substantially equivalent academic achievement measures, with advice from an expert panel.

Alternative arrangements for meeting the purposes of this component will be approved only under special circumstances and in collaboration with one or more states. The CAEP President will report to the Board and the public annually on actions taken under this provision.

Additional Selectivity Factors:

3.3 Educator preparation providers establish and monitor attributes and dispositions beyond academic ability that candidates must demonstrate at admissions and during the program. The provider selects criteria, describes the measures used and evidence of the reliability and validity of those measures, and reports data that show how the academic and non-academic factors predict candidate performance in the program and effective teaching.

Selectivity During Preparation:

3.4 The provider creates criteria for program progression and monitors candidates' advancement from admissions through completion. All candidates demonstrate the ability to teach to college- and career-ready standards. Providers present multiple forms of evidence to indicate candidates' developing content knowledge, pedagogical content knowledge, pedagogical skills, and the integration of technology in all of these domains.

Selection At Completion:

3.5 Before the provider recommends any completing candidate for licensure or certification, it documents that the candidate has reached a high standard for content knowledge in the fields where certification is sought and can teach effectively with positive impacts on P-12 student learning and development.

3.6 Before the provider recommends any completing candidate for licensure or certification, it documents that the candidate understands the expectations of the profession, including codes of ethics, professional standards of practice, and relevant laws and policies. CAEP monitors the development of measures that assess candidates' success and revises standards in light of new results.

Standard 4. Program Impact

The provider demonstrates the impact of its completers on P-12 student learning and development, classroom instruction, and schools, and the satisfaction of its completers with the relevance and effectiveness of their preparation.

Impact on P-12 Student Learning and Development:

4.1 The provider documents, using multiple measures that program completers contribute to an expected level of student-learning growth. Multiple measures shall include all available growth measures (including value-added measures, student-growth percentiles, and student learning and development objectives) required by the state for its teachers and available to educator preparation providers, other state-supported P-12 impact measures, and any other measures employed by the provider.

Indicators of Teaching Effectiveness:

4.2 The provider demonstrates, through structured validated observation instruments and/or student surveys, that completers effectively apply the professional knowledge, skills, and dispositions that the preparation experiences were designed to achieve.

Satisfaction of Employers:

4.3 The provider demonstrates, using measures that result in valid and reliable data and including employment milestones such as promotion and retention, that employers are satisfied with the completers' preparation for their assigned responsibilities in working with P-12 students.

Satisfaction of Completers:

4.4 The provider demonstrates, using measures that result in valid and reliable data, that program completers perceive their preparation as relevant to the responsibilities they confront on the job, and that the preparation was effective.

Standard 5. Provider Quality Assurance and Continuous Improvement

The provider maintains a quality assurance system comprised of valid data from multiple measures, including evidence of candidates' and completers' positive impact on P-12 student learning and development. The provider supports continuous improvement that is sustained and evidence-based, and that evaluates the effectiveness of its completers. The provider uses the results of inquiry and data collection to establish priorities, enhance program elements and capacity, and test innovations to improve completers' impact on P-12 student learning and development.

Quality and Strategic Evaluation:

5.1 The provider's quality assurance system is comprised of multiple measures that can monitor candidate progress, completer achievements, and provider operational effectiveness. Evidence demonstrates that the provider satisfies all CAEP standards.

5.2 The provider's quality assurance system relies on relevant, verifiable, representative, cumulative and actionable measures, and produces empirical evidence that interpretations of data are valid and consistent.

Continuous Improvement:

5.3 The provider regularly and systematically assesses performance against its goals and relevant standards, tracks results over time, tests innovations and the effects of selection criteria on subsequent progress and completion, and uses results to improve program elements and processes.

5.4 Measures of completer impact, including available outcome data on P-12 student growth, are summarized, externally benchmarked, analyzed, shared widely, and acted upon in decision-making related to programs, resource allocation, and future direction.

5.5 The provider assures that appropriate stakeholders, including alumni, employers, practitioners, school and community partners, and others defined by the provider, are involved in program evaluation, improvement, and identification of models of excellence.

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 7A

◆ **ISSUE**

The board is being asked to adopt proposed amendments to regulation 4 AAC 31 School Facility Planning and Construction. The amendments accomplish needed clean-up work in several areas (e.g., citations for updated publications, etc.), codify current work practices, propose improvements to the capital project administration process, and propose limits on funding.

◆ **BACKGROUND**

- The last significant clean-up of 4 AAC 31 occurred in 2010. In the eight years since that time, elements of the school facility planning and construction process have changed, have been updated, and have been improved or altered. Codifying these elements in an update to the regulation is necessary.
- Proposed amendments to 4 AAC 31.022(b), 31.026(d), 31.030(a), 31.040(a), 31.060(i), and 31.220 are clean-up in nature and do not revise current procedures.
- Proposed amendments to 4 AAC 31.013, 31.016, 31.020(d), 31.021(f), 31.023(c), 31.061(b)(2), and 31.085(a) are those needed to conform to current department practices and do not revise current procedures.
- Proposed amendments to 4 AAC 31.020(a), 31.080(f), and 31.900(2) update references to current versions of department publications *Guidelines for School Equipment Purchases* (2016 edition), *Site Selection Criteria and Evaluation Handbook* (2011 edition), and *Project Delivery Method Handbook* (2017 edition). Updates to these publications were reviewed and approved by the statutory Bond Reimbursement & Grant Review Committee.
- Proposed amendments to 4 AAC 31.021(e) and (g), portions of 31.030(a) and 31.040(a), 31.064, 31.065(a), and 31.080(b) and (g) are intended to improve the process of capital improvement project (CIP) requests and the administration of capital project funding by clarifying requirements at a greater level of detail than currently provided. These proposals are not intended to change or limit project eligibility or funding.
- Proposed amendments to 4 AAC 31.023(c)(7) and (e) serve to limit funding of indirect and administrative costs that are based on a percentage rate and not supported with detailed accounting.
- Proposed amendments to 4 AAC 31.065(d), 31.080(e), and 31.080(i) serve to limit funding of professional services, construction, and purchase or lease of existing facilities if requirements in the respective sections are not complied with.
- Proposed amendments to 4 AAC 31.900(21) would increase the minimum project amount (cost) from \$25,000 to \$50,000 before a project would become eligible for state aid as a school capital project.
- The proposed regulations amendments, a summary document of the identified regulation amendments, public comment received, department response to public

comments, and the three updated department publications can be found behind this cover memo.

- Heidi Teshner, Director of Finance and Support Services, and Tim Mearig, Facilities Manager, will be present to brief the board.

◆ **OPTIONS**

This is a work session item. Action will take place under Agenda Item 12A.

2018 Summary of Changes: 4 AAC 31 Regulations

Prepared by Department of Education and Early Development
Finance & Support Services / Facilities

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Regulation	Summary of Change	Reason for Change
4 AAC 31.013(e)	Reorganize section and refine language to parallel flow of process.	Reorganized language provides more clarity to the timeline of the determination process.
4 AAC 31.013(f)	Provide method for department and a district to postpone on-site inspections if district does not seek a compliant PM program.	Current language does not provide the dept. or a district a way to ‘opt-out’ of the on-site inspection process on the occasion of a district that does not desire to qualify for CIP funding. This will potentially save the department operational costs.
4 AAC 31.013(h) (new)	Add language defining department’s current practice of “provisional compliance”.	In the past 10 years, the department has issued determinations of “provisional compliance” to districts that have the capacity to meet PM standards but lack documentation of maintaining the program (e.g., being able to provide a full 12 months of reporting data).
4 AAC 31.016(i) (new)	Provide guidance on when to include or exclude attendance area enrollment when housed in leased facilities.	Formalize dept. practice of excluding enrollment of leased-facility schools in attendance areas when determining space eligibility, unless single-site, and include clause for termination of leased space creating unhoused students.
4 AAC 31.020(a)	Update publication titles and editions.	Conform to new dept. publication editions; update publication title formatting.
4 AAC 31.020(d)	Provide department flexibility to reduce or not reduce a project budget before the end of the design phase.	Current regulation reads to require a budget reduction if enrollment declines during design process; however, fluctuations can cause significant design changes and incur additional design costs. Dept. practice typically holds a project harmless once a grant agreement is signed and design is underway; however, there could be circumstances where a later adjustment is appropriate.
4 AAC 31.021(e)	Allow “completed projects” to reuse priority ranking for 5 years after original application.	Enable districts to save costs of re-submitting a new application for projects that were completed and do not have any new information to present.

Regulation	Summary of Change	Reason for Change
4 AAC 31.021(f)	Remove requirement to provide inflation/escalation to elements of the project that will be completed prior to a grant being issued.	Adding the required escalation to projects with previously completed scope unnecessarily increases ranked project costs, resulting in lapsing balances in appropriations and tying up resources that could be used to fund additional projects.
4 AAC 31.021(g)	Adds language on how to treat appeals on projects reused in years 2-6.	Required to conform existing language to the additional years of reuse beyond year one.
4 AAC 31.022(b)	Changes primary purpose type “E” projects from school construction to major maintenance.	Conforms to 2010 statute change.
4 AAC 31.023(c)	Specify that application costs are allowable project costs. Define that the 36/120 month limit for reimbursable costs begins with initial application.	More clarity is need for when the “36 months” and “120 months” begin for reimbursable allowable project and land costs in a AS 14.11 grant or reimbursement.
4 AAC 31.023(c)	Adds language limiting amount of grant that can be used for district indirect administrative costs to specified percentage.	Provide more uniformity in treatment of indirect costs; reduces the obligation of the department to fund administrative costs not closely tied to a project with state aid.
4 AAC 31.023(e)	Provides definitions to support changes regarding indirect administrative costs.	Provide clarity for new terms “indirect administrative costs” and “construction costs” used in subsection.
4 AAC 31.026(d)	Changes who appoints a hearing officer for CIP process appeals.	Conforms to 2004 statute change.
4 AAC 31.030(a)	Changes statute reference from AS 14.11.020 to more common “grant funded under” AS 14.11.011. Specify that elements of a plan for DEED review must be submitted prior to solicitation of a construction contract.	Conform statute reference to statute providing grant funding. Language reinforces that plan must be provided for dept. review prior to construction contract solicitation, as some projects have been being submitted after contract award.

Regulation	Summary of Change	Reason for Change
4 AAC 31.040(a)	Change statute reference from AS 14.11.020 to more common AS 14.11.011. Specify that DEED review and approval must be submitted prior to solicitation of a construction contract, as inferred from timeline requirements in (a)(1)-(3).	Conform statute reference to statute providing grant funding. Language reinforces that project documents must be provided for dept. review prior to construction contract solicitation, as some projects have been being submitted after contract award.
4 AAC 31.060(i)	Change dollar value of reimbursement project costs \$200,000.	Conform value to statute. Current \$25,000 value is reflective of grant minimum project cost, not debt reimbursement.
4 AAC 31.061(b)(2)	Repeal language related to applications submitted before 1/1/1996.	Removal of non-applicable language.
4 AAC 31.064	Clarify when remaining bond proceeds can be redirected.	Clarity is needed for when “construction” of a project is considered complete: when design, construction, and equipment contracts are terminated.
4 AAC 31.065(a)	Allow solicitation of contracts for design and construction management consultants using qualifying Internet websites in lieu of newspapers.	Online publishing of solicitations via the world wide web has become equal or more effective than traditional newspaper publishing. (Note: State procurement regulations now allow these types of solicitation options.)
4 AAC 31.065 (new)	Allow DEED discretion to deny/limit participation in costs of design and construction management for grants and debt reimbursement projects that did not comply with this section	Provide consistency in department treatment of participation in construction and consultant contracts.
4 AAC 31.080(b)	Allow solicitation of construction contracts using qualifying Internet websites in lieu of newspapers.	Online publishing of solicitations via the world wide web has become equal or more effective than traditional newspaper publishing. (Note: State procurement regulations now allow these types of solicitation options.)
4 AAC 31.080(e)	Allow DEED discretion to deny/limit participation in costs of construction for grants that did not comply with this section; currently DEED may not allow payment for construction contract costs.	Provide consistency between grant and debt programs in dept. discretion to deny construction funding.

Regulation	Summary of Change	Reason for Change
4 AAC 31.080(f)	Update publication edition reference.	Conform to new dept. publication edition and update publication title formatting.
4 AAC 31.080(g)	Add “lease” and “donated” to methods a school district may acquire facilities with prior department approval.	Expand methods of school district acquisition of property that require dept. approval; works in conjunction with new subsection (j) to potentially limit AS 14.11 funding for property that was not in the best interest of the state for a district to acquire [note -- most leased facilities are already not eligible for AS 14.11 funding]
4 AAC 31.080(i) (new)	Allow denial or limiting of participation cost of school construction for facilities acquired under specific circumstances.	Provide dept. process for overview of district acquisition of land or facilities in instances where the dept. may be asked to provide financial support for major maintenance or restoration.
4 AAC 31.085(a)	Specify that a school district is still responsible for liabilities caused by its use of the property.	Reinforce that district liabilities and responsibilities that are the result of the district’s use and operation of the property continue beyond the use permit and one-year wind-down period (see also 4 AAC 31.090(h)).
4 AAC 31.220	Change date districts shall provide a certificate of insurance to DEED from July 1 to July 15.	Date extension requested by districts and insurance carriers. Certificates not always issued before July 1.
4 AAC 31.900(2)	Update publication edition reference.	Conform to new dept. publication edition and update publication title formatting.
4 AAC 31.900(21)	Change minimum value of “school capital project” to \$50,000.	Adjust dollar value in line with inflation to maintain intent of original regulation that projects are “capital” expenses and not “operational”. This value is consistent with inflation.

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4 AAC 31.013(e) is amended to read:

(e) [ON AN ANNUAL BASIS, THE] **The** department **will make a determination of a district's** [SHALL PROVIDE A PRELIMINARY NOTICE TO EACH DISTRICT REGARDING ITS] compliance with each element required in (a) of this section, based on evidence of a program [PREVIOUSLY PROVIDED TO] **acquired by** the department, [OR THAT WAS] **including information** gathered by the department during an on-site visit conducted under (f) of this section. **The department may change a determination at any time during the year based on new evidence. For purposes of eligibility for an application submitted under AS 14.11.011, on** [ON] or before June 1, the department will provide [ITS] preliminary notice **of its determination.** [THE DEPARTMENT MAY CHANGE A DETERMINATION OF NON-COMPLIANCE AT ANY TIME DURING THE YEAR BASED ON NEW EVIDENCE.] Districts that are not in full compliance must provide evidence of compliance to the department by August 1. On or before August 15, the department will notify districts of its final determination regarding compliance. The department will deny a grant application submitted under AS 14.11.011 by a district that has received a final determination from the department that the district is out of compliance with this section.

4 AAC 31.013(f) is amended to read:

(f) The department **will** [SHALL] conduct **an** on-site **inspection** [INSPECTIONS] of a school district preventive maintenance and facility management **program** [PROGRAMS] at least once every five years; **however, if the department issues a finding of noncompliance under (e) of this section and the district does not provide adequate evidence of compliance, the department may postpone an onsite visit beyond the five-year period.** The department

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may make additional inspections as it deems necessary. The department may change its determination of compliance based on information obtained during an [THE] on-site inspection [INSPECTIONS].

4 AAC 31.013 is amended by adding a new subsection to read:

(h) Notwithstanding (e) and (f) of this section, the department may make a determination of provisional compliance for a district that provides evidence of a plan that meets all required elements identified in (a) of this section but does not provide documentation of adherence to that plan. A determination of provisional compliance will allow a district to be eligible for state aid until a final determination of compliance or non-compliance is provided.

(Eff. 5/24/2001, Register 158; am 12/19/2002, Register 164; am 12/15/2004, Register 172; am 6/17/2010, Register 194; am ___/___/___, Register ____)

Authority: AS 14.07.020 AS 14.11.011 AS 14.11.132
AS 14.07.060

4 AAC 31.016 is amended by adding a new subsection to read:

(i) The enrollment calculated for students in leased space will be excluded from use in calculating eligibility for additional square footage for facilities unless

(A) that enrollment is in an attendance area comprised of a single school, or

(B) the lease is due to terminate within two years and district submits an

application for a capital improvement project under AS 14.11 for new school construction to house the student population of the terminating lease space. (Eff. 7/13/2000, Register 155; am 12/19/2002, Register 164; am ___/___/___, Register ____)

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Authority: AS 14.07.060 AS 14.11.015 AS 14.11.100
AS 14.11.011 AS 14.11.017 AS 14.11.132
AS 14.11.013

4 AAC 31.020(a) is amended to read:

(a) The following are the basic guides for educational facility planning **adopted by reference:**

(1) for a school capital project application submitted to the department, **Creating Connections: The CEFPI Guide for Educational Facility Planning** [CREATING CONNECTIONS: THE CEFPI GUIDE FOR EDUCATIONAL FACILITY PLANNING], 2004 Edition, as published by the Council of Educational Facilities Planners International;

(2) repealed 4/17/98;

(3) repealed 4/17/98;

(4) **Guidelines for School Equipment Purchases** [GUIDELINES FOR SCHOOL EQUIPMENT PURCHASES], as published by the Alaska Department of Education and Early Development, **2016 edition** [1997 EDITION];

(5) deleted 8/31/90;

(6) repealed 4/17/98;

(7) **Swimming Pool Guidelines** [SWIMMING POOL GUIDELINES], as published by the Alaska Department of Education and Early Development, 1997 edition; and

(8) **Site Selection Criteria and Evaluation Handbook** [SITE SELECTION CRITERIA AND EVALUATION GUIDELINE], as published by the Alaska Department of Education and Early Development, **2011 edition** [1997 EDITION].

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4 AAC 31.020(d) is amended to read:

(d) The department **will** [SHALL] reduce a project budget in proportion to the amount that the project's design exceeds the square feet allowable as determined under (c) of this section[.THIS SUBSECTION APPLIES TO A PROJECT], **until an agreement, as described in 4 AAC 31.023(c), is fully executed** [THAT HAS NOT RECEIVED A GRANT UNDER AS 14.11, A PROJECT THAT HAS RECEIVED MONEY FROM THE DEPARTMENT FOR PLANNING]. **The department may proportionally reduce the project budget under this subsection if** [, AND] a project [THAT] has not secured the approval of the commissioner under 4 AAC 31.040 [THIS SUBSECTION DOES NOT APPLY TO A PROJECT THAT HAS SECURED THE APPROVAL OF THE COMMISSIONER UNDER 4 AAC 31.040].

(Eff. 3/1/78, Register 65; am 6/9/83, Register 86; am 12/2/83, Register 88; am 8/31/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am 2/18/99, Register 149; am 7/13/2000, Register 155; am 8/23/2001, Register 159; am 12/20/2002, Register 164; am 6/17/2010, Register 194; am ___/___/___, Register ___)

Authority:	AS 14.07.020	AS 14.11.011	AS 14.11.100
	AS 14.07.060	AS 14.11.020	AS 14.11.132

4 AAC 31.021(e) is repealed and readopted to read:

(e) Using the criteria set out in 4 AAC 31.022(b), the department will score each application and use the score to assign a priority ranking to the projects approved for eligibility. The department may annually approve a school district's request to reuse an original application

and its score for up to five additional years after the year the original application is submitted, if, for a school capital project listed in the district's six-year capital improvement plan,

(1) the school district identifies, in a letter accompanying the six-year plan, the specific application for which the district requests consideration beyond the initial application period;

(2) the chief school administrator certifies in writing that the district's eligibility for any additional square footage associated with the project has not decreased; and

(3) for requests to reuse the application and score for the first additional year;

(A) the physical condition of a facility included in the project has not deteriorated so as to increase the project's cost to exceed the amount determined by application of the inflation factor under (f) of this section; and

(B) health and life safety conditions and code conditions have not changed so as to affect the project's score under 4 AAC 31.022(b); or

(4) for requests to reuse the application and its score in years two through five after the year of the original application, the project construction must be substantially complete at the time of the original application. An inflation factor under (f) of this section will not be added to the project cost when an application is reused under this paragraph.

4 AAC 31.021(f) is repealed and readopted to read:

(f) If, under (e) of this section, the department approves a district's reuse of its previous year's application and score for one additional year after the year the original application is filed, the department will add an inflation factor based on an industry-accepted method to costs anticipated to occur after the award of the grant.

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4 AAC 31.021 is amended by adding new sections to read:

(g) If, under (e) of this section, a district reuses its original application and score for one or more additional years after the year the original application is filed, the district may not appeal its priority ranking in any of the additional years.

(h) A grant application must include certification that insurance or a program of self-insurance exists under 4 AAC 31.200 – 4 AAC 31.225 and will be revised, if necessary, to include the proposed facility. (Eff. 8/31/90, Register 115; am 8/12/93, Register 127; am 3/10/96, Register 137; am 4/17/98, Register 146; am 7/13/2000, Register 155; am 12/19/2002, Register 164; am 6/17/2010, Register 194; am __/__/__, Register ____)

Authority: AS 14.07.060 AS 14.11.011 AS 14.11.132
AS 14.11.008 AS 14.11.013

4 AAC 31.022(b) is amended to read:

(b) When reviewing the six-year capital improvement plans and the grant applications submitted by school districts, department staff shall separately rank projects in the following classifications in the first year of the plan, in descending order of priority, as serves the state's best interests, where:

(1) school construction projects are those projects the primary purpose of which is to accomplish work under the categories established in **AS 14.11.013(a)(1)(A), (B), (F), and (G)** [AS 14.11.013(a)(1)(A), (a)(1)(B), AND (a)(1)(E) - (a)(1)(G)]; and

(2) major maintenance projects are those projects the primary purpose of which is to accomplish work under the categories established in **AS 14.11.013(a)(1)(C)-(E)**

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[AS 14.11.013(a)(1)(C) AND (D)], except that a major maintenance project may not include additional or replacement square footage.

4 AAC 31.023(c) is amended to read:

(c) The department will, before the disbursement of grant or allocations of other financial assistance [MONEY] to a school district, require the execution of a grant or other financial assistance agreement, on a form prescribed by the commissioner, that contains the following conditions:

(1) the project will be constructed and equipped under the requirements of 4 AAC 31.020(a), within the project budget determined under 4 AAC 31.022(e);

(2) money will be disbursed as the parties agree to allow the accomplishment of stages in the project, such as site acquisition; design and construction; and to reimburse the district for money actually and necessarily spent, before the award of the grant or allocation of other financial assistance,

(A) for **application costs**, planning costs, design costs, and construction costs incurred not more than 36 months before the **initial** submission of the grant **or other financial assistance** application **with a substantially identical scope**; and

(B) site acquisition costs incurred not more than 120 months before the **initial submission of the** grant or other financial assistance application **with a substantially identical scope** for which the department has given its approval under 4 AAC 31.025;

(3) the district's performance under the grant or other financial assistance is subject to financial audit at any time; the cost of an audit required by the state is an allowable cost of school construction;

(4) the site for the school facility is approved under 4 AAC 31.025;

(5) designers, **commissioning agents, and construction managers** of the facility shall be selected under 4 AAC 31.065; [AND]

(6) construction shall be performed by contracts awarded under 4 AAC 31.080;

and

(7) unless a district provides documented evidence of project-specific indirect administrative costs in excess of these limits, indirect administrative costs may not exceed

(A) three percent of construction costs, if construction costs are \$500,000 or less;

(B) the greater of \$15,000 or two percent of construction costs, if construction costs are over \$500,000 but less than \$5,000,000;

(C) the greater of \$100,000 or one percent of construction costs, if construction costs are \$5,000,000 or more.

4 AAC 31.023 is amended by adding a new subsection to read:

(e) In (c) of this section,

(1) “indirect administrative costs” means an allocable portion of administrative and operating expenses; and

(2) “construction costs” means the cost of contracted work as well as force account for facility construction, site preparation, site improvements, and utilities.

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(Eff. 8/31/90, Register 115; am 8/12/93, Register 127; am 4/17/98, Register 146; am 2/18/99, Register 149; am __/__/__, Register ____)

Authority: AS 14.11.013 AS 14.11.017 AS 14.11.132
AS 14.11.015 AS 14.11.100

4 AAC 31.026(d) is amended to read:

(d) Within 10 working days after the filing of an appeal under (c) of this section, the **chief administrative law judge of the office of administrative hearings** [COMMISSIONER] shall appoint a hearing officer to hear the case. The hearing officer shall consider the issues raised in the appeal on the basis of

(1) the school district's updated capital improvement plan submitted under 4 AAC 31.011;

(2) the grant application, and supporting documentation submitted by the school district under 4 AAC 31.020(c);

(3) the comments received at the public hearing conducted under (a) of this section;

(4) the decision rendered by the department on the request for reconsideration under (b) of this section; and

(5) the appeal filed by the school district under (c) of this section.

(Eff. 8/31/90, Register 115; am 8/12/93, Register 127; am 4/17/98, Register 146; am __/__/__, Register ____)

Authority: AS 14.11.013 **AS 14.11.016** AS 14.11.132
AS 14.11.015

4 AAC 31.030(a) is amended to read:

(a) A school district shall submit the elements of a plan for **a school capital project**, **including** new construction, additions, demolitions, and rehabilitations, to be undertaken by the school district that are to be funded under **AS 14.11.011** [AS 14.11.020] or for which reimbursement is to be sought under AS 14.11.100. The elements of the plan must be submitted to the commissioner for the commissioner's review and approval as the elements are developed and before any **construction contract solicitation or** construction activity is initiated.

(Eff. 3/1/78, Register 65; am 12/2/83, Register 88; am 10/7/95, Register 136; am 4/17/98, Register 146; am __/__/__, Register ____)

Authority:	AS 14.07.020	AS 14.11.011	AS 14.11.020
	AS 14.07.060	AS 14.11.013	AS 14.11.100

4 AAC 31.040(a) is amended to read:

(a) Before commencing **construction contract solicitation or** construction activity under **AS 14.11.011** [AS 14.11.020] or **construction contract solicitation or** construction activity for which reimbursement will be sought under AS 14.11.100, a school district or a regional school board shall secure the approval of the commissioner of the documents for the project as follows:

(1) the school district or regional school board shall submit to the commissioner 95 percent construction documents at least 20 work days before a bid invitation is made;

(2) if construction contract bids are to be invited for the project, the school district or regional school board shall submit the construction bid documents, excluding the construction plans and specifications if the 95 percent construction documents submitted under (1) of this

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subsection were stamped and signed by the professionals in responsible charge, to the commissioner at least five work days before the bid invitation is made;

(3) if the project will not be advertised for bids, the school district or regional school board shall submit the final stamped and signed construction documents to the commissioner no later than 15 work days before commencing each construction phase; and

(4) a municipality or a school district may request, in writing, a waiver to the construction document approval process set out in (1) - (3) of this subsection for a project based on the ability of the municipality or school district to provide a thorough and complete independent review.

(Eff. 3/1/78, Register 65; am 12/2/83, Register 88; am 4/17/98, Register 146; am ___/___/___, Register ____)

Authority:	AS 14.07.020	<u>AS 14.11.011</u>	AS 14.11.100
	AS 14.07.060	AS 14.11.020	

4 AAC 31.060(i) is amended to read:

(i) Reimbursement for rehabilitation costs under AS 14.11.100 is limited to projects exceeding **\$200,000** [\$25,000].

(Eff. 3/1/78, Register 65; am 2/24/83, Register 85; am 12/2/83, Register 88; am 9/12/85, Register 96; am 2/8/86, Register 97; am 5/30/90, Register 114; am 4/17/98, Register 146; am 7/13/2000, Register 155; am 6/17/2010, Register 194; am ___/___/___, Register ____)

Authority:	AS 14.07.020	AS 14.11.020	AS 14.11.102
	AS 14.07.060	AS 14.11.100	AS 14.11.132
	AS 14.11.011		

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4 AAC 31.061(b)(2) is repealed:

(2) repealed ___/___/___; [FOR A CAPITAL IMPROVEMENT PROJECT GRANT APPLICATION SUBMITTED TO THE DEPARTMENT BEFORE JANUARY 1, 1996, NONASSIGNABLE SPACE MAY NOT EXCEED 25 PERCENT OF THE TOTAL SPACE, EXCEPT THAT THE DEPARTMENT WILL, IN ITS DISCRETION, GRANT A VARIANCE OF UP TO 35 PERCENT OF TOTAL SPACE IN SMALL SCHOOLS IN REMOTE AREAS IF IT CAN BE DEMONSTRATED THAT THE VARIANCE IS IN THE BEST INTEREST OF THE STATE AND THE DISTRICT; AND]

(Eff. 9/12/85, Register 96; am 2/8/86, Register 97; am 5/30/90, Register 114; am 9/29/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am ___/___/___, Register ____)

Authority:	AS 14.07.020	AS 14.11.020	AS 14.11.102
	AS 14.07.060	AS 14.11.100	AS 14.11.103

4 AAC 31.064 is amended to read:

4 AAC 31.064. Redirection of bond proceeds. If a municipality has bond proceeds remaining after **termination of all design, construction, and equipment contracts for** [THE CONSTRUCTION OF] a project approved by the department for debt retirement under 4 AAC 31.060 and by local voters under AS 14.11.100(j), and the municipality seeks to construct a project different from the one approved by the department, the municipality may only receive reimbursement for the project if the new project is approved by the department and

(1) the bond proposition originally approved by the local voters authorized the use of any excess money for school capital projects such as the new project; or

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(2) the municipality meets the requirements of AS 14.11.100(j), including the requirement for a municipal election to approve the new use of the money. (Eff. 5/30/90, Register 114; am ___/___/___, Register ____)

Authority: AS 14.07.060 AS 14.11.100 AS 14.11.132

4 AAC 31.065(a) is amended to read:

(a) If a school district determines that it is necessary to engage the services of a private consultant to **provide design, commissioning,** or [PROVIDE] construction management **services** for an educational facility with money provided under AS 14.11.011 - AS 14.11.020, or for a project approved for reimbursement of costs under AS 14.11.100, and the estimated cost of the contract is more than \$50,000, **the contract shall be awarded to the most qualified proposer after evaluating proposals submitted in response to an approved solicitation.** The selection of the consultant shall be accomplished by soliciting written proposals by advertising **at least 21 days before the proposals are due by providing notice through publication** in a newspaper of general circulation. **The department may approve an alternate means of notice through publication on the Internet if the website has the express purpose of advertising similar solicitations, has unrestricted public access, and is equally likely to reach prospective proposers** [AT LEAST 21 DAYS BEFORE THE PROPOSALS ARE DUE. THE CONTRACT SHALL BE AWARDED TO THE MOST QUALIFIED OFFEROR, AFTER EVALUATING THE PROPOSALS SUBMITTED].

4 AAC 31.065 is amended by adding a new subsection to read:

(d) The department may deny or limit its participation in the costs of design,

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commissioning, or construction management for a project eligible for grant funding under AS 14.11.011 or for reimbursement under AS 14.11.100 if the school district does not comply with the requirements of this section. (Eff. 12/2/83, Register 88; am 8/31/90, Register 115; am ___/___/___, Register ___)

Authority: AS 14.11.017 AS 14.11.020 AS 14.11.132

4 AAC 31.080(b) is amended to read:

(b) The school district shall **publish** [PROVIDE] **the first** notice of its solicitation **at least 21 days** [BY ADVERTISEMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THIS STATE AT LEAST THREE TIMES] before the opening of the offers. [THE FIRST PRINTING OF THE ADVERTISEMENT MUST OCCUR AT LEAST 21 DAYS BEFORE OPENING THE OFFERS.] The department may approve a solicitation period shorter than 21 days when written justification submitted by the school district demonstrates that a shorter solicitation period is advantageous for a particular **project** [offer] and will result in an adequate number of responses. A school district may provide additional notice by mailing its solicitation to contractors on any list it maintains, and any other means reasonably calculated to provide notice to prospective offerors. **The district shall provide notice of its solicitation by publication at least three times in a newspaper of general circulation in the state. The department may approve an alternate means of notice through publication on the Internet if the website has the express purpose of advertising similar solicitations, has unrestricted public access, and is equally likely to reach prospective offerors.**

4 AAC 31.080(e) is amended to read:

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(e) The department may deny or limit its participation in the costs of construction for a project eligible **for grant funding under AS 14.11.011 or** for reimbursement under AS 14.11.100 if the school district does not comply with the requirements of this section. [A SCHOOL DISTRICT THAT ENTERS INTO A CONSTRUCTION CONTRACT FOR A PROJECT AUTHORIZED FOR CONSTRUCTION UNDER AS 14.11.020 THAT WAS AWARDED WITHOUT COMPETITIVE SELECTION UNDER THIS SECTION MAY NOT RECEIVE MONEY UNDER ITS PROJECT AGREEMENT FOR THE CONSTRUCTION PHASE OF THE PROJECT.]

4 AAC 31.080(f) is amended to read:

(f) Nothing in this section precludes a school district from using an alternative construction delivery method as defined and described in the **Project Delivery Method Handbook** [PROJECT DELIVERY METHOD HANDBOOK], **2017 edition** [NOVEMBER, 2004], adopted by reference, if the department approves the method in advance of any solicitation, the proposed method is in the state's best interest, and the school district concurs in any directives the department makes concerning the type of selection and award of the contract. The department may deny or suspend use of an alternative construction delivery method by a school district if the department concludes, based on substantial evidence, that use or repeated use of a delivery method by the school district has resulted or will result in limited competition or higher costs.

4 AAC 31.080(g) is amended to read:

(g) A school district may, with prior approval by the department, **enter into a lease or**

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purchase **agreement for, or accept a donation of**, an existing facility **or land** for use as an education-related facility if

(1) **for the purchase, lease or accepted donation of an existing facility**, a cost saving over new construction is achieved;

(2) the purchase **or lease** price is arrived at through impartial negotiation and is supported by a real estate appraisal that meets accepted standards; and

(3) the purchase, **lease, or donation** is in the best interests of the state and the school district.

4 AAC 31.080 is amended by adding a new subsection to read:

(i) The department may deny or limit its participation in the costs of a school capital project if the real property for the project is acquired by a school district through purchase, lease, or donation without the approval of the department under (g) of this section. (Eff. 12/2/83, Register 88; am 8/31/90, Register 115; am 4/17/98, Register 146; am 11/20/2005, Register 176; am ___/___/___, Register ___)

Authority: AS 14.07.060 AS 14.11.020 AS 14.11.132

4 AAC 31.085(a) is amended to read:

(a) The department may dispose of state-owned school buildings and other facilities under this section if it determines that the buildings or facilities are no longer needed to provide the educational program in the community in which they are located. The determination will be made in writing after consultation with the regional educational attendance area (REAA) in which the property is located, and the reasons for the determination will be documented. The

Register ____, ____ 20__ EDUCATION & EARLY DEV.

department will not make a determination under this section unless the regional school board that was given a use permit under 4 AAC 31.090 for the property provides, in support of the determination, a resolution requesting termination of the use permit and declaring that the property, both land and buildings, is no longer needed for the purpose of providing education services. In addition, the regional school board must give notice of its excess property on a form provided by the department, and must agree that the conditions and responsibilities contained under 4 AAC 31.090 in the use permit will remain valid for a one-year period after the date of the notice or the date of last occupancy, whichever is later, unless the department, in writing, relieves the regional school board of responsibility in whole or in part. **Nothing in the section relieves a regional school board of its ongoing responsibilities or liabilities arising out of its interest in or use or operation of the property.**

(Eff. 10/4/90, Register 115; am 4/17/98, Register 146; am 12/19/2002, Register 164; am 6/17/2010, Register 194; am ___/___/___, Register: ___)

Authority: AS 14.07.030 AS 14.07.060

4 AAC 31.220 is amended to read:

4 AAC 31.220. Proof of insurance. Except for a district that has an authorized self-insurance program under 4 AAC 31.205, each school district shall provide to the department a certificate of insurance, by **July 15** [JULY 1] of each year, that provides notice of the per occurrence and aggregate limits of coverage, and shall provide for 45 days' notice to the department of cancellation, termination, or any material change in policy conditions. (Eff. 8/31/90, Register 115; am ___/___/___, Register ___)

Authority: AS 14.03.150 AS 14.07.060

Register ____, ____ 20__ EDUCATION & EARLY DEV.

4 AAC 31.900(2) is amended to read:

(2) "capital equipment" means built-in and movable equipment used to furnish a newly constructed or rehabilitated space; it includes first-time purchase of library books, reference material, and media to furnish a new or renovated library; it does not include supply items such as textbooks and expendable commodities; the term is further defined in the *Guidelines for School Equipment Purchases* [GUIDELINES FOR SCHOOL EQUIPMENT PURCHASES], 2016 edition [1997 EDITION];

4 AAC 31.900(21) is amended to read:

(21) "school capital project" means a school construction or major maintenance project for which state aid is requested or provided when the costs of the construction or major maintenance exceed \$50,000 [\$25,000];

4 AAC 31.900 is amended by adding a new subsection to read:

(33) "construction manager" means a private consultant contracted by the school district during any phase of a school capital project to manage the project's scope, quality, and budget. (Eff. 3/1/78, Register 65; am 6/9/83, Register 86; am 12/2/83, Register 88; am 9/12/85, Register 96; am 8/31/90, Register 115; am 9/29/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am 2/18/99, Register 149; am 7/13/2000, Register 155; am 8/23/2001, Register 159; am 12/19/2002, Register 164; am 12/20/2002, Register 164; am 6/17/2010, Register 194; am ___/___/____, Register: ___)

Authority: AS 14.07.020

AS 14.11.020

AS 14.11.102

Register _____, _____ 20__ EDUCATION & EARLY DEV.

AS 14.07.060

AS 14.11.100

AS 14.11.132

AS 14.11.011

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 7B

◆ **ISSUE**

The board is being asked to adopt amendments to regulation 4 AAC 31 School Facility Planning and Construction. The amendments add a new subsection 4 AAC 31.080(i) and amend other related sections to implement requirements for commissioning on certain school capital projects.

◆ **BACKGROUND**

- Facility commissioning has become an accepted best-practice for today's complex, "smart" buildings. As defined in these regulations, commissioning means functional testing of building systems to ensure that a facility operates as intended and that prepares an owner to efficiently operate its systems and equipment. Both empirical and anecdotal evidence is available demonstrating the value of commissioning in ensuring cost effective building operation following the completion of construction.
- Proposed amendments to 4 AAC 31.080 establish the requirement for commissioning based on the type, size, and complexity of the school capital project and identify five key building systems that would most benefit from the commissioning process.
- Proposed amendments to 4 AAC 31.065 serve to identify commissioning as a professional service subject to requirements for open, competitive selection when above the \$50,000 threshold.
- Proposed amendments to 4 AAC 31.013 acknowledge the value of periodically commissioning existing facilities and make it a criteria of a qualifying energy management plan.
- Amendments to 4 AAC 31.900 introduce necessary definitions of the terms 'commissioning' and 'commissioning agent'.
- The proposed amended regulations were the result of an appointed subcommittee of the statutory Bond Reimbursement & Grant Review Committee and have been reviewed and approved by that body.
- Proposed amendment changes can be found behind this cover memo.
- Heidi Teshner, Director of Finance and Support Services, and Tim Mearig, Facilities Manager, will be present to brief the board.

◆ **OPTIONS**

This is a work session item. Action will take place under Agenda Item 12B.

4 AAC 31.013(a) is amended to read:

(a) For a district to be eligible for state aid under AS 14.11.011 **or AS 14.11.100**, the district must have a facility management program that addresses the following five elements of facility and maintenance management:

(1) a formal maintenance management program that records maintenance activities on a work order basis, and tracks the timing and cost, including labor and materials, of maintenance activities in sufficient detail to produce reports of planned and completed work;

(2) an energy management plan that includes

(A) the recording of energy consumption for all utilities on a monthly basis for each building; for facilities constructed before December 15, 2004, a district may record energy consumption for utilities on a monthly basis when multiple buildings are served by one utility plant; **and**

(B) regular evaluation of the effectiveness of and need for commissioning existing buildings;

(3) a custodial program that includes a schedule of custodial activities for each building based on type of work and scope of effort;

(4) a maintenance training program that specifies training for custodial and maintenance staff and records training received by each person; and

(5) a renewal and replacement schedule that, for each school facility of permanent construction over 1,000 gross square feet, identifies the construction cost of major building systems, including electrical, mechanical, structural and other components; evaluates and

establishes the life-expectancy of those systems; compares life-expectancy to the age and condition of the systems; and uses the data to forecast a renewal and replacement year and cost for each system.

(Eff. 7/13/2000, Register 155; am 12/19/2002, Register 164; am __/__/__, Register _____)

Authority:	AS 14.07.060	AS 14.11.015	AS 14.11.100
	AS 14.11.011	AS 14.11.017	AS 14.11.132
	AS 14.11.013		

4 AAC 31.065(a) is amended to read:

(a) If a school district determines that it is necessary to engage the services of a private consultant to **provide** design, [OR PROVIDE] **commissioning, or** construction management **services** for an educational facility with money provided under AS 14.11.011 - AS 14.11.020, or for a project approved for reimbursement of costs under AS 14.11.100, and the estimated cost of the contract is more than \$50,000, the selection of the consultant shall be accomplished by soliciting written proposals by advertising in a newspaper of general circulation at least 21 days before the proposals are due. The contract shall be awarded to the most qualified offeror, after evaluating the proposals submitted.

(Eff. 12/2/83, Register 88; am 8/31/90, Register 115; am __/__/__, Register _____)

Authority:	AS 14.11.017	AS 14.11.020	AS 14.11.132
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4 AAC 31.080 is amended by adding a new subsection to read:

(i) A school district shall perform commissioning of the systems included in a school capital project if the school capital project is an addition of over 5000 square feet or new construction of an education-related facility that is over 5,000 square feet. If the school capital project is a rehabilitation of an education-related facility over 10,000 square feet, a school district shall perform commissioning of each system substantially upgraded in the school capital project. A school district may perform commissioning for a rehabilitation of an education-related facility for each system impacted by the project but not substantially upgraded in the rehabilitation. Commissioning required under this subsection must include the services of a commissioning agent. Commissioning permitted under this subsection for a system that is impacted by a rehabilitation project but not substantially upgraded in the rehabilitation may use the services of a commissioning agent or may use a qualified facility professional, including a school district employee. The cost of commissioning, including the cost of a commissioning agent, required or permitted under this subsection is an allowable cost of school construction. (Eff. 12/2/83, Register 88; am 8/31/90, Register 115; am 4/17/98, Register 146; am 11/20/2005, Register 176; am __/__/__, Register __)

Authority: AS 14.07.060 AS 14.11.020 AS 14.11.132

4 AAC 31.900 is amended by adding new paragraphs to read:

(31) “commissioning” means functional testing activities for a mechanical, electrical, fuel oil, controls, and building envelope system to ensure that a facility or a system operates as the owner and designers intended and that prepares an owner to efficiently operate its systems and equipment;

(32) “commissioning agent” means an individual who is certified with a recognized standards organization approved by the department to provide commissioning services, who may be an employee of the school district or an independent design consultant hired on behalf of the school district to

(A) create a commissioning plan, checklists, and functional performance tests for each commissioned system;

(B) coordinate the commissioning team for the mechanical, electrical, fuel oil, controls, and building envelope systems;

(C) coordinate the work of the construction contractor, school district, and design team as it pertains to the commissioning process;

(D) witness the functional performance testing;

(E) assist in resolution of issues found during commissioning; and

(F) verify the training of owner maintenance personnel on commissioned systems; (Eff. 3/1/78, Register 65; am 6/9/83, Register 86; am 12/2/83, Register 88; am 9/12/85, Register 96; am 8/31/90, Register 115; am 9/29/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am 2/18/99, Register 149; am 7/13/2000, Register 155; am 8/23/2001, Register 159; am 12/19/2002, Register 164; am 12/20/2002, Register 164; am 6/17/2010, Register 194; am ___/___/___, Register ___)

- | | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 14.07.020 | AS 14.11.020 | AS 14.11.102 |
| | AS 14.07.060 | AS 14.11.100 | AS 14.11.132 |
| | AS 14.11.011 | | |

**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 8

◆ ISSUE

The board is being asked to convene in executive session for the purpose of interviewing and selecting a student advisor-elect to the board for the remainder of the 2018-2019 school year.

◆ BACKGROUND

- 4 AAC 03.025 governs the appointment of the board's student advisor members. A copy of the current regulation follows this cover memo.
- The term of the student advisor-elect begins immediately upon the board's action to appoint the student advisor-elect. The 2018-2019 student advisor-elect automatically rotates into the position of student advisor on July 1, 2019.
- Three students are under consideration in accordance with the selection process inviting nominations from the Alaska Association of Student Government. Application materials for the nominees will be distributed separately to board members.
- The candidates are:
 - Laird Dixon – Tri-Valley High School
 - Rachel Hartman – Mat-Su Career and Technical High School
 - Abigail Mainard – Eagle River High School

◆ ADMINISTRATION'S RECOMMENDATION

Convene an executive session to interview candidates for student advisor-elect. An executive session is in accordance with the state's open meetings act, AS 44.62.310(c)(2), specifically the provision related to "subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion."

◆ SUGGESTED MOTION FOR EXECUTIVE SESSION

I move the State Board of Education and Early Development convene in executive session to interview candidates for student advisor-elect for the remainder of the 2018-2019 school year. An executive session is necessary so as to not prejudice the reputation and character of any person being interviewed.

◆ SUGGESTED MOTION TO RECONVENE

I move the State Board of Education and Early Development reconvene into regular session.

◆ SUGGESTED MOTION FOR FINAL SELECTION

I move the State Board of Education and Early Development select _____
_____ as its Student Advisor-Elect for the remainder of the 2018-2019 school year.
On July 1, 2019, _____'s one-year term will begin as the
Student Advisor to the board and continue through June 30, 2020.

4 AAC 03.025
Advisory Regulation

4 AAC 03.025. Advisory members of state board. (a) In addition to the board members appointed under AS 14.07.085, the board will appoint, as advisory members of the board,

(1) one military representative;

(2) before September 1, 2002, two students, one as an advisory member and one as an advisory member elect, who are enrolled in a state public secondary education program; and

(3) on or after September 1, 2002, one student as an advisory member elect who is enrolled in a state public secondary education program.

(b) The senior military commander in the state may designate the advisory member of the board representing the military. The designation must include a written statement of qualifications and a resume of the designee.

(c) The Alaska Association of School Governments may nominate candidates for the appointment of a student advisory member and a student advisory member elect under (a) of this section and subject to the rotation of members under (e) of this section as follows:

(1) the association may nominate not less than three and not more than five individuals who will not have reached the 11th grade at the time of appointment for consideration as the student advisory member elect;

(2) the association may submit the names of nominees to the board; the department will provide the association with not less than 30 days advance notice of the date that the nominations must be submitted to the board;

(3) if the association submits the names of nominees to the board, the association shall provide a written statement of qualifications or resume for each nominee and a letter written by each nominee stating the contributions that the nominee would make as the student advisory member to the board.

(d) Before September 1, 2002, the board will, at a regular meeting, select a student advisory member and a student advisory member elect from among the individuals nominated under (c) of this section. The term of the student advisory member is one year, commencing with the first board meeting of each school year and, after September 1, 2002, commencing with the second school year after that individual's appointment as advisory member elect. The term of the student advisory member elect is one year commencing with the first board meeting of each school year subject to the rotation to student advisory member under subsection (e).

(e) Beginning September 1, 2002, the board will rotate its appointment of the student advisory member elect to the position of student advisory member commencing with the second school year after that individual's appointment as advisory member elect. At the same meeting, a new appointment of advisory member elect shall be made from the list of nominees submitted under (c) of this section for that year.

(f) Advisory members and advisory members elect appointed under this section are entitled to expenses, travel, and per diem allowances provided by law for members of state boards and commissions.

(g) Advisory members appointed under this section may participate in the work of the board, and may deliberate and debate matters brought to the attention of the board. An advisory member, except an advisory member elect, may cast an advisory vote, but an advisory vote is not counted in determining the disposition of board matters.

Department of Education & Early Development

4 AAC 03.025
Advisory Regulation

(h) Advisory members elect shall attend meetings but may not cast a vote.

History: Eff. 2/11/89, Register 109; am 5/28/92, Register 122; am 4/14/95, Register 134; am 7/25/2001, Register 159

Authority: AS 14.07.020 AS 14.07.060

**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson Commissioner

Agenda Item: 9

◆ **ISSUE**

The board is being asked to approve the recommended process to address the University of Alaska Anchorage's (UAA's) CAEP accreditation revocation notification received on January 11, 2019.

◆ **BACKGROUND**

- 4 AAC 12.308 requires Alaska's educator preparation programs to meet or substantially meet the standards of the Council for the Accreditation of Educator Preparation (CAEP) in order to receive state approval.
- Under 4 AAC 12.307(a)(1), for the department to issue the teacher certificates listed in that section, the preparation program must be approved by the board under 4 AAC 12.308.
- Neither the board approval nor the CAEP accreditation of the UAA teacher preparation program is currently in effect.
- On April 28-30, 2018, the UAA educator preparation program was reviewed by a CAEP site visit team.
- On January 11, 2019, the department was notified by CAEP that UAA initial teacher preparation program's accreditation was revoked. Detailed information is available in the Accreditation Action Report (https://www.uaa.alaska.edu/academics/school-of-education/_documents/Accessible%20CAEP%20report.pdf).
- UAA must wait for a full year from CAEP's notification date, January 11, 2019, to begin the application process to regain CAEP accreditation. The process to regain accreditation will take at least three years.
- On January 22, 2019, UAA and DEED met to discuss next steps. The recommended process for addressing the revocation of UAA's CAEP accreditation was the result of this meeting.
- The January 11, 2019 Notification letter from CAEP's President, Christopher A. Koch, Ed.D. can be found behind this cover memo.

- Tamara Van Wyhe, Director, Educator and School Excellence, Sondra Meredith, Administrator, Teacher Education and Certification, and Dr. Claudia Dybdahl, Interim Director of UAA's School of Education will be present to brief the board.

◆ **OPTIONS**

Approve the recommended process to address the University of Alaska Anchorage's CAEP revocation notification received on January 11, 2019.

Revise the recommended process to address the University of Alaska Anchorage's CAEP revocation notification received on January 11, 2019.

Seek more information.

◆ **ADMINISTRATION'S RECOMMENDATION**

Approve the recommended process to address the University of Alaska Anchorage's CAEP revocation notification received on January 11, 2019.

◆ **SUGGESTED MOTION**

I move the State Board of Education & Early Development approve the recommended process to address the University of Alaska Anchorage's CAEP revocation notification received on January 11, 2019.

January 11, 2019

Dr. Cathy A. Sandeen
Chancellor
University of Alaska Anchorage Office of the Chancellor
3211 Providence Drive, ADM 216
Anchorage, AK 99508

Dear Dr. Sandeen:

The Accreditation Council of the Council for the Accreditation of Educator Preparation (CAEP) met on December 14, 2018 and has made the following accreditation decision:

The accreditation of the College of Education at University of Alaska Anchorage is Revoked as described in the Accreditation Action Report.

The Accreditation Council panel reconvened after the meeting in October and reconsidered a stipulation preliminarily recorded for standard 3. The stipulation was changed to an area for improvement. We encourage you to attend to the areas for improvement and stipulations identified in the enclosed Accreditation Action Report. Strengths noted in the site visit report have not been reiterated but are certainly considered part of the Educator Preparation Provider (EPP) accreditation record. You may use the information in context and as detailed in the site visit report at your discretion.

A significant amount of thought and effort goes into the accreditation process. CAEP has confidence in its site visitors and councilors, and I want you to know that your EPP was examined with great care throughout each stage of the accreditation process. The recent meeting of the Accreditation Council culminates several years of preparation and deliberation on the part of both the EPP seeking accreditation and CAEP, beginning with the self-study report process and ending with the deliberation of the Council.

In response to the decision, you can submit comments in writing or by email. These comments will be part of your accreditation record and will be available to the appropriate state licensing agency and the public upon request.

Please note that in response to an adverse decision there are two options available:

- (1) allowing the decision to stand, or
- (2) filing an appeal, as detailed in the

Appeals Policy 3.02: [Appeals Policy](#)

[3.02 Appeals of Adverse Accreditation](#)

Decisions

- CAEP will consider appeals of adverse accreditation decisions provided sufficient evidence is presented that: Stated procedures were not followed by the site visitors, the Accreditation Council, or CAEP staff; or
- Demonstrable bias, conflict of interest, or prejudice by site visitors or members of the Accreditation Council influenced the Accreditation Council's accreditation decision; or
- CAEP's decision was not supported adequately or was contrary to the facts presented and known at the time of the decision.

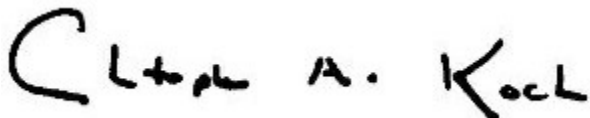
Please note that if you decide not to appeal, the decision will become final. Per Accreditation Policy 5.14(b)4a: "In a case where accreditation is revoked or denied, the EPP can begin the application process after one (1) year from the date of the final decision."

CAEP's notification policy and practices are aligned with the requirements for accreditation agency recognition by the U.S. Secretary of Education. Notification of any final decision to revoke accreditation must be made to the appropriate state licensing agency and the public within 24 hours of a final decision to revoke accreditation. Therefore, the decision to revoke accreditation from the College of Education will be considered final and a matter of public record, unless a notice of intent to appeal is submitted within 15 days. After verification pursuant to Appeals Policy 3.06, and while the appeal is pending, the EPP's prior accreditation or applicant status remains in effect. Following a final decision for revocation, CHEA will be notified as required.

You will receive a copy of the letter and appeals policy sent by certified mail. In the event you elect to file an appeal, you have **15 days from physical receipt of this letter** to file a notice of the intent to appeal the decision of the Council.

All future correspondence should be sent to Dr. Vince O'Neill (vince.oneill@caepnet.org). He can also provide further explanation of the Council's findings or assist you in determining any future courses of action.

Sincerely yours,

A handwritten signature in black ink that reads "Christopher A. Koch". The signature is written in a cursive, slightly slanted style.

Christopher A. Koch, Ed.D. President

Enclosures: Accreditation Action Report, Information for Providers Following Revocation of

CAEP Accreditation,
Appeals Policy

cc: Dr. Claudia
Dybdahl, College of
Education; Leah K.
Brown, College of
Education;
Sondra Meredith, Alaska Department of Education &
Early Development; Robert L. Williams, Alaska
Department of Education & Early Development; Site
Team

**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson Commissioner

Agenda Item: 10

◆ **ISSUE**

The board is being asked to continue the state approval of the initial educator preparation program at the University of Alaska Fairbanks (UAF) through June 30, 2024.

◆ **BACKGROUND**

- 4 AAC 12.308 requires Alaska's educator preparation programs to meet or substantially meet the standards of the National Council for Accreditation of Teacher Education (NCATE) or the Council for the Accreditation of Educator Preparation (CAEP) in order to be considered for state approval.
- On April 21st through April 23rd, 2018, the UAF Initial Educator Preparation Program was reviewed by a CAEP site visit team. Per Alaska's CAEP agreement, the department participated in the site visit as an observer.
- On October 22, 2018, the CAEP Board reviewed the recommendations of the site visit team and granted accreditation status to the UAF Initial Educator Preparation Program.
- CAEP's Accreditation Action Report indicates the UAF Initial Educator Preparation Program meets the five CAEP standards. The report identified no stipulations and only three areas for improvement. All previous areas for improvement under NCATE were removed. UAF is required to report annual its progress in the three areas identified for improvement to maintain its CAEP accreditation status.
- The following items can be found behind this cover memo:
 - A list of UAF's initial educator preparation areas;
 - UAF's accreditation letter from CAEP, dated November 15, 2018;
 - UAF's accreditation action report from CAEP;
 - Information for Educator Preparation Programs granted CAEP accreditation; and
 - A summary of CAEP's standards for initial educator preparation programs.
- Tamara Van Wyhe, Director, Educator and School Excellence, and Sondra Meredith, Administrator, Teacher Education and Certification, will be present to brief the board.

◆ **OPTIONS**

Approve the continuation of the UAF initial educator preparation program's state approval.

Deny the continuation of the UAF educator preparation program's state approval.
Seek more information.

◆ **ADMINISTRATION'S RECOMMENDATION**

Approve the continuation of the UAF initial educator preparation program's state approval.

◆ **SUGGESTED MOTION**

I move the State Board of Education & Early Development approve the continuation of the University of Alaska Fairbank Initial Educator Preparation Program's state approval through June 30, 2024.

University of Alaska Fairbanks

P.O. Box 756480
Fairbanks, Alaska 99775
907-474-7341 fax: 907-474-5451
Email: fysod@uaf.edu
[Website](http://www.uaf.edu/educ) (www.uaf.edu/educ)

Regional Accrediting Association: NWCCU since 1934

Next evaluation: Fall 2019

Standards for Unit and Program Approval: NCATE since March 17, 2005 (Initial and Advanced)

Next visit: CAEP for Initial Licensure Programs: Spring 2018

Standards for Counseling Program Approval: CACREP since January 2018

Next review: March 31, 2020

Approved Teaching Programs

Elementary Education (K-8)

Secondary Education (7-12)

Art (K-12)

Art (7-12) – Post-bac

Biology

Chemistry

Earth Science

Economics – Post-bac only

English

Geography

Government/Political Science

History

Mathematics

Physics – Post-bac only

World Languages

French

Spanish

German

Music (K-8, 7-12 or K-12)

Special Education

Initial Certification (K-12)

Levels

B, PB

B, PB, Med

B

PB, Med

Approved Special Services Program

Counseling (K-8, 7-12, K-12)

Advanced E, MEd

November 15, 2018

Dr. Daniel M. White
Chancellor
University of Alaska Fairbanks
Third Floor, Signer's Hall 1810 Salcha Street
Fairbanks, AK 99775-6480

Dear Dr. White:

The Accreditation Council of the Council for the Accreditation of Educator Preparation (CAEP) met on October 22, 2018, and I am pleased to inform you that the following accreditation status has been granted:

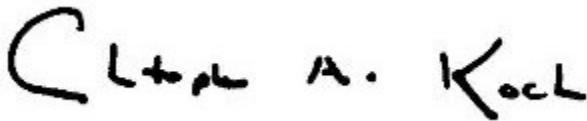
The UAF School of Education at University of Alaska Fairbanks is granted **Accreditation** at the initial-licensure level as described in the Accreditation Action Report.

Included with this letter are two subsequent documents:

- 1) The Accreditation Action Report provides details of the accreditation status.
- 2) Information for EPPs Granted Accreditation provides further information on the Council's decision process and provider responsibilities during the accreditation term.

Congratulations on your accreditation achievement. I appreciate your commitment to excellence in educator preparation accreditation.

Sincerely yours,

A handwritten signature in black ink that reads "Christopher A. Koch". The signature is written in a cursive, slightly slanted style.

Christopher A. Koch, Ed.D. President

Enclosures: Accreditation Action Report, Certificate of Accreditation (sent to provider leadership), and Information on CAEP Accreditation

cc: Dr. Amy L. Vinlove, Ph.D., UAF School of Education
Diane Kardash, UAF School of Education
Cathy Morgan, UAF School of Education
Dararath Charoonsophonsak, UAF School of Education
Sondra Meredith, Alaska Department of Education & Early Development
Robert L. Williams, Alaska Department of Education & Early Development
Site Team

ACCREDITATION ACTION REPORT

University of Alaska Fairbanks
Fairbanks, Alaska

October 2018

This is the official record of the Educator Preparation Provider's accreditation status.
The Educator Preparation Provider should retain this document for at least two accreditation cycles.

ACCREDITATION DECISION

Accreditation is granted at the initial-licensure level. This Accreditation status is effective between Fall 2018 and Spring 2024. The next site visit will take place in Fall 2023.

SUMMARY OF STANDARDS

CAEP STANDARDS	INITIAL-LICENSURE LEVEL	ADVANCED LEVEL
STANDARD 1/A.1: Content and Pedagogical Knowledge	Met	Not Applicable
STANDARD 2/A.2: Clinical Partnerships and Practice	Met	Not Applicable
STANDARD 3/A.3: Candidate Quality, Recruitment, And Selectivity	Met	Not Applicable
STANDARD 4/A.4: Program Impact	Met	Not Applicable
STANDARD 5/A.5: Provider Quality Assurance and Continuous Improvement	Met	Not Applicable

The Educator Preparation Provider is encouraged to refer to the site visit report for strengths and additional information on findings.

AREAS FOR IMPROVEMENT AND STIPULATIONS

Areas for Improvement: Identified areas for improvement are addressed in the provider's annual report. Areas for improvement need not be publicly disclosed, but will become stipulations if they remain uncorrected by the next accreditation review.

Stipulations: None.

INITIAL-LICENSURE LEVEL AREAS FOR IMPROVEMENT AND STIPULATIONS

STANDARD 2: Clinical Partnerships and Practice

	Areas for Improvement	Rationale
1	The EPP has a plan with only a limited role for school partners in the co-construction of instruments and evaluations for clinical practice. (component 2.1)	There is evidence of a plan with limited feedback from EPP partners, but insufficient evidence that partners are part of the co-construction and design of instrumentation.
2	The EPP did not provide a plan for a co-constructed systematic and comprehensive for training clinical educators. (component 2.2)	The EPP does not have a plan to provide consistent training of clinical educators.

STANDARD 5: Provider Quality Assurance and Continuous Improvement

	Areas for Improvement	Rationale
1	The majority of the EPP created assessments have not established sufficient reliability and validity. (component 5.2)	The establishment of reliability and validity were in progress at the time of the visit.

AREA(S) FOR IMPROVEMENT OR WEAKNESS(ES) from previous legacy accreditor review (NCATE or TEAC)

Removed:

Area for Improvement or Weakness	Rationale
1) [NCATE STD1] Candidate data for advanced programs in curriculum and instruction, cross cultural education and language and literacy development do not consistently provide evidence that candidates possess all of the skills and knowledge to help students learn. [ADV]	1) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
2) [NCATE STD2] Not all advanced programs have designed assessments that effectively measure candidates' pedagogical knowledge and skills. [ADV]	2) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
3) [NCATE STD2] The unit did not provide three years of aggregated data for all key assessments across all programs. [ADV]	3) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
4) [NCATE STD3] Not all advanced programs require candidates to participate in field experiences. [ADV]	4) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
5) [NCATE STD4] Not all advanced programs prepare candidates to work with special needs children. [ADV]	5) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI.
6) [NCATE STD6] The unit does not oversee all teacher education programs offered at the institution. [Both]	6) The Advanced Standards are not being addressed in the 2018 CAEP site visit. The CAEP advanced standards will be addressed by the EPP in the next review cycle. The team recommends removal of legacy NCATE AFI. The initial licensure portion of this AFI will be addressed in CAEP standard 5. The team recommends removal of legacy NCATE AFI.

NOTE: Neither CAEP staff, site visitors, nor other agents of CAEP are empowered to make or modify Accreditation Council decisions. These remain the sole responsibility of the Council itself.

End of document

Information for EPPs Granted Accreditation

Accreditation Council Decision

Accreditation is granted when the Accreditation Council determines that an educator preparation provider (EPP) meets all CAEP Standards, even if areas for improvement (AFIs) are identified in the final decision.

The Council's decision process begins with an initial review panel, which makes a recommendation on whether an EPP meets all CAEP Standards and confirms or modifies the recommendations from the site team regarding areas for improvement (AFIs) and/or stipulations. Recommendations are then reviewed by a joint review panel composed of the initial review panel, plus an additional initial review panel. The role of the joint review panel is to review the recommendations of the initial review panel to ensure rigor, clarity, and consistency, and to make recommendations to the full Accreditation Council.

The full Accreditation Council makes all final decisions relevant to the CAEP Standards based on evidence submitted by the EPP, findings from the site team, and sufficiency of evidence for each standard, and then acts upon the recommendations from joint panel reviews. The Council pays particular attention to consistency across all of the accreditation decisions.

The Action Report is the official record of your accreditation status and should be used to review and guide your provider's efforts continue to meet the CAEP Standards.

Consumer Information and Representation of Accreditation to the Public

CAEP requires accredited EPPs to provide consumer information to the public, including candidate performance data. Title II data must be publicly available on the website (Accreditation Policy 8.01).

When representing its accreditation to the public, an EPP must report the accreditation decision accurately, including the specific academic or instructional programs covered by the accreditation, and the address and telephone number of the Council for the Accreditation of Educator Preparation as provided on the CAEP website. The official statement to be publicly displayed on the EPP's website is provided by CAEP following the Accreditation Council action, as defined by the CAEP Communication Guidelines. (Accreditation Council Policy 8.04)

The accreditation status and term will be posted on the [CAEP website](http://caepnet.org/provider-search) (<http://caepnet.org/provider-search>).

Annual Reports

All EPPs must submit an Annual Report each year in order to maintain accreditation or accreditation-eligibility. The report is opened for entry each year in January and EPPs are given 90 days from the date of system availability to complete the report. Additionally, the Annual Report requires reporting on Accreditation Policy 8.01, which requires accredited EPPs to provide consumer information to the public, including candidate performance data. Title II data must be publicly available on the EPP's website (Accreditation Policy 6.01).

2013 CAEP Standards

Standard 1. Content and Pedagogical Knowledge

The provider ensures that candidates develop a deep understanding of the critical concepts and principles of their discipline and, by completion, are able to use discipline-specific practices flexibly to advance the learning of all students toward attainment of college- and career-readiness standards.

Candidate Knowledge, Skills, and Professional Dispositions

1.1 *Candidates demonstrate an understanding of the 10 InTASC standards at the appropriate progression level(s) in the following categories: the learner and learning; content; instructional practice; and professional responsibility.*

Provider Responsibilities:

1.2 *Providers ensure that candidates use research and evidence to develop an understanding of the teaching profession and use both to measure their P-12 students' progress and their own professional practice.*

1.3 *Providers ensure that candidates apply content and pedagogical knowledge as reflected in outcome assessments in response to standards of Specialized Professional Associations (SPA), the National Board for Professional Teaching Standards (NBPTS), states, or other accrediting bodies (e.g., National Association of Schools of Music – NASM).*

1.4 *Providers ensure that candidates demonstrate skills and commitment that afford all P-12 students access to rigorous college- and career-ready standards (e.g., Next Generation Science Standards, National Career Readiness Certificate, Common Core State Standards).*

1.5 *Providers ensure that candidates model and apply technology standards as they design, implement and assess learning experiences to engage students and improve learning; and enrich professional practice.*

Standard 2. Clinical Partnerships and Practice

The provider ensures that effective partnerships and high-quality clinical practice are central to preparation so that candidates develop the knowledge, skills, and professional dispositions necessary to demonstrate positive impact on all P-12 students' learning and development.

Partnerships for Clinical Preparation:

2.1 *Partners co-construct mutually beneficial P-12 school and community arrangements, including technology-based collaborations, for clinical preparation and share responsibility for continuous improvement of candidate preparation. Partnerships for clinical preparation can follow a range of forms, participants, and functions. They establish mutually agreeable expectations for candidate entry, preparation, and exit; ensure that theory and practice are linked; maintain coherence across clinical and academic components of preparation; and share accountability for candidate outcomes.*

Clinical Educators:

2.2 *Partners co-select, prepare, evaluate, support, and retain high-quality clinical educators, both provider- and school-based, who demonstrate a positive impact on candidates' development and P-12 student learning and development. In collaboration with their partners, providers use multiple indicators and appropriate technology-based applications to establish, maintain, and refine criteria for selection, professional development, performance evaluation, continuous improvement, and retention of clinical educators in all clinical placement settings.*

Clinical Experiences:

2.3 *The provider works with partners to design clinical experiences of sufficient depth, breadth, diversity, coherence, and duration to ensure that candidates demonstrate their developing effectiveness and positive impact on all students' learning and development. Clinical experiences, including technology-enhanced learning opportunities, are structured to have multiple performance-based assessments at key points within the program to demonstrate candidates' development of the knowledge, skills, and professional dispositions, as delineated in Standard 1, that are associated with a positive impact on the learning and development of all P-12 students.*

Standard 3. Candidate Quality, Recruitment, and Selectivity

The provider demonstrates that the quality of candidates is a continuing and purposeful part of its responsibility from recruitment, at admission, through the progression of courses and clinical experiences, and to decisions that completers are prepared to teach effectively and are recommended for certification. The provider demonstrates that development of candidate quality is the goal of educator preparation in all phases of the program. This process is ultimately determined by a program's meeting of Standard 4.

Plan for Recruitment of Diverse Candidates who Meet Employment Needs:

3.1 *The provider presents plans and goals to recruit and support completion of high-quality candidates from a broad range of backgrounds and diverse populations to accomplish their mission. The admitted pool of candidates reflects the diversity of America's P-12 students. The provider demonstrates efforts to know and address community, state, national, regional, or local needs for hard-to-staff schools and shortage fields, currently, STEM, English-language learning, and students with disabilities.*

Candidates Demonstrate Academic Achievement:

3.2 *The provider meets CAEP minimum criteria or the state's minimum criteria for academic achievement, whichever are higher, and gathers disaggregated data on the enrolled candidates whose preparation begins during an academic year.*

The CAEP minimum criteria are a grade point average of 3.0 and a group average performance on nationally normed assessments or substantially equivalent state-normed assessments of mathematical, reading and writing achievement in the top 50 percent of those assessed. An EPP may develop and use a valid and reliable substantially equivalent alternative assessment of academic achievement. The 50th percentile standard for writing will be implemented in 2021.

Starting in academic year 2016-2017, the CAEP minimum criteria apply to the group average of enrolled candidates whose preparation begins during an academic year. The provider determines whether the CAEP minimum criteria will be measured (1) at admissions, OR (2) at some other time prior to candidate completion.

In all cases, EPPs must demonstrate academic quality for the group average of each year's enrolled candidates. In addition, EPPs must continuously monitor disaggregated evidence of academic quality for each branch campus (if any), mode of delivery, and individual preparation programs, identifying differences, trends and patterns that should be addressed under component 3.1, Plan for recruitment of diverse candidates who meet employment needs.

CAEP will work with states and providers to designate, and will periodically publish, appropriate "top 50 percent" proficiency scores on a range of nationally or state normed assessments and other substantially equivalent academic achievement measures, with advice from an expert panel.

Alternative arrangements for meeting the purposes of this component will be approved only under special circumstances and in collaboration with one or more states. The CAEP President will report to the Board and the public annually on actions taken under this provision.

Additional Selectivity Factors:

3.3 Educator preparation providers establish and monitor attributes and dispositions beyond academic ability that candidates must demonstrate at admissions and during the program. The provider selects criteria, describes the measures used and evidence of the reliability and validity of those measures, and reports data that show how the academic and non-academic factors predict candidate performance in the program and effective teaching.

Selectivity During Preparation:

3.4 The provider creates criteria for program progression and monitors candidates' advancement from admissions through completion. All candidates demonstrate the ability to teach to college- and career-ready standards. Providers present multiple forms of evidence to indicate candidates' developing content knowledge, pedagogical content knowledge, pedagogical skills, and the integration of technology in all of these domains.

Selection At Completion:

3.5 Before the provider recommends any completing candidate for licensure or certification, it documents that the candidate has reached a high standard for content knowledge in the fields where certification is sought and can teach effectively with positive impacts on P-12 student learning and development.

3.6 Before the provider recommends any completing candidate for licensure or certification, it documents that the candidate understands the expectations of the profession, including codes of ethics, professional standards of practice, and relevant laws and policies. CAEP monitors the development of measures that assess candidates' success and revises standards in light of new results.

Standard 4. Program Impact

The provider demonstrates the impact of its completers on P-12 student learning and development, classroom instruction, and schools, and the satisfaction of its completers with the relevance and effectiveness of their preparation.

Impact on P-12 Student Learning and Development:

4.1 The provider documents, using multiple measures that program completers contribute to an expected level of student-learning growth. Multiple measures shall include all available growth measures (including value-added measures, student-growth percentiles, and student learning and development objectives) required by the state for its teachers and available to educator preparation providers, other state-supported P-12 impact measures, and any other measures employed by the provider.

Indicators of Teaching Effectiveness:

4.2 The provider demonstrates, through structured validated observation instruments and/or student surveys, that completers effectively apply the professional knowledge, skills, and dispositions that the preparation experiences were designed to achieve.

Satisfaction of Employers:

4.3 The provider demonstrates, using measures that result in valid and reliable data and including employment milestones such as promotion and retention, that employers are satisfied with the completers' preparation for their assigned responsibilities in working with P-12 students.

Satisfaction of Completers:

4.4 The provider demonstrates, using measures that result in valid and reliable data, that program completers perceive their preparation as relevant to the responsibilities they confront on the job, and that the preparation was effective.

Standard 5. Provider Quality Assurance and Continuous Improvement

The provider maintains a quality assurance system comprised of valid data from multiple measures, including evidence of candidates' and completers' positive impact on P-12 student learning and development. The provider supports continuous improvement that is sustained and evidence-based, and that evaluates the effectiveness of its completers. The provider uses the results of inquiry and data collection to establish priorities, enhance program elements and capacity, and test innovations to improve completers' impact on P-12 student learning and development.

Quality and Strategic Evaluation:

5.1 The provider's quality assurance system is comprised of multiple measures that can monitor candidate progress, completer achievements, and provider operational effectiveness. Evidence demonstrates that the provider satisfies all CAEP standards.

5.2 The provider's quality assurance system relies on relevant, verifiable, representative, cumulative and actionable measures, and produces empirical evidence that interpretations of data are valid and consistent.

Continuous Improvement:

5.3 The provider regularly and systematically assesses performance against its goals and relevant standards, tracks results over time, tests innovations and the effects of selection criteria on subsequent progress and completion, and uses results to improve program elements and processes.

5.4 Measures of completer impact, including available outcome data on P-12 student growth, are summarized, externally benchmarked, analyzed, shared widely, and acted upon in decision-making related to programs, resource allocation, and future direction.

5.5 The provider assures that appropriate stakeholders, including alumni, employers, practitioners, school and community partners, and others defined by the provider, are involved in program evaluation, improvement, and identification of models of excellence.

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Michael Johnson, Commissioner

Agenda Item: 11A

◆ ISSUE

The board is being asked to open a period of public comment on proposed amendments to 4 AAC 06.822(b), relating to the measurement of student growth in Alaska's new accountability system (System for School Success). The change will update the sub-interval scores on the Performance Evaluation for Alaska's Schools (PEAKS) assessments for grade 9 math that are used to calculate student growth within the accountability system.

◆ BACKGROUND

- The PEAKS grade 9 math assessment was revised for 2018 to reflect a focus on algebra. The changes to PEAKS grade 9 math assessment required the development of new score ranges to determine student performance in each achievement level. These new score ranges were adopted and in force in regulations in October 2018.
- The revised score ranges require an adjustment to the sub-interval score ranges in the student growth indicator in 4 AAC 06.822 so that the sub-interval ranges are aligned with the newly-adopted score ranges.
- Behind this cover memo is the proposed amended regulation.
- Bob Williams, Director of Educator and School Excellence, will be present to brief the board.

◆ OPTIONS

Open a period of public comment on the proposed regulation.

Amend the proposed regulation and open a period of public comment.

Seek more information.

◆ ADMINISTRATION'S RECOMMENDATION

Open a period of public comment on the proposed regulation changes.

◆ SUGGESTED MOTION

I move the State Board of Education & Early Development open a period of public comment on amendments to 4 AAC 06.822 Student growth indicator.

4 AAC 06.822(b) is amended to read:

(b) The department will assign the appropriate sub-level to each student based on the student’s score. For purposes of determining whether students made adequate growth on the English language arts or mathematics test under 4 AAC 06.737, the subject matter achievement levels defined in 4 AAC 06.739 are divided into sub-levels of advanced high, advanced low, proficient high, proficient low, below proficient high, below proficient low, far below proficient high, and far below proficient low. The sub-levels are set out in the following tables:

English/language arts

Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9
Advanced High	558-600	554-600	564-600	567-600	562-600	557-600	551-600
Advanced Low	542-557	538-553	548-563	551-566	546-561	541-556	535-550
Proficient High	521-541	519-537	524-547	526-550	523-545	521-540	518-534
Proficient Low	500-520	500-518	500-523	500-525	500-522	500-520	500-517
Below Proficient High	482-499	484-499	482-499	487-499	486-499	485-499	486-499
Below Proficient Low	464-481	468-483	464-481	473-486	471-485	469-484	471-485
Far Below Proficient High	448-463	452-467	448-463	457-472	455-470	453-468	455-470
Far Below Proficient Low	400-447	400-451	400-447	400-456	400-454	400-452	400-454

Math

Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9
Advanced High	570-600	575-600	584-600	570-600	575-600	578-600	<u>578-600</u> [586-600]
Advanced Low	554-569	559-574	568-583	554-569	559-574	562-577	<u>562-577</u> [570-585]
Proficient High	527-553	530-558	534-567	527-553	530-558	531-561	<u>531-561</u> [535-569]
Proficient Low	500-526	500-529	500-533	500-526	500-529	500-530	<u>500-530</u> [500-534]
Below Proficient High	479-499	480-499	481-499	477-499	476-499	474-499	<u>476-499</u> [475-499]
Below Proficient Low	458-478	460-479	462-480	454-476	451-475	448-473	<u>451-475</u> [450-474]
Far Below Proficient High	442-457	444-459	446-461	438-453	435-450	432-447	<u>435-450</u> [434-449]
Far Below Proficient Low	400-441	400-443	400-445	400-437	400-434	400-431	<u>400-434</u> [400-433]

(Eff. 10/20/2018, Register 228; ____/____/____, Register ____)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 11B

◆ ISSUE

The board is being asked to open a period of public comment on regulations regarding teacher certification.

◆ BACKGROUND

- The proposed regulations include additions to the list of approved basic competency exams. To qualify for a regular Alaska teacher certification, an applicant must pass a basic competency exam per AS 14.20.020(i).
- The three additions to the approved list of basic competency exams address the recommendation from DEED's Performance Review to decrease barriers for educators prepared outside of Alaska to gain Alaska certification.
 - The proposed additional basic competency exams are the Pennsylvania Pre-service Academic Performance Assessment, the Missouri Educator Gateway Assessment, and the Illinois Test of Academic Proficiency.
 - The qualifying scores are those scores accepted in the jurisdiction administering the exams.
- In addition, the proposed regulation allows teachers who have satisfied a basic competency exam in the areas of reading, writing, and mathematics approved by another certifying state agency to use that exam to satisfy the basic competency exam as required by AS 14.20.020(i).
- Regulations currently require career and technical education (CTE) teachers certified through the Type M Limited certificate to pass a basic competency exam requirement. Stakeholders have expressed that this additional requirement has begun to limit the number of CTE offerings for Alaska students.
- The proposed regulation will eliminate the basic competency requirement for Type-M Limited CTE certified teachers.
- Behind this cover memo are the proposed regulations.
- Sondra Meredith, Administrator for Educator Education & Certification, will be present to brief the board.

◆ OPTIONS

Open a period of public comment on the proposed regulations.
Amend the proposed regulations and open a period of public comment.
Seek more information

◆ ADMINISTRATION'S RECOMMENDATION

Open a period of public comment on the proposed regulations.

◆ SUGGESTED MOTION

I move the State Board of Education and Early Development open a period of public comment on changes to 4 AAC 12.310 Designation and qualifying scores of teacher competency examination and 4 AAC 12.372 Limited career or technical education certificate (Type M).

**To: Members of the State Board of
Education & Early Development**

February 2, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 12A

◆ **ISSUE**

The board is being asked to adopt proposed amendments to regulation 4 AAC 31 School Facility Planning and Construction. The amendments accomplish needed clean-up work in several areas (e.g., citations for updated publications, etc.), codify current work practices, propose improvements to the capital project administration process, and propose limits on funding.

◆ **BACKGROUND**

- The last significant clean-up of 4 AAC 31 occurred in 2010. In the eight years since that time, elements of the school facility planning and construction process have changed, have been updated, and have been improved or altered. Codifying these elements in an update to the regulation is necessary.
- Proposed amendments to 4 AAC 31.022(b), 31.026(d), 31.030(a), 31.040(a), 31.060(i), and 31.220 are clean-up in nature and do not revise current procedures.
- Proposed amendments to 4 AAC 31.013, 31.016, 31.020(d), 31.021(f), 31.023(c), 31.061(b)(2), and 31.085(a) are those needed to conform to current department practices and do not revise current procedures.
- Proposed amendments to 4 AAC 31.020(a), 31.080(f), and 31.900(2) update references to current versions of department publications *Guidelines for School Equipment Purchases* (2016 edition), *Site Selection Criteria and Evaluation Handbook* (2011 edition), and *Project Delivery Method Handbook* (2017 edition). Updates to these publications were reviewed and approved by the statutory Bond Reimbursement & Grant Review Committee.
- Proposed amendments to 4 AAC 31.021(e) and (g), portions of 31.030(a) and 31.040(a), 31.064, 31.065(a), and 31.080(b) and (g) are intended to improve the process of capital improvement project (CIP) requests and the administration of capital project funding by clarifying requirements at a greater level of detail than currently provided. These proposals are not intended to change or limit project eligibility or funding.
- Proposed amendments to 4 AAC 31.023(c)(7) and (e) serve to limit funding of indirect and administrative costs that are based on a percentage rate and not supported with detailed accounting.
- Proposed amendments to 4 AAC 31.065(d), 31.080(e), and 31.080(i) serve to limit funding of professional services, construction, and purchase or lease of existing facilities if requirements in the respective sections are not complied with.
- Proposed amendments to 4 AAC 31.900(21) would increase the minimum project amount (cost) from \$25,000 to \$50,000 before a project would become eligible for state aid as a school capital project.
- The proposed regulations amendments, a summary document of the identified regulation amendments, public comment received, department response to public

comments, and the three updated department publications can be found behind this cover memo.

- Tim Mearig, Facilities Manager, will brief the board.

◆ **OPTIONS**

Adopt the proposed regulations.

Amend the proposed regulations and adopt the amended regulations.

Open a second period of public comment.

Seek more information.

◆ **ADMINISTRATION'S RECOMMENDATION**

Adopt the proposed regulations.

◆ **SUGGESTED MOTION**

I move the State Board of Education & Early Development adopt amendments to 4 AAC 31 School Facility Planning and Construction to implement administrative, process improvement, and resource limitation elements.

2018 Summary of Changes: 4 AAC 31 Regulations

Prepared by Department of Education and Early Development
Finance & Support Services / Facilities

June 6, 2018

Regulation	Summary of Change	Reason for Change
4 AAC 31.013(e)	Reorganize section and refine language to parallel flow of process.	Reorganized language provides more clarity to the timeline of the determination process.
4 AAC 31.013(f)	Provide method for department and a district to postpone on-site inspections if district does not seek a compliant PM program.	Current language does not provide the dept. or a district a way to ‘opt-out’ of the on-site inspection process on the occasion of a district that does not desire to qualify for CIP funding. This will potentially save the department operational costs.
4 AAC 31.013(h) (new)	Add language defining department’s current practice of “provisional compliance”.	In the past 10 years, the department has issued determinations of “provisional compliance” to districts that have the capacity to meet PM standards but lack documentation of maintaining the program (e.g., being able to provide a full 12 months of reporting data).
4 AAC 31.016(i) (new)	Provide guidance on when to include or exclude attendance area enrollment when housed in leased facilities.	Formalize dept. practice of excluding enrollment of leased-facility schools in attendance areas when determining space eligibility, unless single-site, and include clause for termination of leased space creating unhoused students.
4 AAC 31.020(a)	Update publication titles and editions.	Conform to new dept. publication editions; update publication title formatting.
4 AAC 31.020(d)	Provide department flexibility to reduce or not reduce a project budget before the end of the design phase.	Current regulation reads to require a budget reduction if enrollment declines during design process; however, fluctuations can cause significant design changes and incur additional design costs. Dept. practice typically holds a project harmless once a grant agreement is signed and design is underway; however, there could be circumstances where a later adjustment is appropriate.
4 AAC 31.021(e)	Allow “completed projects” to reuse priority ranking for 5 years after original application.	Enable districts to save costs of re-submitting a new application for projects that were completed and do not have any new information to present.

Regulation	Summary of Change	Reason for Change
4 AAC 31.021(f)	Remove requirement to provide inflation/escalation to elements of the project that will be completed prior to a grant being issued.	Adding the required escalation to projects with previously completed scope unnecessarily increases ranked project costs, resulting in lapsing balances in appropriations and tying up resources that could be used to fund additional projects.
4 AAC 31.021(g)	Adds language on how to treat appeals on projects reused in years 2-6.	Required to conform existing language to the additional years of reuse beyond year one.
4 AAC 31.022(b)	Changes primary purpose type “E” projects from school construction to major maintenance.	Conforms to 2010 statute change.
4 AAC 31.023(c)	Specify that application costs are allowable project costs. Define that the 36/120 month limit for reimbursable costs begins with initial application.	More clarity is need for when the “36 months” and “120 months” begin for reimbursable allowable project and land costs in a AS 14.11 grant or reimbursement.
4 AAC 31.023(c)	Adds language limiting amount of grant that can be used for district indirect administrative costs to specified percentage.	Provide more uniformity in treatment of indirect costs; reduces the obligation of the department to fund administrative costs not closely tied to a project with state aid.
4 AAC 31.023(e)	Provides definitions to support changes regarding indirect administrative costs.	Provide clarity for new terms “indirect administrative costs” and “construction costs” used in subsection.
4 AAC 31.026(d)	Changes who appoints a hearing officer for CIP process appeals.	Conforms to 2004 statute change.
4 AAC 31.030(a)	Changes statute reference from AS 14.11.020 to more common “grant funded under” AS 14.11.011. Specify that elements of a plan for DEED review must be submitted prior to solicitation of a construction contract.	Conform statute reference to statute providing grant funding. Language reinforces that plan must be provided for dept. review prior to construction contract solicitation, as some projects have been being submitted after contract award.

Regulation	Summary of Change	Reason for Change
4 AAC 31.040(a)	Change statute reference from AS 14.11.020 to more common AS 14.11.011. Specify that DEED review and approval must be submitted prior to solicitation of a construction contract, as inferred from timeline requirements in (a)(1)-(3).	Conform statute reference to statute providing grant funding. Language reinforces that project documents must be provided for dept. review prior to construction contract solicitation, as some projects have been being submitted after contract award.
4 AAC 31.060(i)	Change dollar value of reimbursement project costs \$200,000.	Conform value to statute. Current \$25,000 value is reflective of grant minimum project cost, not debt reimbursement.
4 AAC 31.061(b)(2)	Repeal language related to applications submitted before 1/1/1996.	Removal of non-applicable language.
4 AAC 31.064	Clarify when remaining bond proceeds can be redirected.	Clarity is needed for when “construction” of a project is considered complete: when design, construction, and equipment contracts are terminated.
4 AAC 31.065(a)	Allow solicitation of contracts for design and construction management consultants using qualifying Internet websites in lieu of newspapers.	Online publishing of solicitations via the world wide web has become equal or more effective than traditional newspaper publishing. (Note: State procurement regulations now allow these types of solicitation options.)
4 AAC 31.065 (new)	Allow DEED discretion to deny/limit participation in costs of design and construction management for grants and debt reimbursement projects that did not comply with this section	Provide consistency in department treatment of participation in construction and consultant contracts.
4 AAC 31.080(b)	Allow solicitation of construction contracts using qualifying Internet websites in lieu of newspapers.	Online publishing of solicitations via the world wide web has become equal or more effective than traditional newspaper publishing. (Note: State procurement regulations now allow these types of solicitation options.)
4 AAC 31.080(e)	Allow DEED discretion to deny/limit participation in costs of construction for grants that did not comply with this section; currently DEED may not allow payment for construction contract costs.	Provide consistency between grant and debt programs in dept. discretion to deny construction funding.

Regulation	Summary of Change	Reason for Change
4 AAC 31.080(f)	Update publication edition reference.	Conform to new dept. publication edition and update publication title formatting.
4 AAC 31.080(g)	Add “lease” and “donated” to methods a school district may acquire facilities with prior department approval.	Expand methods of school district acquisition of property that require dept. approval; works in conjunction with new subsection (j) to potentially limit AS 14.11 funding for property that was not in the best interest of the state for a district to acquire [note -- most leased facilities are already not eligible for AS 14.11 funding]
4 AAC 31.080(i) (new)	Allow denial or limiting of participation cost of school construction for facilities acquired under specific circumstances.	Provide dept. process for overview of district acquisition of land or facilities in instances where the dept. may be asked to provide financial support for major maintenance or restoration.
4 AAC 31.085(a)	Specify that a school district is still responsible for liabilities caused by its use of the property.	Reinforce that district liabilities and responsibilities that are the result of the district’s use and operation of the property continue beyond the use permit and one-year wind-down period (see also 4 AAC 31.090(h)).
4 AAC 31.220	Change date districts shall provide a certificate of insurance to DEED from July 1 to July 15.	Date extension requested by districts and insurance carriers. Certificates not always issued before July 1.
4 AAC 31.900(2)	Update publication edition reference.	Conform to new dept. publication edition and update publication title formatting.
4 AAC 31.900(21)	Change minimum value of “school capital project” to \$50,000.	Adjust dollar value in line with inflation to maintain intent of original regulation that projects are “capital” expenses and not “operational”. This value is consistent with inflation.

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4 AAC 31.013(e) is amended to read:

(e) [ON AN ANNUAL BASIS, THE] **The** department **will make a determination of a district's** [SHALL PROVIDE A PRELIMINARY NOTICE TO EACH DISTRICT REGARDING ITS] compliance with each element required in (a) of this section, based on evidence of a program [PREVIOUSLY PROVIDED TO] **acquired by** the department, [OR THAT WAS] **including information** gathered by the department during an on-site visit conducted under (f) of this section. **The department may change a determination at any time during the year based on new evidence. For purposes of eligibility for an application submitted under AS 14.11.011, on** [ON] or before June 1, the department will provide [ITS] preliminary notice **of its determination.** [THE DEPARTMENT MAY CHANGE A DETERMINATION OF NON-COMPLIANCE AT ANY TIME DURING THE YEAR BASED ON NEW EVIDENCE.] Districts that are not in full compliance must provide evidence of compliance to the department by August 1. On or before August 15, the department will notify districts of its final determination regarding compliance. The department will deny a grant application submitted under AS 14.11.011 by a district that has received a final determination from the department that the district is out of compliance with this section.

4 AAC 31.013(f) is amended to read:

(f) The department **will** [SHALL] conduct **an** on-site **inspection** [INSPECTIONS] of a school district preventive maintenance and facility management **program** [PROGRAMS] at least once every five years; **however, if the department issues a finding of noncompliance under (e) of this section and the district does not provide adequate evidence of compliance, the department may postpone an onsite visit beyond the five-year period.** The department

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may make additional inspections as it deems necessary. The department may change its determination of compliance based on information obtained during an [THE] on-site inspection [INSPECTIONS].

4 AAC 31.013 is amended by adding a new subsection to read:

(h) Notwithstanding (e) and (f) of this section, the department may make a determination of provisional compliance for a district that provides evidence of a plan that meets all required elements identified in (a) of this section but does not provide documentation of adherence to that plan. A determination of provisional compliance will allow a district to be eligible for state aid until a final determination of compliance or non-compliance is provided.

(Eff. 5/24/2001, Register 158; am 12/19/2002, Register 164; am 12/15/2004, Register 172; am 6/17/2010, Register 194; am ___/___/___, Register ____)

Authority: AS 14.07.020 AS 14.11.011 AS 14.11.132
AS 14.07.060

4 AAC 31.016 is amended by adding a new subsection to read:

(i) The enrollment calculated for students in leased space will be excluded from use in calculating eligibility for additional square footage for facilities unless

(A) that enrollment is in an attendance area comprised of a single school, or

(B) the lease is due to terminate within two years and district submits an

application for a capital improvement project under AS 14.11 for new school construction to house the student population of the terminating lease space. (Eff. 7/13/2000, Register 155; am 12/19/2002, Register 164; am ___/___/___, Register ____)

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Authority: AS 14.07.060 AS 14.11.015 AS 14.11.100
AS 14.11.011 AS 14.11.017 AS 14.11.132
AS 14.11.013

4 AAC 31.020(a) is amended to read:

(a) The following are the basic guides for educational facility planning **adopted by reference:**

(1) for a school capital project application submitted to the department, **Creating Connections: The CEFPI Guide for Educational Facility Planning** [CREATING CONNECTIONS: THE CEFPI GUIDE FOR EDUCATIONAL FACILITY PLANNING], 2004 Edition, as published by the Council of Educational Facilities Planners International;

(2) repealed 4/17/98;

(3) repealed 4/17/98;

(4) **Guidelines for School Equipment Purchases** [GUIDELINES FOR SCHOOL EQUIPMENT PURCHASES], as published by the Alaska Department of Education and Early Development, **2016 edition** [1997 EDITION];

(5) deleted 8/31/90;

(6) repealed 4/17/98;

(7) **Swimming Pool Guidelines** [SWIMMING POOL GUIDELINES], as published by the Alaska Department of Education and Early Development, 1997 edition; and

(8) **Site Selection Criteria and Evaluation Handbook** [SITE SELECTION CRITERIA AND EVALUATION GUIDELINE], as published by the Alaska Department of Education and Early Development, **2011 edition** [1997 EDITION].

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4 AAC 31.020(d) is amended to read:

(d) The department **will** [SHALL] reduce a project budget in proportion to the amount that the project's design exceeds the square feet allowable as determined under (c) of this section[.THIS SUBSECTION APPLIES TO A PROJECT], **until an agreement, as described in 4 AAC 31.023(c), is fully executed** [THAT HAS NOT RECEIVED A GRANT UNDER AS 14.11, A PROJECT THAT HAS RECEIVED MONEY FROM THE DEPARTMENT FOR PLANNING]. **The department may proportionally reduce the project budget under this subsection if** [, AND] a project [THAT] has not secured the approval of the commissioner under 4 AAC 31.040 [THIS SUBSECTION DOES NOT APPLY TO A PROJECT THAT HAS SECURED THE APPROVAL OF THE COMMISSIONER UNDER 4 AAC 31.040].

(Eff. 3/1/78, Register 65; am 6/9/83, Register 86; am 12/2/83, Register 88; am 8/31/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am 2/18/99, Register 149; am 7/13/2000, Register 155; am 8/23/2001, Register 159; am 12/20/2002, Register 164; am 6/17/2010, Register 194; am ___/___/___, Register ___)

Authority:	AS 14.07.020	AS 14.11.011	AS 14.11.100
	AS 14.07.060	AS 14.11.020	AS 14.11.132

4 AAC 31.021(e) is repealed and readopted to read:

(e) Using the criteria set out in 4 AAC 31.022(b), the department will score each application and use the score to assign a priority ranking to the projects approved for eligibility. The department may annually approve a school district's request to reuse an original application

and its score for up to five additional years after the year the original application is submitted, if, for a school capital project listed in the district's six-year capital improvement plan,

(1) the school district identifies, in a letter accompanying the six-year plan, the specific application for which the district requests consideration beyond the initial application period;

(2) the chief school administrator certifies in writing that the district's eligibility for any additional square footage associated with the project has not decreased; and

(3) for requests to reuse the application and score for the first additional year;

(A) the physical condition of a facility included in the project has not deteriorated so as to increase the project's cost to exceed the amount determined by application of the inflation factor under (f) of this section; and

(B) health and life safety conditions and code conditions have not changed so as to affect the project's score under 4 AAC 31.022(b); or

(4) for requests to reuse the application and its score in years two through five after the year of the original application, the project construction must be substantially complete at the time of the original application. An inflation factor under (f) of this section will not be added to the project cost when an application is reused under this paragraph.

4 AAC 31.021(f) is repealed and readopted to read:

(f) If, under (e) of this section, the department approves a district's reuse of its previous year's application and score for one additional year after the year the original application is filed, the department will add an inflation factor based on an industry-accepted method to costs anticipated to occur after the award of the grant.

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4 AAC 31.021 is amended by adding new sections to read:

(g) If, under (e) of this section, a district reuses its original application and score for one or more additional years after the year the original application is filed, the district may not appeal its priority ranking in any of the additional years.

(h) A grant application must include certification that insurance or a program of self-insurance exists under 4 AAC 31.200 – 4 AAC 31.225 and will be revised, if necessary, to include the proposed facility. (Eff. 8/31/90, Register 115; am 8/12/93, Register 127; am 3/10/96, Register 137; am 4/17/98, Register 146; am 7/13/2000, Register 155; am 12/19/2002, Register 164; am 6/17/2010, Register 194; am __/__/__, Register ____)

Authority: AS 14.07.060 AS 14.11.011 AS 14.11.132
AS 14.11.008 AS 14.11.013

4 AAC 31.022(b) is amended to read:

(b) When reviewing the six-year capital improvement plans and the grant applications submitted by school districts, department staff shall separately rank projects in the following classifications in the first year of the plan, in descending order of priority, as serves the state's best interests, where:

(1) school construction projects are those projects the primary purpose of which is to accomplish work under the categories established in **AS 14.11.013(a)(1)(A), (B), (F), and (G)** [AS 14.11.013(a)(1)(A), (a)(1)(B), AND (a)(1)(E) - (a)(1)(G)]; and

(2) major maintenance projects are those projects the primary purpose of which is to accomplish work under the categories established in **AS 14.11.013(a)(1)(C)-(E)**

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[AS 14.11.013(a)(1)(C) AND (D)], except that a major maintenance project may not include additional or replacement square footage.

4 AAC 31.023(c) is amended to read:

(c) The department will, before the disbursement of grant or allocations of other financial assistance [MONEY] to a school district, require the execution of a grant or other financial assistance agreement, on a form prescribed by the commissioner, that contains the following conditions:

(1) the project will be constructed and equipped under the requirements of 4 AAC 31.020(a), within the project budget determined under 4 AAC 31.022(e);

(2) money will be disbursed as the parties agree to allow the accomplishment of stages in the project, such as site acquisition; design and construction; and to reimburse the district for money actually and necessarily spent, before the award of the grant or allocation of other financial assistance,

(A) for **application costs**, planning costs, design costs, and construction costs incurred not more than 36 months before the **initial** submission of the grant **or other financial assistance** application **with a substantially identical scope**; and

(B) site acquisition costs incurred not more than 120 months before the **initial submission of the** grant or other financial assistance application **with a substantially identical scope** for which the department has given its approval under 4 AAC 31.025;

(3) the district's performance under the grant or other financial assistance is subject to financial audit at any time; the cost of an audit required by the state is an allowable cost of school construction;

(4) the site for the school facility is approved under 4 AAC 31.025;

(5) designers, **commissioning agents, and construction managers** of the facility shall be selected under 4 AAC 31.065; [AND]

(6) construction shall be performed by contracts awarded under 4 AAC 31.080;

and

(7) unless a district provides documented evidence of project-specific indirect administrative costs in excess of these limits, indirect administrative costs may not exceed

(A) three percent of construction costs, if construction costs are \$500,000 or less;

(B) the greater of \$15,000 or two percent of construction costs, if construction costs are over \$500,000 but less than \$5,000,000;

(C) the greater of \$100,000 or one percent of construction costs, if construction costs are \$5,000,000 or more.

4 AAC 31.023 is amended by adding a new subsection to read:

(e) In (c) of this section,

(1) “indirect administrative costs” means an allocable portion of administrative and operating expenses; and

(2) “construction costs” means the cost of contracted work as well as force account for facility construction, site preparation, site improvements, and utilities.

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(Eff. 8/31/90, Register 115; am 8/12/93, Register 127; am 4/17/98, Register 146; am 2/18/99, Register 149; am __/__/__, Register ____)

Authority: AS 14.11.013 AS 14.11.017 AS 14.11.132
AS 14.11.015 AS 14.11.100

4 AAC 31.026(d) is amended to read:

(d) Within 10 working days after the filing of an appeal under (c) of this section, the **chief administrative law judge of the office of administrative hearings** [COMMISSIONER] shall appoint a hearing officer to hear the case. The hearing officer shall consider the issues raised in the appeal on the basis of

(1) the school district's updated capital improvement plan submitted under 4 AAC 31.011;

(2) the grant application, and supporting documentation submitted by the school district under 4 AAC 31.020(c);

(3) the comments received at the public hearing conducted under (a) of this section;

(4) the decision rendered by the department on the request for reconsideration under (b) of this section; and

(5) the appeal filed by the school district under (c) of this section.

(Eff. 8/31/90, Register 115; am 8/12/93, Register 127; am 4/17/98, Register 146; am __/__/__, Register ____)

Authority: AS 14.11.013 **AS 14.11.016** AS 14.11.132
AS 14.11.015

4 AAC 31.030(a) is amended to read:

(a) A school district shall submit the elements of a plan for **a school capital project**, **including** new construction, additions, demolitions, and rehabilitations, to be undertaken by the school district that are to be funded under **AS 14.11.011** [AS 14.11.020] or for which reimbursement is to be sought under AS 14.11.100. The elements of the plan must be submitted to the commissioner for the commissioner's review and approval as the elements are developed and before any **construction contract solicitation or** construction activity is initiated.

(Eff. 3/1/78, Register 65; am 12/2/83, Register 88; am 10/7/95, Register 136; am 4/17/98, Register 146; am ___/___/___, Register ___)

Authority:	AS 14.07.020	AS 14.11.011	AS 14.11.020
	AS 14.07.060	AS 14.11.013	AS 14.11.100

4 AAC 31.040(a) is amended to read:

(a) Before commencing **construction contract solicitation or** construction activity under **AS 14.11.011** [AS 14.11.020] or **construction contract solicitation or** construction activity for which reimbursement will be sought under AS 14.11.100, a school district or a regional school board shall secure the approval of the commissioner of the documents for the project as follows:

(1) the school district or regional school board shall submit to the commissioner 95 percent construction documents at least 20 work days before a bid invitation is made;

(2) if construction contract bids are to be invited for the project, the school district or regional school board shall submit the construction bid documents, excluding the construction plans and specifications if the 95 percent construction documents submitted under (1) of this

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subsection were stamped and signed by the professionals in responsible charge, to the commissioner at least five work days before the bid invitation is made;

(3) if the project will not be advertised for bids, the school district or regional school board shall submit the final stamped and signed construction documents to the commissioner no later than 15 work days before commencing each construction phase; and

(4) a municipality or a school district may request, in writing, a waiver to the construction document approval process set out in (1) - (3) of this subsection for a project based on the ability of the municipality or school district to provide a thorough and complete independent review.

(Eff. 3/1/78, Register 65; am 12/2/83, Register 88; am 4/17/98, Register 146; am ___/___/___, Register ____)

Authority:	AS 14.07.020	<u>AS 14.11.011</u>	AS 14.11.100
	AS 14.07.060	AS 14.11.020	

4 AAC 31.060(i) is amended to read:

(i) Reimbursement for rehabilitation costs under AS 14.11.100 is limited to projects exceeding **\$200,000** [\$25,000].

(Eff. 3/1/78, Register 65; am 2/24/83, Register 85; am 12/2/83, Register 88; am 9/12/85, Register 96; am 2/8/86, Register 97; am 5/30/90, Register 114; am 4/17/98, Register 146; am 7/13/2000, Register 155; am 6/17/2010, Register 194; am ___/___/___, Register ____)

Authority:	AS 14.07.020	AS 14.11.020	AS 14.11.102
	AS 14.07.060	AS 14.11.100	AS 14.11.132
	AS 14.11.011		

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4 AAC 31.061(b)(2) is repealed:

(2) repealed ___/___/___; [FOR A CAPITAL IMPROVEMENT PROJECT GRANT APPLICATION SUBMITTED TO THE DEPARTMENT BEFORE JANUARY 1, 1996, NONASSIGNABLE SPACE MAY NOT EXCEED 25 PERCENT OF THE TOTAL SPACE, EXCEPT THAT THE DEPARTMENT WILL, IN ITS DISCRETION, GRANT A VARIANCE OF UP TO 35 PERCENT OF TOTAL SPACE IN SMALL SCHOOLS IN REMOTE AREAS IF IT CAN BE DEMONSTRATED THAT THE VARIANCE IS IN THE BEST INTEREST OF THE STATE AND THE DISTRICT; AND]

(Eff. 9/12/85, Register 96; am 2/8/86, Register 97; am 5/30/90, Register 114; am 9/29/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am ___/___/___, Register ____)

Authority:	AS 14.07.020	AS 14.11.020	AS 14.11.102
	AS 14.07.060	AS 14.11.100	AS 14.11.103

4 AAC 31.064 is amended to read:

4 AAC 31.064. Redirection of bond proceeds. If a municipality has bond proceeds remaining after termination of all design, construction, and equipment contracts for [THE CONSTRUCTION OF] a project approved by the department for debt retirement under 4 AAC 31.060 and by local voters under AS 14.11.100(j), and the municipality seeks to construct a project different from the one approved by the department, the municipality may only receive reimbursement for the project if the new project is approved by the department and

(1) the bond proposition originally approved by the local voters authorized the use of any excess money for school capital projects such as the new project; or

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(2) the municipality meets the requirements of AS 14.11.100(j), including the requirement for a municipal election to approve the new use of the money. (Eff. 5/30/90, Register 114; am ___/___/___, Register ____)

Authority: AS 14.07.060 AS 14.11.100 AS 14.11.132

4 AAC 31.065(a) is amended to read:

(a) If a school district determines that it is necessary to engage the services of a private consultant to **provide** design, **commissioning**, or [PROVIDE] construction management **services** for an educational facility with money provided under AS 14.11.011 - AS 14.11.020, or for a project approved for reimbursement of costs under AS 14.11.100, and the estimated cost of the contract is more than \$50,000, **the contract shall be awarded to the most qualified proposer after evaluating proposals submitted in response to an approved solicitation.** The selection of the consultant shall be accomplished by soliciting written proposals by advertising **at least 21 days before the proposals are due by providing notice through publication** in a newspaper of general circulation. **The department may approve an alternate means of notice through publication on the Internet if the website has the express purpose of advertising similar solicitations, has unrestricted public access, and is equally likely to reach prospective proposers** [AT LEAST 21 DAYS BEFORE THE PROPOSALS ARE DUE. THE CONTRACT SHALL BE AWARDED TO THE MOST QUALIFIED OFFEROR, AFTER EVALUATING THE PROPOSALS SUBMITTED].

4 AAC 31.065 is amended by adding a new subsection to read:

(d) The department may deny or limit its participation in the costs of design,

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commissioning, or construction management for a project eligible for grant funding under AS 14.11.011 or for reimbursement under AS 14.11.100 if the school district does not comply with the requirements of this section. (Eff. 12/2/83, Register 88; am 8/31/90, Register 115; am ___/___/___, Register ___)

Authority: AS 14.11.017 AS 14.11.020 AS 14.11.132

4 AAC 31.080(b) is amended to read:

(b) The school district shall **publish** [PROVIDE] **the first** notice of its solicitation **at least 21 days** [BY ADVERTISEMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THIS STATE AT LEAST THREE TIMES] before the opening of the offers. [THE FIRST PRINTING OF THE ADVERTISEMENT MUST OCCUR AT LEAST 21 DAYS BEFORE OPENING THE OFFERS.] The department may approve a solicitation period shorter than 21 days when written justification submitted by the school district demonstrates that a shorter solicitation period is advantageous for a particular **project** [offer] and will result in an adequate number of responses. A school district may provide additional notice by mailing its solicitation to contractors on any list it maintains, and any other means reasonably calculated to provide notice to prospective offerors. **The district shall provide notice of its solicitation by publication at least three times in a newspaper of general circulation in the state. The department may approve an alternate means of notice through publication on the Internet if the website has the express purpose of advertising similar solicitations, has unrestricted public access, and is equally likely to reach prospective offerors.**

4 AAC 31.080(e) is amended to read:

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(e) The department may deny or limit its participation in the costs of construction for a project eligible **for grant funding under AS 14.11.011 or** for reimbursement under AS 14.11.100 if the school district does not comply with the requirements of this section. [A SCHOOL DISTRICT THAT ENTERS INTO A CONSTRUCTION CONTRACT FOR A PROJECT AUTHORIZED FOR CONSTRUCTION UNDER AS 14.11.020 THAT WAS AWARDED WITHOUT COMPETITIVE SELECTION UNDER THIS SECTION MAY NOT RECEIVE MONEY UNDER ITS PROJECT AGREEMENT FOR THE CONSTRUCTION PHASE OF THE PROJECT.]

4 AAC 31.080(f) is amended to read:

(f) Nothing in this section precludes a school district from using an alternative construction delivery method as defined and described in the **Project Delivery Method Handbook** [PROJECT DELIVERY METHOD HANDBOOK], **2017 edition** [NOVEMBER, 2004], adopted by reference, if the department approves the method in advance of any solicitation, the proposed method is in the state's best interest, and the school district concurs in any directives the department makes concerning the type of selection and award of the contract. The department may deny or suspend use of an alternative construction delivery method by a school district if the department concludes, based on substantial evidence, that use or repeated use of a delivery method by the school district has resulted or will result in limited competition or higher costs.

4 AAC 31.080(g) is amended to read:

(g) A school district may, with prior approval by the department, **enter into a lease or**

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purchase **agreement for, or accept a donation of**, an existing facility **or land** for use as an education-related facility if

(1) **for the purchase, lease or accepted donation of an existing facility**, a cost saving over new construction is achieved;

(2) the purchase **or lease** price is arrived at through impartial negotiation and is supported by a real estate appraisal that meets accepted standards; and

(3) the purchase, **lease, or donation** is in the best interests of the state and the school district.

4 AAC 31.080 is amended by adding a new subsection to read:

(i) The department may deny or limit its participation in the costs of a school capital project if the real property for the project is acquired by a school district through purchase, lease, or donation without the approval of the department under (g) of this section. (Eff. 12/2/83, Register 88; am 8/31/90, Register 115; am 4/17/98, Register 146; am 11/20/2005, Register 176; am ___/___/___, Register ___)

Authority: AS 14.07.060 AS 14.11.020 AS 14.11.132

4 AAC 31.085(a) is amended to read:

(a) The department may dispose of state-owned school buildings and other facilities under this section if it determines that the buildings or facilities are no longer needed to provide the educational program in the community in which they are located. The determination will be made in writing after consultation with the regional educational attendance area (REAA) in which the property is located, and the reasons for the determination will be documented. The

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department will not make a determination under this section unless the regional school board that was given a use permit under 4 AAC 31.090 for the property provides, in support of the determination, a resolution requesting termination of the use permit and declaring that the property, both land and buildings, is no longer needed for the purpose of providing education services. In addition, the regional school board must give notice of its excess property on a form provided by the department, and must agree that the conditions and responsibilities contained under 4 AAC 31.090 in the use permit will remain valid for a one-year period after the date of the notice or the date of last occupancy, whichever is later, unless the department, in writing, relieves the regional school board of responsibility in whole or in part. **Nothing in the section relieves a regional school board of its ongoing responsibilities or liabilities arising out of its interest in or use or operation of the property.**

(Eff. 10/4/90, Register 115; am 4/17/98, Register 146; am 12/19/2002, Register 164; am 6/17/2010, Register 194; am ___/___/___, Register: ___)

Authority: AS 14.07.030 AS 14.07.060

4 AAC 31.220 is amended to read:

4 AAC 31.220. Proof of insurance. Except for a district that has an authorized self-insurance program under 4 AAC 31.205, each school district shall provide to the department a certificate of insurance, by **July 15** [JULY 1] of each year, that provides notice of the per occurrence and aggregate limits of coverage, and shall provide for 45 days' notice to the department of cancellation, termination, or any material change in policy conditions. (Eff. 8/31/90, Register 115; am ___/___/___, Register ___)

Authority: AS 14.03.150 AS 14.07.060

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4 AAC 31.900(2) is amended to read:

(2) "capital equipment" means built-in and movable equipment used to furnish a newly constructed or rehabilitated space; it includes first-time purchase of library books, reference material, and media to furnish a new or renovated library; it does not include supply items such as textbooks and expendable commodities; the term is further defined in the *Guidelines for School Equipment Purchases* [GUIDELINES FOR SCHOOL EQUIPMENT PURCHASES], 2016 edition [1997 EDITION];

4 AAC 31.900(21) is amended to read:

(21) "school capital project" means a school construction or major maintenance project for which state aid is requested or provided when the costs of the construction or major maintenance exceed \$50,000 [\$25,000];

4 AAC 31.900 is amended by adding a new subsection to read:

(33) "construction manager" means a private consultant contracted by the school district during any phase of a school capital project to manage the project's scope, quality, and budget. (Eff. 3/1/78, Register 65; am 6/9/83, Register 86; am 12/2/83, Register 88; am 9/12/85, Register 96; am 8/31/90, Register 115; am 9/29/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am 2/18/99, Register 149; am 7/13/2000, Register 155; am 8/23/2001, Register 159; am 12/19/2002, Register 164; am 12/20/2002, Register 164; am 6/17/2010, Register 194; am __/__/__, Register: __)

Authority: AS 14.07.020

AS 14.11.020

AS 14.11.102

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AS 14.07.060

AS 14.11.100

AS 14.11.132

AS 14.11.011

PROJECT RESOURCES

November 12, 2018

Melissa McCormick
Department of Education & Early Development
801 W. 10th Street, Suite 200
P.O. Box 110500
Juneau, AK 99811-0500

Re: Comments on Proposed School Facility Planning Regulations

Dear Ms. McCormick:

The following are my comments on the proposed changes to the DEED School Facility Planning and Construction Regulations.

4 AAC 31.080 (i). What will be the effective date? Commissioning was not included in budget for FY 2019 and 2020 grants. Is this a design cost and will the % limit for A/E services be raised?

4 AAC 31.020 (a) (1) suggest deleting this reference as the CEFPI document is no longer current and CEFPI is now A4LE.

4 AAC 31.022(b) (1) The proposed regulation change is not affected, but Category G has not been included on the DEED grant application form.

4 AAC 31.030(a) Is not clear what constitutes "elements of plan" and at what stage of development is to be addressed?

4 AAC 31.040(a) (3) suggest rewording this section for clarification as final documents or the entire project may not be complete before commencing with phased work.

Thank you for the opportunity to comment on the proposed changes.

Sincerely,

Kathy J. Christy

Comments on Proposed School Facility Planning Regulations by Kathy J. Christy, Project Resources

Received November 12, 2018

COMMENT: 4 AAC 31.080 (i). What will be the effective date? Commissioning was not included in budget for FY 2019 and 2020 grants. Is this a design cost and will the % limit for A/E services be raised?

DEPT RESPONSE: The effective date will be the effective date of the regulations as determined by the Lt. Governor's office. The regulations will not be applied to funded projects. Future allocations of state aid for school capital projects will be reviewed to ensure funds are adequate for required commissioning. The Bond Reimbursement & Grant Review Committee will review the application to determine whether the current design services budget, as an allowable percentage of construction cost, needs modification.

COMMENT: 4 AAC 31.020 (a) (1) suggest deleting this reference as the CEFPI document is no longer current and CEFPI is now A4LE.

DEPT RESPONSE: The referenced document is the most current document on developing educational specifications provided by the organization now named A4LE. At such time as a new handbook is developed, the department will propose a regulation to update the reference.

COMMENT: 4 AAC 31.022(b) (1) The proposed regulation change is not affected, but Category G has not been included on the DEED grant application form.

DEPT RESPONSE: Statute sets out Category G (AS 14.11.013(a)(1)(G)) as a project required to "meet an educational need not specified in (A) — (F) of this paragraph, identified by the department". The department has not identified a need that warrants inclusion of this category in the application.

COMMENT: 4 AAC 31.030(a) Is not clear what constitutes "elements of [the] plan" and at what stage of development is to be addressed?

DEPT RESPONSE: This is clarified in the following subsection, 4 AAC 31.030(b); it was not listed in the proposed regulation because it was not amended.

COMMENT: 4 AAC 31.040(a) (3) suggest rewording this section for clarification as final documents or the entire project may not be complete before commencing with phased work.

DEPT RESPONSE: The revised regulations do not address this particular subsection. We agree the subsection may need some clarification and will mark it for future work.

Comments on Proposed School Facility Planning Regulations by the Bond Reimbursement & Grant Review Committee

Received October 17, 2018

COMMENT: 4 AAC 31.023(e) adds a definition for “construction costs” as used within the 31.023 section. That definition includes the phrase, “or forced account work”; force account should be defined. At DOT this is a common term but there is another technical name for this type of construction; even though we know what it is, it should be defined well enough legally, so it can be implemented.

DEPT RESPONSE: We concur the term ‘force account’ has a variety of definitions in the construction industry. We describe Force Account as a project delivery method in the DEED publication *Project Delivery Method Handbook, 2017*. This publication has the force of regulation and the term ‘force account’ as used in this section will be as described in that handbook.

COMMENT: 4 AAC 31.023(c)(2)(A) is amended to include ‘application costs’. The regulations to not provide a definition for application costs – it might be important to be clear on what are considered “application costs” because the department could end up in a situation where a district files for reimbursement of an entire building survey, when the project activity only involves a portion of it.

DEPT RESPONSE: We concur that the term ‘application costs’ is not a defined term and that it could consist of a variety of internal and contracted expenditures. Adding the term was intentional and is intended to cover this broad spectrum of costs as allowable pre-award expenditures. Necessary clarity as to the limit of applicability is provided by the addition of clarifications in subsection (B), which limit the expenditures to those supporting the initial submission of the grant or other financial assistance application which has a substantially identical scope approved under 4 AAC 31.025. In the above example, it should be possible to differentiate between expenditures supporting the scope and those not supporting the scope of the project.



Project Delivery Method Handbook

**PRIMARY
AUTHOR**

Tim Mearig
Facilities Manager
Alaska Department of Education & Early Development
Juneau, Alaska

CONTRIBUTORS

Alaska Chapter CEFPI
Working Group on Alternative Project Delivery

Facilities Staff
Alaska Department of Education & Early Development
Juneau, Alaska

State of Alaska
Bond Reimbursement & Grant Review Committee

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State of Alaska
Department of Education & Early Development
Juneau, Alaska

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Introduction

In 1978, the Department of Education & Early Development (DEED) began regulating school capital projects following passage of legislation amending then existing statutes to include a requirement to:

. . . review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and . . . determine and approve the extent of eligibility for state aid of a school construction project [AS 14.07.020(11)]

By 1981, DEED had taken over full responsibility for administering state aid for school capital projects from the Department of Transportation & Public Facilities. One of the key components in administering capital funding was to establish procedures for the procurement of construction services. By statute, political subdivisions of the state, including school districts in unorganized areas of the state, are exempt from the state's procurement code (ref. AS 14.08.101). Accordingly, and under its powers, DEED established some minimum provisions for the procurement of construction by regulation in 1983 (ref. 4 AAC 31.080).

These provisions reflect key elements of the state's procurement code, including:

- competitive sealed bids;
- minimum advertising and notice periods;
- processes for aggrieved bidders; and
- award to the low responsible bidder.

Although adequately advertised competitive sealed bids awarded to the low offeror form the basis of DEED's process, regulations included a provision to allow a school district to use a design/build contracting method with DEED approval and district compliance with any DEED directives.

DEED began to see an increasing interest in alternative construction delivery methods beginning with a project funded in July 1998 for an addition/renovation project in Buckland. Following that date and through mid-2003, the department acted on several requests for alternative construction delivery. In each case, under the provisions of regulations, DEED approved a request for a non-traditional delivery method with varying stipulations and under various titles such as CM/Multiple Prime, and Design Assist.

Prior to that time period, there was a series of design-build efforts in the Bering Strait School District. Primarily, these were accomplished on schools damaged or destroyed by fire and did not have direct state aid but were funded with insurance proceeds.

In addition to the Bering Strait experience, the Anchorage School District also has experience using the design-build delivery method on school projects. These projects include an elementary constructed with state aid (Williwaw Elementary - 1993) and several projects without any state aid (ABC Elementary, Russian Jack Elementary, and Government Hill Elementary).

Introduction (cont.)

The procurement results from solicitations of projects approved for alternative delivery methods raised significant questions regarding procedures, competition, and prices. This led the Facilities staff at DEED to seek a “moratorium” on alternative construction delivery. The moratorium, ultimately not implemented, was intended to provide time for DEED and its constituents to sort out issues, apply lessons learned and develop a more coordinated, defensible and effective approach to alternative delivery methods and their approval.

Following is a list of concerns brought to light over the course of the prior years of activity:

- DEED had approval authority for design-build but had granted approval ad-hoc for other construction delivery variants, some not recognizable within industry norms.
- Design-build approvals had been granted for projects where design completion ranged from 50% to 99% complete.
- Design-build criteria packages establishing an *Owner's* performance requirements were noticeably absent; partially complete detailed designs were the substitute document.
- Design-build approvals had been granted for projects in which the *Owner* directed the use of a specific team of design professionals.
- Bid solicitations on comparable projects had resulted in no fewer than four and as many as eight offerors, however, three projects approved for design-build had only two offerors; the same two for each project.
- Bid solicitations on comparable projects in the same time periods had resulted in construction awards up to 35% below (approx. 12% average) the estimated construction cost; however, projects approved for design-build had typically used all available design and construction funds.
- A project was approved for CM/GC where the proposed total construction cost was not a factor in the selection process.
- Factors not germane to the lowest cost to the state, or at best difficult to measure, were heavily influencing alternative project delivery procurement; primarily this related to the incorporation of local hire initiatives.
- Alternative delivery methods approved, which incorporated multiple prime contracts and *Owner*-procured materials, were fraught with expensive “corrections”.

A 2003 workshop jointly conducted by DEED and the Alaska chapter of the Association For Learning Environments (A4LE—previously CEFPI) laid the groundwork for this publication. In the public sector, the central issue in moving from a low-bid process to any of the alternative project delivery methods is the shift in influence that the public entity wields in the selection process. In the low-bid process, where the only significant factor differentiating between offerors is price, the *Owner* is essentially “blind” to factors of experience, capacity, personnel, political ties, etc. While this can occasionally result in selection of a less desirable contractor, it always provides an arms-length separation between the *Owner* and contractor selection. It essentially removes the possibility of undue influence. A secondary effect of the exclusive focus on price is that offerors are forced to become price-competitive. This generally serves to drive the initial cost to the *Owner* to the lowest level.

Introduction (cont.)

A move to alternative project delivery methods is a move toward *Owner* influence and subjectivity in the procurement of construction. It also provides conditions in which the cost of the work is secondary and therefore potentially higher. However, the benefits to the *Owner* are numerous and are best summarized with the term “best value”. All factors considered—cost, quality, experience, schedule, etc.—*Owners* are more likely to receive a product that meets all of their objectives using a project delivery method that incorporates both qualifications and cost.

For DEED, and other public entities, the need is to establish the proper balance between complete control of *Owners* to choose a “most favored” contractor and the complete lack of control by *Owners* with the choice made for them based on lowest initial cost. This handbook provides the guidance and provisions to meet those standards of care.

Ability to Use Alternative Project Delivery

Introduction

The Alaska Department of Education & Early Development strongly supports full and open competition among general and specialty contractors and their suppliers and service providers. The construction industry's health and integrity depends on every qualified firm having an equal opportunity to compete for work. Public owners must be diligent in honoring the public trust while searching for the most efficient and cost effective approaches to delivering construction projects. These efficiencies and cost effective methods are increasingly requiring innovation and flexibility. The public owners who choose alternative project delivery options must ensure the method chosen is properly and fairly used to serve the public interest and provides quality, cost-effective and timely construction. Whatever option is utilized, the selection process for both design services and construction should be consistent, open and competitive.

Of the delivery options discussed in this Handbook, none is prohibited by the laws of Alaska. However, given current state policy and statutory requirements, the "traditional" method of Design-Bid-Build will continue to be the method by which most construction will be performed in Alaska's school districts. This section of the handbook suggests that alternative project delivery options are appropriate for the public sector if the selection process is as open, fair, objective, cost-effective, and free of political influence as the traditional competitive bid method. Specific approval may be required for the use of an alternative delivery method on school projects incorporating state-aid. For instructions on how to get the necessary approvals, contact your agency procurement professionals or the State of Alaska, Department of Education & Early Development.

Alaska Statutes and Administrative Code

Alaska Statutes

Alaska statutes provide for innovative procurements under the state procurement code and include the provisions that such procurements be competitive and that they test best value.

AS 36.30.308. Innovative procurements.

(a) A contract may be awarded for supplies, services, professional services, or construction using an innovative procurement process, with or without competitive sealed bidding or competitive sealed proposals, in accordance with regulations adopted by the commissioner. A contract may be awarded under this section only when the chief procurement officer, or, for construction contracts or procurements of the state equipment fleet, the commissioner of transportation and public facilities, determines in writing that it is advantageous to the state to use an innovative **competitive procurement** process in the procurement of new or unique requirements of the state, new technologies, or to achieve **best value**.

Ability to Use Alternative Project Delivery (cont.)

Statutes acknowledge that all school districts, whether in political subdivisions of the state or in regional education attendance areas, are exempt from the state's procurement code (excepting a few areas such as prevailing wage requirements) and may develop their own procurement policies.

AS 14.08.101. Powers. A regional school board may . . .

(3) determine its own fiscal procedures, including but not limited to policies and procedures for the purchase of supplies and equipment; the regional school boards are exempt from AS 37.05 (Fiscal Procedures Act) and AS 36.30 (State Procurement Code)

Alaska Administrative Code

Notwithstanding that recipient entities of funding administered under AS 14.11 are exempt from the state procurement code, DEED has provided, through regulation, requirements for construction procurement. These requirements are based on those factors of procurement that are critical to a competitive process (e.g., advertising periods, bid protest periods, etc.). The regulations also establish that competitive sealed bids will be the normal procurement method but provide for other alternatives.

4 AAC 31.080. Construction and acquisition of public school facilities.

(a) A school district shall construct a public educational facility with money provided through a grant under AS 14.11.011 - AS 14.11.020 or shall construct a public educational facility that is eligible for reimbursement under AS 14.11.100 under a written contract awarded on the basis of competitive sealed bids. If the estimated construction cost is less than \$100,000 or if it is in the best interests of the state, the school district may, with the approval of the commissioner, construct the educational facility itself using its own employees.

(b) The school district shall provide notice of its solicitation by advertisement in a newspaper of general circulation in this state at least three times before the opening of the offers. The first printing of the advertisement must occur at least 21 days before opening the offers. The department may approve a solicitation period shorter than 21 days when written justification submitted by the school district demonstrates that a shorter solicitation period is advantageous for a particular offer and will result in an adequate number of responses. A school district may provide additional notice by mailing its solicitation to contractors on any list it maintains, and any other means reasonably calculated to provide notice to prospective offerors.

(c) The school district shall provide for the administrative review of a complaint filed by an aggrieved offeror that allows the offeror to file a bid protest, within 10 days after notice is provided of intent to award the contract, requesting a hearing for a determination and award of the contract in accordance with the law. The school district shall provide notice to all interested parties of the filing of the bid protest.

(d) The award of a contract for the construction of an educational facility under this section must be made without regard to municipal ordinances or school board resolutions granting a preference to local offerors.

(e) The department may deny or limit its participation in the costs of construction for a project eligible for reimbursement under AS 14.11.100 if the school district does not comply with the requirements of this section. A school district that enters into a

Ability to Use Alternative Project Delivery (cont.)

construction contract for a project authorized for construction under AS 14.11.020 that was awarded without competitive selection under this section may not receive money under its project agreement for the construction phase of the project.

(f) Nothing in this section precludes a school district from using an alternative construction delivery method as defined and described in the Project Delivery Method Handbook, current edition, adopted by reference, if the department approves the method in advance of any solicitation, the proposed method is in the state's best interest, and the school district concurs in any directives the department makes concerning the type of selection and award of the contract. The department may deny or suspend use of an alternative construction delivery method by a school district if the department concludes, based on substantial evidence, that use or repeated use of a delivery method by the school district has resulted or will result in limited competition or higher costs.

(g) A school district may, with prior approval by the department, purchase an existing facility for use as an education-related facility if

(1) a cost saving over new construction is achieved;

(2) the purchase price is arrived at through impartial negotiation and is supported by a real estate appraisal that meets accepted standards; and

(3) the purchase is in the best interests of the state and the school district.

(h) Notwithstanding (a) of this section, a school district may use any competitive procurement methodology for its solicitation for a public educational facility that is practicable under the circumstances to procure construction services that are estimated not to exceed \$100,000, inclusive of labor and materials. A school district may not artificially divide or fragment a procurement so as to constitute a purchase under this subsection or to circumvent the selection procedures otherwise required by this section.

Overview of Project Delivery Options

Introduction

The purpose of this section is to establish a framework for understanding and selecting the appropriate project delivery option. It is critical to have consensus on a list of project delivery options and on the definition of each of the delivery options. Definitions of the options are discussed in this section and reiterated for quick reference in Appendix A. Understanding the differences in project delivery options requires an awareness of two independent factors, the structure of the *Owner's* prime contract(s) for the project and the provisions under which the selection of the project delivery entities (i.e., *Designer* and *Constructor*) are made. Each project delivery option is defined by a unique combination of *contract type* and *selection method*. Embedded in the definitions of each project delivery option, there are two basic terms that are used as selection-method differentiators for the alternative project delivery methods. These terms are *total construction cost* and *construction cost of work* (see sidebar).

This handbook uses the definition of a “project delivery option” as a method of procurement by which the *Owner's* assignment of “delivery” risk and performance for design and construction has been transferred to another party or parties. These parties typically are a *Design* entity that takes responsibility for the design, and a *Construction* entity that takes responsibility for performance of construction. However, a key principle of alternative project delivery is that benefits are available to *Owners* when these traditionally distinct entities are strategically aligned or even merged. It is when these benefits outweigh the risks that an alternative project delivery method becomes advisable. The relationship between these parties and the *Owner* is the second determinant in establishing a project delivery option. While no further attempt to define the terms *designer* and *contractor* are necessary—the terms being well understood within the industry—the terms used to describe the alignment or merging of these entities is unique to the project delivery discourse. These terms (*Design-Build*, *CM/GC*, etc.) often become points of significant distraction when attempting to “debate” the merits of alternative project delivery. Fortunately, for the purposes of this handbook, the sole understanding of these terms need only occur within the context of how an *Owner* chooses to contract with the *Designer* and *Constructor* (see sidebar).

Selection Differentiators

Construction Cost of Work is one of the three factors that comprise the Total Construction Cost:

Construction Cost of Work
+ General Conditions
+ Contractor's Fee

Total Construction Cost

It represents the “fixed” costs of labor and materials as provided for in the project scope. In addition to the Construction Cost of Work, the Total Construction Cost includes the contractor's General Conditions (i.e., its overhead—the cost of doing business) and the Contractor's Fee (i.e., its profit).

Contract Differentiators

Owner holds one contract for both Design & Construction = *Design-Build*
Owner holds separate contracts for Design & Construction = *CM/GC* or *Traditional*

Overview of Project Delivery Options (cont.)

Selection Method Factors

Another key aspect related to the use of any project delivery option is the procurement and selection process to be followed, particularly as it relates to the construction services. There are two basic public procurement processes: competitive sealed bid and competitive sealed proposal. Under *competitive sealed bids*, the selection is made solely based on price (which must be clearly defined), with the award going to the responsible and responsive bidder submitting the lowest price. *Competitive sealed proposals* on the other hand require the use of evaluation factors that may or may not include price elements (i.e., cost, fee, etc.) as part of the evaluation criteria.

Under the two basic procurement processes, there are three selection methods that may be followed with proposals and one for bids.

For proposals:

- Qualifications (excluding any cost factors)
- Qualifications and Costs Factors (excluding the *Construction Cost of Work*)
- Qualifications and *Construction Cost of Work*

For bids:

- *Total Construction Cost* (excluding any qualifications)

Contract Type Factors

The contract type component of the project delivery options is related to the number of primary contracts for design and construction, and the basic services provided.

The three primary contract types are defined with their distinguishing characteristics as follows:

- *Designer & General Contractor* (two prime contracts, one with each entity, *Designer* and *Constructor* with the GC contract after design is complete).
- *Designer & Construction Manager/General Contractor* (two prime contracts, *CM/GC* contract may provide for design related management services (e.g., cost estimating, constructability review, etc.) prior to construction).
- *Designer/Constructor* (single contract for design and construction with one entity).

The Matrix: Selection Method and Contract Type

Conceivably, any contract type can be implemented with any selection method. However, some combinations may not be practical, desirable, or prudent in most circumstances. The dual decisions to (a) use a particular contractual arrangement, and (b) use any of the four selection methods should be made concurrently. As discussed in the following section, **Project Delivery Method Selection**

A Word About “Price”

To appreciate the explanation of the difference between Competitive Sealed Bids and the two types of Competitive Sealed Proposals (cost and qualifications), it is helpful to have an understanding of the Total Project Cost.

$$\begin{array}{r} \textit{Total Construction Cost} \\ + \textit{Design Fees} \\ \hline \textit{Total Design \& Construction Cost} \\ + \textit{Balance of Project Costs} \\ \hline \textit{Total Project Cost} \end{array}$$

It is recommended that caution be used any time the word “price” is used and further clarification be offered to better determine which of the element(s) of the Total Project Cost is being referred to when the word price is mentioned.

Overview of Project Delivery Options (cont.)

Criteria & Processes, the decision must also consider several *Owner* and project related critical factors such as:

- The desired contractual and working relationship between the parties
- The timing and scope of services to be provided
- The timing and extent of detailed project information available to support the procurement/selection process.

Given the above, the balance of this section of the handbook discusses those combinations of contract type and selection method that yield project delivery methods suitable for the public procurement arena and that are accepted by the Alaska Department of Education & Early Development. Also, for the sake of simplicity, titles for each project delivery option are introduced that most closely align industry terminology with the department's goals for each of the delivery options. For example, the traditional public sector delivery method of having separate design and construction contracts, and where the contractor is selected by evaluating the lowest *total construction cost* offered, is most commonly referred to as **Design-Bid-Build**.

The complete list of project delivery options treated in this handbook, along with the corresponding selection method is:

1. **Design-Bid-Build** – competitive sealed bids (D-B-B)
2. **Construction Management/General Contractor** – competitive best value of cost and qualifications (CM/GC BV)
3. **Construction Management/General Contractor** – competitive qualifications (CM/GC QBS)
4. **Design-Build** – competitive best value of cost and qualifications (D-B BV)
5. **Design-Build** – competitive qualifications (D-B QBS)
6. **Design-Build** – competitive sealed bids or proposals (D-B Bid)

Many who are primarily familiar with Design-Bid-Build think of Design-Build as the only “alternative” delivery option. Several states’ attempts at legislating alternative project delivery have been very successful in adding one or two options to the traditional list of one (Design-Bid-Build). Few it seems, however, have included all the options very clearly.

Again, since there are no industry standard definitions, everyone has chosen a slightly different set of characteristics to define various delivery options. The **Project Delivery Option Matrix** (see following page) takes this to its simplest form and identifies the characteristics that this handbook uses to uniquely define each option. Each individual can take any delivery option, test it against these criteria, insert their own names and they will be able to align the name of their method with the names chosen for use by DEED for review and approval of project delivery options listed in the matrix. If a contract type and selection method cannot be categorized as a version of these six basic options, the reader is encouraged to contact DEED/Facilities for clarification and assistance.

The following discussion provides the definitions chosen for each of the project delivery options. In order to have a definition that works in as many situations as possible, DEED limited the number of characteristics used to define each option to three unique variables. By having a unique combination of these three defining variables, each delivery option is “uniquely” defined.

Overview of Project Delivery Options (cont.)

There are many “other” characteristics that apply to each of these options. Some of these “other” characteristics are typical characteristics of a particular delivery option but are not used in this handbook as a “unique” defining characteristic. The following example explains why:

Pre-construction Services—work provided by a *Constructor* prior to construction start—are typically provided with the CM/GC project delivery option. Are preconstruction services essential to the definition of this delivery option? Could one use CM/GC, hiring a contractor based on criteria other than low price, after the design is already complete and the need for preconstruction services no longer required? Would this still be CM/GC? Based on the definition used in this handbook, the answer is yes.

If pre-construction services were a “unique” characteristic, then you would have to have two types of CM/GC, one with and one without preconstruction services. This would not be right or wrong. The challenge would be where to stop. The more characteristics used to define a delivery option, the more “unique” combinations and thus, the more delivery options you would end up with on your list.

The goal was to keep the definitions used in this handbook as broad, as essential, as possible so they will work with most industry accepted definitions. Therefore, for purposes of this handbook, characteristics such as preconstruction services are considered to be one of the “other” characteristics (though typical) of CM/GC, but not a “unique” defining characteristic of CM/GC.

Finally, before describing in detail the consensus delivery methods being made available for school capital projects through this handbook, it is appropriate to acknowledge three other project variants. The first, Force Account, is an alternate delivery methods sometimes seen in Alaskan projects. The second, Multiple Prime Contracts, is a project strategy which, ultimately, will use one or more of the project delivery options described in this handbook. The third, Construction Management, has two common variations and is a project or program management strategy.

Force Account, sometimes referred to as In-House on projects with small scopes, is a project delivery method in which there is neither a solicitation nor a contract between parties performing design and construction. Under this delivery method, the *Owner* serves as the *Constructor* and uses labor from its own forces—or direct-hired to supplement its forces—to complete the work. Since, under this delivery method, all risk is borne by the *Owner*, it is best used only on low-risk projects. DEED regulations provide for approval of Force Account or In-House project execution if the estimated cost is less than \$100,000, or if it is determined to be in the best interest of the state (ref. 4 AAC 31.080(a)).

Multiple Prime Contracts is a project strategy that, in response to issues in the project environment, divides a project into discrete project elements or project phases and uses separate solicitations and contracts for each. Care must be taken to coordinate these contracts well. This project strategy can result in increased risk to the *Owner* when the work of one *Designer* or *Constructor* must be relied on by another to perform their work. DEED has no regulations prohibiting this project strategy but each work element must be procured in compliance with regulations. (See page 28 for additional discussion of this strategy.)

Overview of Project Delivery Options (cont.)

Construction Management is a project or program management strategy. Construction Management professionals—often also Architects and Engineers—serve Owners in managing individual projects or entire capital project programs. The two most common contract structures for construction management services are CM-Advisor and CM-At Risk. A CM-Advisor serves as the Owner’s principal agent to advise or manage all process over the life of the project regardless of the delivery method used. Alaska statutes (AS 14.11.020) provide for construction management activity on school capital projects with state-aid and implement some restrictions on the cost of this service as a portion of the project’s appropriation. Under a CM-At Risk contract, the Owner not only uses a construction manager in the project development phases but also assigns that CM a construction performance role—essentially making that CM the legal equivalent of a general contractor or *Constructor*. There is inadequate statutory and regulatory authorization for awarding a CM-At Risk contract that ensures fair, open, and competitive selection for construction elements of a school project or projects. **As such, CM-At Risk contracts are not permitted for use on projects with funding under AS 14.11.**

There are three Yes/No toggles in the delivery option determination matrix, three questions that when answered in the affirmative or negative, provide the project delivery options from which an Owner may select. The combination of factors combines to create six, and only six, options under which a school capital project may be delivered. The three questions are these—

1. Are the *Designer* and *Constructor* contracts combined (or separate)?
2. Is the *Construction Cost of Work* a selection criteria?
3. Is the *Total Construction Cost* the sole selection criteria?

The resulting delivery options are as shown in the following **Project Delivery Options Matrix**.

SELECTION	CONTRACT TYPES	
	DESIGNER & CONSTRUCTOR (w/SEPARATE CONTRACTS)	DESIGNER/CONSTRUCTOR (ONE CONTRACT)
Competitive Sealed Bid (Low Bid) <i>Total Construction Cost is <u>sole</u> criteria for selection</i>	Design-Bid-Build	Design-Build-Bid
Competitive Cost Proposal (Best Value) <i>Total Construction Cost weighted with other factors for selection</i>	CM/GC Best Value (BV)	Design-Build Best Value (BV)
Competitive Qualifications Proposal (Qualifications Based Selection) <i>Total Construction Cost is <u>not</u> a factor for selection</i>	CM/GC QBS	Design-Build QBS

Overview of Project Delivery Options (cont.)

In the following discussion, the unique combination of characteristics is listed for each project delivery option along with some “other” characteristics that are typical of each option but not defining. An overview of the typical phases of each delivery option is also covered.

Defining Design-Bid-Build – Unique Characteristics of (D-B-B)

Design-Bid-Build is the most common project delivery option. It is often referred to as the “traditional” method. For school projects in Alaska with a state contribution, Design-Bid-Build is the default delivery method. All other project delivery options require a specified approval.

There are three prime players: *Owner*, *Designer*, and *Constructor* (general contractor)

The three-question test has the following result:

Are the *Designer* and *Constructor* contracts combined?

NO

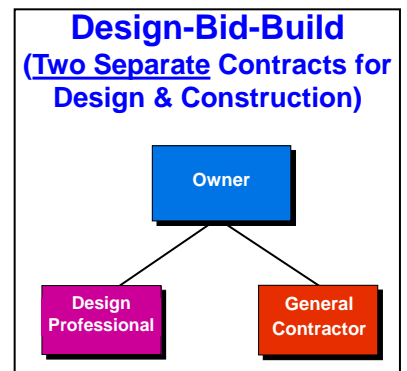
Is the *Construction Cost of Work* a selection criteria?

YES

Is the *Total Construction Cost* the sole selection criteria?

YES

Contractor selection: Based on *Total Construction Cost* with the award going to the lowest responsible and responsive bidder.



Design-Bid-Build – Other Characteristics

- Relationship of Phases: linear sequencing of each of the project phases
- Ability to Bring *Constructor* on Board During Design: **No**
- Risk Allocation: Design risk (quality) allocated to *Designer*; Construction risk (cost and schedule) allocated to general contractor after design is complete and completion of bid and award phase; *Owner* is responsible for adequacy and completeness of design.

Phases – Design-Bid-Build

- Planning – The scope of the project and expectations of quality are established by the *Owner* and any consultants it may need. A delivery option is selected and corresponding budget and schedule are also established.
- Design – When the Planning has been completed, the *Owner* selects and engages the design team for the design and preparation of construction documents.
- Award – When design documents are complete, they are used for construction bidding. A *Constructor* is selected based on the lowest responsible and responsive price and construction cost commitments are made.
- Construction – The *Owner* contracts for construction with the general contractor and the project is built.
- Occupancy – After the construction of the entire project has been completed, the *Constructor* leaves the site to allow for move-in (installation of *Owner*-furnished equipment and furnishings) and occupancy. If arrangements are made in advance, certain areas of the project (partial occupancy) can be occupied prior to the completion of the entire project.

Overview of Project Delivery Options (cont.)

Defining Construction Manager/General Contractor Best Value – Unique Characteristics of CM/GC BV

There are three prime players: *Owner*, *Designer* and *Constructor* (manager-general contractor)

The three-question test has the following result:

Are the *Designer* and *Constructor* contracts combined?

NO

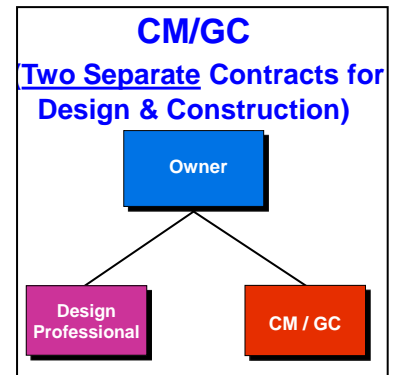
Is the *Construction Cost of Work* a selection criteria?

YES

Is the *Total Construction Cost* the sole selection criteria?

NO

CM/GC selection: Based on a best value weighting of *Total Construction Cost* with other factors; the award goes to the CM/GC that best meets the predefined qualifications and cost selection criteria.



CM/GC Best Value – Other Characteristics

- Relationship of Phases: can accommodate overlapping of each of the project phases
- Ability to Bring Constructor on Board During Design: **Yes**
- Risk Allocation: Design risk (quality) allocated to *Designer*; Construction risk (cost and schedule) allocated to CM/GC at the time of selection based on the design documents at the point in time of the selection. *Owner* is responsible for adequacy and completeness of design.

Phases – CM/GC Best Value

- Planning – The scope of the project and expectations of quality are established by the *Owner* and any consultants it may need. A delivery option is selected and corresponding budget and schedule are also established.
- Design – When the Planning has been completed, the *Owner* selects and engages the design team for the design and preparation of construction documents.
- Award – Generally prior to the completion of design documents, a CM/GC is selected based on a combination of price and qualifications and a guaranteed maximum price for construction is established at selection.
- Construction – The *Owner* contracts for construction with the CM/GC who then contracts with the various trade contractors using cost as the primary selection criteria. The CM/GC can be available during the final design phase to assist in constructability and budget reviews. Work can begin as soon as phased construction documents are completed.
- Occupancy – After the construction of the entire project has been completed, the *Constructor* leaves the site to allow for move-in (installation of *Owner*-furnished equipment and furnishings) and occupancy. If arrangements are made in advance, certain areas of the project (partial occupancy) can be occupied prior to the completion of the entire project.

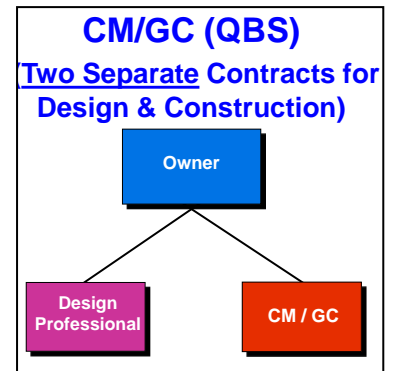
Overview of Project Delivery Options (cont.)

Defining Construction Manager/General Contractor Qualifications Based Selection – Unique Characteristics of CM/GC QBS

There are three prime players: *Owner*, *Designer* and *Constructor* (manager-general contractor)

The three-question test has the following result:

Are the <i>Designer</i> and <i>Constructor</i> contracts combined?	NO
Is the <i>Construction Cost of Work</i> a selection criteria?	NO
Is the <i>Total Construction Cost</i> the sole selection criteria?	NO



CM/GC selection: Qualifications based; does not incorporate any weighting for the *Construction Cost of Work*. Rather, selection is based on weighting of predefined criteria with the award going to the offeror that best meets the predefined criteria; selection criteria must include weighting of some cost factors at 50% unless otherwise approved by DEED. Typically these include *General Conditions* or *Fee* costs.

CM/GC QBS – Other Characteristics

- Relationship of Phases: can accommodate overlapping of each of the project phases
- Ability to Bring *Constructor* on Board During Design: **Yes**
- Risk Allocation: Design risk (quality) allocated to *Designer*; Construction risk (cost and schedule) allocated to CM/GC after design is complete enough to allow all parties to mutually agree. *Owner* is responsible for adequacy and completeness of design.

Phases – CM/GC QBS

- Planning – The scope of the project and expectations of quality are established by the *Owner* and any consultants it may need. A delivery option is selected and a corresponding budget and schedule are also established.
- Design - When the Planning has been completed, the *Owner* engages the design team for the design and preparation of construction documents for the project.
- Award – Generally prior to the completion of the design documents, a CM/GC is selected based on the qualifications of the CM/GC. The cost of the CM/GC's *Fee* and *General Conditions* may also be a consideration.
- Construction – The *Owner* contracts for construction with the CM/GC who then contracts with the various trade contractors based on selection criteria agreed upon by the *Owner*. The CM/GC can be available during the final design phase to assist in constructability and budget reviews. Work can begin as soon as phased construction documents are completed. The establishment of the Guaranteed Maximum Price or Lump Sum can be postponed until more complete design and cost information is available.
- Occupancy – After the construction of the entire project has been completed, the *Constructor* leaves the site to allow for move-in (installation of *Owner*-furnished equipment and furnishings) and occupancy. If arrangements are made in advance, certain areas of the project (partial occupancy) can be occupied prior to the completion of the entire project.

Overview of Project Delivery Options (cont.)

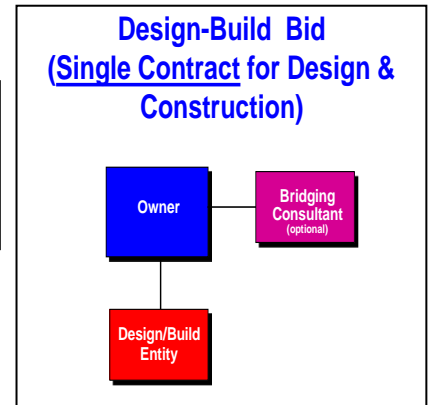
Defining Design-Build Bid – Unique Characteristics

There are two prime players: The *Owner* and the *Design-Builder*. [The *Designer* (architect) and the *Constructor* (general contractor) are combined into one entity.]

The three-question test has the following result:

Are the <i>Designer</i> and <i>Constructor</i> contracts combined?	YES
Is the <i>Construction Cost of Work</i> a selection criteria?	YES
Is the <i>Total Construction Cost</i> the sole selection criteria?	YES

Design-Builder selection: Based on *Total Design and Construction Cost* with the award going to the lowest responsible and responsive bidder.



D-B Bid – Other Characteristics

- Relationship of Phases: Can accommodate overlapping of each of the project phases
- Ability to Bring *Constructor* on Board During Design: **Yes**
- Risk Allocation: Design risk (quality) and Construction risk (cost and schedule) allocated to *Design-Builder* at the time of selection based on design criteria at the point in time of the selection. *Design-Builder* is responsible for adequacy and completeness of design and subsequently the entire project; *Owner* is responsible for adequacy of design criteria.

Phases – D-B Bid

- Planning – The scope of the project and expectations of quality are established by the *Owner* and any consultants it may need. A delivery option is selected and a corresponding budget and schedule are also established.
- Bridging - Hiring a consultant (optional) to assist in developing the design to some point without completing the final design, and then allowing another firm, usually a design-build entity, to complete the design is referred to as bridging. The initial design firm is often referred to as the “bridging architect” and the firm completing the design is the architect of record and assumes the liability for the design.
- Design – Based on a set of design criteria provided by the *Owner* (which should be extensive if using this option), *Design-Builder* prepares phased construction documents. *Constructor* component of the *Design-Builder* is available during this period for constructability and budget reviews.
- Award – Concurrent award of both the design and construction phases. Lump Sum is established at selection.
- Construction – *Design-Builder* selects trade contractors, usually with cost as the primary selection criteria. Construction can begin as soon as phased construction documents are available.
- Occupancy – After the construction of the entire project has been completed, the *Constructor* leaves the site to allow for move-in (installation of *Owner*-furnished equipment and furnishings) and occupancy. If arrangements are made in advance, certain areas of the project (partial occupancy) can be occupied prior to the completion of the entire project.

Overview of Project Delivery Options (cont.)

Defining Design-Build Best Value – Unique Characteristics of D-B BV

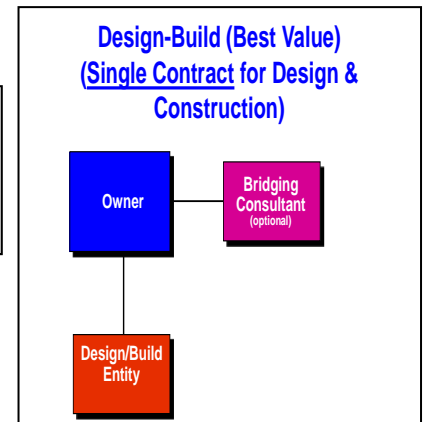
There are two prime players: The *Owner* and the *Design-Builder*. [The *Designer* (architect) and the *Constructor* (general contractor) are combined into one entity.]

The three-question test has the following result:

- Are the *Designer* and *Constructor* contracts combined?
- Is the *Construction Cost of Work* a selection criteria?
- Is the *Total Construction Cost* the sole selection criteria?

YES
YES
NO

Design-Builder selection is based on some weighting of *Total Construction Cost* including the *Construction Cost of Work* with the award going to the *Design/Builder* that best meets the predefined qualifications and cost selection criteria.



Design-Build BV – Other Characteristics

- Relationship of Phases: Can accommodate overlapping of the project phases
- Ability to Bring *Constructor* on Board During Design: **Yes**
- Risk Allocation: Design risk (quality) and Construction risk (cost and schedule) allocated to *Design-Builder* at the time of selection based on design criteria and building requirements at the point in time of the selection. *Design-Builder* is responsible for adequacy and completeness of design and subsequently the entire project; *Owner* is responsible for adequacy of design criteria.

Phases – Design-Build BV

- Planning – The scope of the project and expectations of quality are established by the *Owner* and any consultants it may need. A delivery option is selected and a corresponding budget and schedule are also established.
- Bridging – Hiring a consultant (optional) to assist in developing the design to some point without completing the final design is referred to as bridging. The initial design firm is often referred to as the “bridging architect” and the firm completing the design is the architect of record and assumes the liability for the design.
- Design – Based on a set of design criteria provided by the *Owner*, *Design-Builder* prepares phased construction documents. *Constructor* component of the *Design-Builder* is available during this period for constructability and budget reviews.
- Award – Concurrent award of both the design and construction phases. Guaranteed Maximum Price is usually established at selection.
- Construction – *Design-Builder* selects trade contractors, usually with cost as the primary selection criteria. Construction can begin as soon as phased construction documents are available.
- Occupancy – After the construction of the entire project has been completed, the *Constructor* leaves the site to allow for move-in (installation of *Owner*-furnished equipment and furnishings) and occupancy. If arrangements are made in advance, certain areas of the project (partial occupancy) can be occupied prior to the completion of the entire project.

Overview of Project Delivery Options (cont.)

Defining Design-Build Qualifications Based Selection – Unique Characteristics of D-B QBS

There are two prime players: The *Owner* and the *Design-Builder*. [The *Designer* (architect) and the *Constructor* (general contractor) are combined into one entity.]

The three-question test has the following result:

Are the *Designer* and *Constructor* contracts combined?

YES

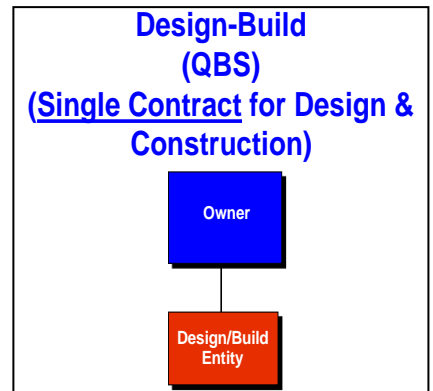
Is the *Construction Cost of Work* a selection criteria?

NO

Is the *Total Construction Cost* the sole selection criteria?

NO

Design-Builder selection is not based on any weighting of the *Construction Cost of Work*. Rather selection is based on weighting of predefined criteria, with the award going to the *Design-Builder* that best meets the predefined selection criteria. Selection criteria may include some weighing of *General Conditions Costs* and/or *Fee*.



Design/Build QBS – Other Characteristics

- Relationship of Phases: Can accommodate overlapping of the project phases.
- Ability to Bring *Constructor* on Board During Design: **Yes**
- Design risk (quality) and Construction risk (cost and schedule) allocated to *Design-Builder* at the time of selection based on design criteria and building requirements at the point in time of the selection. *Design-Builder* is responsible for adequacy and completeness of design and subsequently the entire project; *Owner* is responsible for adequacy of design criteria.

Phases – Design-Build QBS

- Planning – The scope of the project and expectations of quality are established by the *Owner* and any consultants it may need. A corresponding budget and schedule are also established.
- Design – Based on a set of design criteria provided by the *Owner*, *Design-Builder* prepares phased construction documents. *Constructor* component of the *Design-Builder* is available during this period for constructability and budget reviews. *Owner* and review agencies can participate in the process.
- Award – Concurrent award of both the design and construction phases. Establishment of Guaranteed Maximum Price or Lump Sum can be postponed until more accurate scope and cost information are available.
- Construction – *Design-Builder* selects trade contractors, usually with *Owner* input. Construction can begin as soon as phased construction documents are available.
- Occupancy – After the construction of the entire project has been completed, the *Constructor* leaves the site to allow for move-in (installation of *Owner*-furnished equipment and furnishings) and occupancy. If arrangements are made in advance, certain areas of the project (partial occupancy) can be occupied prior to the completion of the entire project.

Delivery Method Selection Criteria & Processes

Introduction

Having established a project delivery method vocabulary, the next step is to determine which of the options is most appropriate for a particular project. While no project delivery option is perfect, one option may be better suited than another based on the unique requirements for a particular project. This handbook does not assume there is only one acceptable option for project delivery. The requirements for each project should be evaluated to determine which of the various options would most likely produce the best outcome for the state and the school district or municipality/borough.

Prior to starting the process to select the most appropriate project delivery method it would be advisable to review again, your entities' ability to choose among those listed in the previous section. Administrative code or policy within a given entity may also determine which project delivery options may be used. A review of pertinent laws, rules, regulations and policies early in the life of a project is also strongly recommended in order to allow time to obtain approval for use of an alternative project delivery method.

For example, regulations promulgated by the Department of Education & Early Development require that all contracts over \$100,000 be awarded based on competitive sealed bids unless an alternative construction delivery method is approved and the department concurs in advance of any solicitation the proposed delivery method is in the state's best interest.

To be able to recommend the most appropriate option, experience in going through the thought-process of applying the factors outlined in this section is essential. It is even better, and widely considered to be good practice, to use the counsel of a group of trusted advisors who can help to ensure that all the factors and their interrelationships can be as fully evaluated as possible.

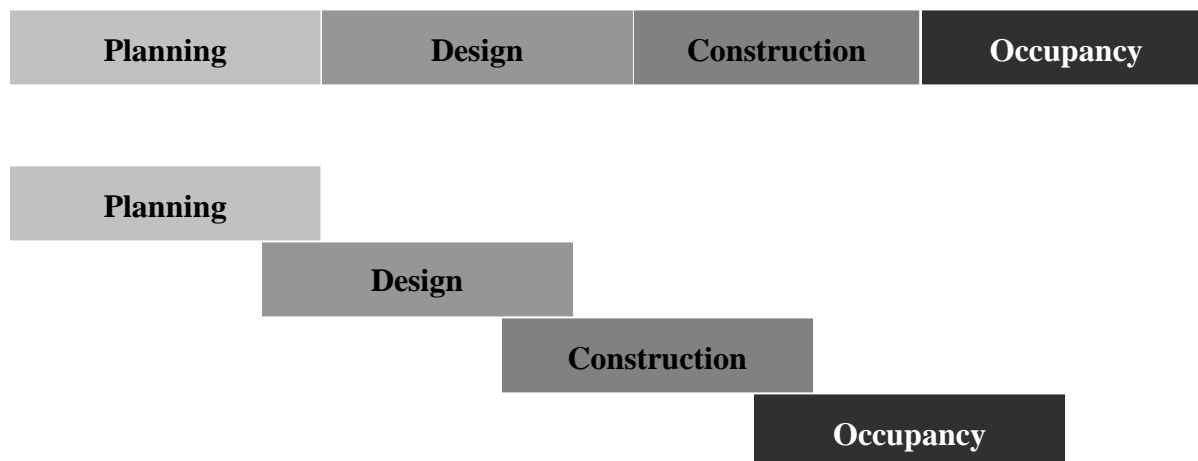
Trusted advisors should be experienced not only in going through the thought-process of applying the major factors, but ideally would be experienced with implementing all of the different delivery options. Everyone is biased based on his or her individual experiences. An advisor should be able to admit his or her prejudices based on their experiences and then set them aside to help evaluate which delivery option is in the best interest of a particular project.

The Project Environment

The recipient entity of state aid for school construction through DEED should consider the environment in which the project is taking place. It should assess the major factors influencing the project in question and then consider the requirements of the project in light of the unique characteristics of each of the identified project delivery options. By properly assessing these influences, the entity requesting approval from the department will not only be able request a specific delivery option, but will also be able to answer the question, "Why am I recommending this particular delivery option?"

Delivery Method Selection Criteria & Processes (cont.)

Every project occurs in the context of a unique environment, an environment consisting of a variety of both physical and philosophical factors. This environment bears greatly on the successful maturation of a project. That maturation occurs in four typical phases: planning, design, construction and occupancy. These can occur sequentially or may be overlapped (see illustration).



The main characteristics of a project's environment consist of: its schedule, the need and ability to establish and define its scope, the resources available to the project, the risks associated with the project, and the external constraints placed on the project.

Part of the project environment is the associated risks. The risks associated with the design and construction process are generally not affected by the chosen project delivery method. However, the timing and the allocation of the risk does vary depending on the project delivery method. Therefore, each delivery option provides a different approach to allocating the risks and typically will result in timing differences in transferring the various risks. Any first time user of any project delivery option is cautioned to be sure they understand these differences.

The degree of risk assumed by the *Designer* and/or *Constructor* should be directly proportional to the cost associated with the project. The risk(s) associated with a construction project should be allocated to the party with the best ability to control and manage that risk. The purchase and the requirement for purchase of insurance coverage is just one way in which *Owners*, *Designers*, and *Constructors* try to allocate and controls some of the risk.

In selecting the appropriate delivery method, a thorough review of the potential risks and their allocation should be performed. The *Owner* should evaluate its ability and willingness to assume the risk inherent to the option selected. To accomplish this, each of the relevant major factors should be reviewed and considered.

Although identifying and coping with the factors in a project's environment is both complex and an ongoing task until completion is achieved, the focus of this handbook is primarily project initiation not project execution. We will use the luxury of this focus to narrow our determination of primary factors from the overall project environment to those that bear most directly on

Delivery Method Selection Criteria & Processes (cont.)

determining the “best” project delivery method. We are further assisted in this effort by one of the external factors for school construction projects receiving state aid. This external factor is that the Design-Bid-Build project delivery option is the standard project delivery method for school construction projects. However, we can recognize there are some primary factors affecting particular projects that might eliminate this delivery method or make it untenable without significantly increasing risk.

Establishing Determining Factors

This handbook groups the *Primary Factors* into five categories as shown in the table below:

Need Factors		Success Factors		
Schedule/ Necessity to Overlap Phases	Ability to Define the Project Scope/Potential for Changes	Owner’s Internal Resources & Philosophy	Desire for a Single Contract or Separate Contracts	Regulatory/ Legal or Funding Constraints
Tight Project Milestones or Deadlines	Scope Definition	Ability or Desire to Define and Verify Program & Design Content/Quality	Ability or Desire to Take Responsibility for Managing the Design	Regulatory and Statutory Requirements
Amount of Overlap of Design & Construction Phases	Potential for Changes During Construction	Experience with the Particular Delivery Method & Forms of Contracts	Ability or Desire to Eliminate Responsibility for Disputes Between Designer and Builder	State Budget and Funding Cycles
	Need/Desire for the Contractor’s Input During Design	Ability to Participate in Multiple Trade Contractor/Supplier Evaluations		
	Flexibility to Make Design Changes After Construction Cost Commitments	Desired Contractual Relationship and Ability to Recoup Savings		

These are certainly not all that need to be considered but addressing these *Primary Factors* will guide the selection of the most appropriate delivery option. Furthermore, addressing these early in the project cycle will increase the chances for a successful project.

The first two categories are grouped as *Need Factors*. These factors determine the need to move away from the Design-Bid-Build delivery method established as the standard delivery method for projects administered by DEED. Entities requesting approval for an alternative project delivery method must “prove out” in these categories regardless of their desire or preference for a delivery method other than Design-Bid-Build. The remaining three categories are grouped as *Success Factors*. These are the elements of the project environment that can determine how likely a project is to succeed in using an alternative project delivery method and which of the delivery options is most appropriate. Many of these are tied to the *Owner’s* ability to execute the project in a non-traditional method. Following an acceptance by DEED that a need to move away from the

Delivery Method Selection Criteria & Processes (cont.)

a non-traditional method. Following an acceptance by DEED that a need to move away from the department's standard delivery method has been established, the requesting entity must demonstrate it both has chosen and that it has the ability to manage the factors of the project environment aligned with the successful implementation of the alternative delivery option being considered.

Selecting a Delivery Method

Although there are a number of factors in making a decision concerning which project delivery option to recommend, by the time a few *primary factors* are applied, it becomes apparent which options are least appropriate. By the process of elimination, the most appropriate option(s) can be determined.

For each factor, there is a *Critical Question* that should be considered. Grouped within the five categories, each *primary factor* is listed along with its critical question, appropriate commentary and the ramifications associated with the answer. *Need factors* are addressed first.

NEED FACTOR: Schedule/Necessity to Overlap Phases

Primary Factor: *Tight Project Milestones or Deadlines*

Critical Question: *Is overlap of design and construction phases necessary to meet schedule requirements?*

Discussion: Schedule is always a consideration on construction projects and will often drive the selection of the project delivery option. During the planning phase, a preliminary schedule should be developed. This master schedule will include an estimated duration for each phase of the project: needs assessment, project identification, planning, design, award, construction, and occupancy.

Simultaneously, the school district entity should evaluate their required date for occupancy. Comparing this date to the date generated from early versions of the preliminary master schedule will indicate whether any acceleration or overlapping of any of the phases may be required. "Traditional" Design-Bid-Build is inherently a linear, sequential process as opposed to Design-Build or CM/GC, each of which is capable of overlapping of the phases in the design and construction process.

Ramifications: If the project requires a schedule that can only be maintained by overlapping of the design and construction phases, then one of the alternative delivery options should be considered.

Delivery Method Selection Criteria & Processes (cont.)

Primary Factor: *Amount of Overlap of Design and Construction Phases*

Critical Question: *Is there time to complete the Design Development stage of the design prior to starting construction?*

Discussion: Assuming it has already been determined that a traditional linear approach to the design and construction phases will not work, and some overlapping of the two phases is necessary, the next question is, “How much overlap of the design and construction is required?” If the construction start date is dictated by the construction completion date, and is required to be very early in the design process (e.g., during the Schematic or early Design Development stages), then the *Owner* should understand the additional responsibility and risk it may be taking by retaining the design responsibility and holding the design contract.

Other factors such as available resources to manage the design, experience with managing the aggressive decision making that will be required, and the possibility of being placed in between the *Designer* and the *Constructor* would all be closely related to the evaluation of this factor.

Ramifications: If the project requires that construction start early in the design process, then who is taking responsibility for managing the design and the timely completion of the design needs to be considered. Transferring the design risk to the party responsible for construction may be a reason to consider using Design-Build in lieu of CM/GC.

NEED FACTOR: Ability to Define the Project Scope/Potential for Changes

Primary Factor: Scope Definition

Critical Question: Is the scope of work difficult to define?

Discussion: Each District/Municipality is unique and will have special requirements that could have a major impact on determining the proper method of delivery. Similarly, the complexity of the project and the ability to fully define the scope, early in the process, could also have an impact on determining the appropriate project delivery option.

The three points in any project where the need to define the scope become critical are:

1. Prior to selection of a constructor
2. After selection of a constructor but prior to establishing quality, cost, and schedule
3. After establishing quality, cost, and schedule

Each delivery option will require different levels of scope definition at each of these critical points. The inability to fully define scope early in the process will have a direct impact upon the *Owner's* ability to manage scope and cost increases later in the project.

Delivery Method Selection Criteria & Processes (cont.)

Ramifications: If it would be difficult to produce a set of drawings and specifications that will fully describe the work in question (e.g., a renovation of an existing building), then one of the qualifications based selection options should be considered.

Primary Factor: *Potential for Changes During Construction*

Critical Question: *Is there a significant potential for changes during the construction phase?*

Discussion: Whenever the scope is difficult to define or other issues tend to indicate that there is a high potential for changes during the construction phase, careful consideration should be given on how this will be handled. If one of the competitive cost delivery options (D-B-B, CM/GC BV, D-B BV) is used, as much of the work as possible should be quantified before a lump sum cost is agreed upon. In an environment of high uncertainty, one of the competitive qualifications options (CM/GC QBS, D-B QBS) should be considered.

Ramifications: If the scope of the project is likely to change during construction, then one of the qualifications based delivery options may be more appropriate. An example might be a project where the tenants are unknown or likely to change. In this example, the identification of the tenants may be a cause for required changes throughout all phases of the project including during the construction phase.

Primary Factor: *Need/Desire for the Contractor's Input During Design*

Critical Question: *Is input from a Constructor during design required or desired?*

Discussion: Throughout a project, the *Owner* will make decisions based on their definition of value. What varies from one project delivery option to another is who (which team member) is providing the information and when are they providing it during the project sequence.

This handbook looks at two broad types of information provided: 1) Design Solution and 2) Constructability (including cost and schedule review of design solutions). What differs with each delivery option is who is providing the information and when are they brought on board. Also, when the information is being provided, and whether the information is intended to be provided at specific points in time or continuously throughout the process will depend on which delivery option is chosen.

There are many times when the demands of the project are unique or difficult to quantify. In these instances, the option of having the *Constructor* on board during the design phase can be of value. The *Constructor* can assist in schedule development and monitoring, in constructability and budget reviews, in factoring in current market conditions, and in locating and procuring long lead equipment items and trade contractors necessary for the work.

Delivery Method Selection Criteria & Processes (cont.)

If there are significant schedule, budget or constructability issues, it can be helpful for the decision maker to review these issues during the design phase. Many times the *Designer* does not have the range of experience in the actual construction of a project to adequately address these issues. However, it should be noted that it is possible to hire a consultant to perform these tasks that will leave the agency open to all of the delivery methods and enable management and development of the scheme prior to commitment to a *Constructor*.

Ramifications: If the assistance of the *Constructor* is desired during the design phase to assist in defining the scope, constructability reviews, schedule determination, or budget confirmation, then one of the alternative delivery options should be considered.

Primary Factor: *Flexibility to Make Design Changes After Construction Cost Commitments*

Critical Question: *Are your design and scope requirements fully defined?*

Discussion: The cost of making changes throughout a construction project increases as the project develops. In the worst case this would include needing to make changes to work already in place. In an ideal situation, the design should be developed to the point where the scope of works is known and the amount of changes can be reasonably predicted before commitment to a *Constructor*.

Where the design is used as the basis for selection of the *Constructor* in a competitive cost environment, its completeness will be a key factor in the successful cost management of the project once a commitment has been made to a contractor, regardless of whether construction has started.

Ramifications: It is important when selecting your project delivery method to consider how tightly the scope of work can be defined and review whether design flexibility is required during the construction process. If a significant amount of flexibility is required after commitment to a contractor, then a qualifications based selection method might be more appropriate than one of the competitive cost methods.

SUCCESS FACTOR: Owner's Internal Resources & Philosophy

Primary Factor: *Ability or Desire to Define and Verify Program and Design Content/Quality*

Critical Question: *Will the Owner utilize outside resources to verify quality?*

Discussion: The *Owner's* assurance that there is a responsible person designated to verify quality during construction will relate directly to the *Owner's* in-house resource availability, and to what party the *Owner* assigns the role of project management on each specific project. How much direct influence an *Owner* has on how the quality is defined and verified will be affected by the decision of which option is chosen.

Delivery Method Selection Criteria & Processes (cont.)

The *Owner's* definition of quality must be identified and communicated for the record early in the process. The quality of a construction project can be characterized by the following:

- *Functional quality* – the ability of the facility space to meet the *Owner's* program requirements (as well as code and safety requirements)
- *Systems quality* – the ability of the various building systems to meet the *Owner's* defined needs
- *Aesthetic (scope) quality* – the level of design and finish as defined in the design documents
- *Workmanship quality* – the physical execution of the design

All of these are closely related. How they are defined and verified should be considered when determining which project delivery option to use.

In the standard Design-Bid-Build delivery option, the definition of quality is heavily dependent upon the architect's ability to understand and translate the *Owner's* needs. In the CM/GC delivery options, this task is still assigned to the architect, though with assistance from the contractor. In Design-Build the *Design-Builder* assumes these duties. Production of quality during the construction phase is, in every option, the primary responsibility of the *Constructor*, but the verification of that quality will vary between the options. The architect, as the *Owner's* representative, is responsible in Design-Bid-Build and CM/GC. The *Owner* assumes this role in Design-Build.

Ramifications: If in-house resources are not available, extra caution should be taken when using Design-Build. If Design-Build is desired and in-house resources are not available, outside resources should be engaged to assist in verifying that the quality desired by the *Owner* is incorporated.

Primary Factor: *Experience with the Particular Delivery Method and Forms of Contracts*

Critical Question: *Are agency in-house personnel experienced in alternative delivery options or, if not, will in-house personnel be augmented by other agency or contracted personnel?*

Discussion: The responsibility for success on every school construction project ultimately rests with the entity executing the project. Thus, the responsibility for overseeing and managing the entire process resides with the *Owner*. A “project manager” typically handles the process, whether formalized or not. For a typical school project, this responsibility can be fulfilled in one of several ways including:

1. In-house resources
2. Another state agency (i.e., DOT/PF)
3. A third-party consultant

Delivery Method Selection Criteria & Processes (cont.)

One factor to consider is the level of expertise and experience of the *Owner* embarking on the construction project. In deciding which project delivery option and form of contract to recommend, the availability of *Owner* staff resources and experience is a major consideration. Some entities perform construction routinely and have capable and available staff to manage all phases of the project. Others seldom involve themselves in construction and thus will need to obtain experienced assistance.

Obtaining assistance for the *Owner* from a third party project or program manager in certain circumstances may be considered. There are unique requirements for the school construction process. This should be taken into consideration when evaluating the use of third-party resources.

Ramifications: Regardless of the delivery option selected, if the *Owner* is inexperienced in management of a capital outlay program, assistance should be obtained by contracting with an experienced professional or by making arrangements for assistance from another state agency that has that experience.

Primary Factor: *Ability to Participate in Multiple Trade Contractor/Supplier Evaluations*

Critical Question: *Does the Owner need the ability to participate in the selection and evaluation of trade contractors or suppliers?*

Discussion: There may be instances where the *Owner* has a direct interest in the selection and evaluation of subcontractors or suppliers for a portion or the majority of the work. For example, the *Owner* may have a complex security system within a building that will require development with a particular subcontractor.

Instances may also occur where many elements of the project scope require development, particularly in a fast track environment, and a relationship is required that offers a high degree of flexibility in choice and cost transparency from the subcontractor via the contractor.

Ramifications: Where the input required is limited to specific trades or suppliers it is important to ensure the *Owner's* bid documents are structured in such a way to allow control over individual elements, in which case any of the delivery options could suit the *Owner's* requirements. However, if the *Owner* requires a high degree of flexibility across many elements of the project, or the level of control is anticipated but unknown, then a competitive qualifications selection option will afford the *Owner* greater control and cost transparency.

Primary Factor: *Desired Contractual Relationship and Ability to Recoup Savings*

Critical Question: *Does the Owner wish to have a complete and timely access to all of the Contractor's Information?*

Discussion: How the *Owner* selects the construction entity and the resulting contractual relationship created will affect what information is required to be provided and when. For

Delivery Method Selection Criteria & Processes (cont.)

example, whether or not the recipient entity and their consultants are participants in the specialty contractor and vendor selection process and the information shared during this process, will be a direct result of the contractual relationship created. Access to all available information may or may not be necessary or desired. The *Owner* should be aware that the selection of a project delivery option and the resulting contractual relationship would likely affect the manner in which information may be required to be provided.

Legally, a fiduciary relationship arises automatically in several situations, however the specific form of fiduciary relationship contemplated in this document is the one arising when a person or firm has a duty to act for another on matters falling within a contractual relationship. More specifically, a person or entity acting in a fiduciary relationship to the *Owner* owes the *Owner* the duties of good faith, trust, confidence, and candor, and must exercise a high standard of care in managing money and property.

A *Constructor* selection based solely on *Total Construction Cost* will generally result in a contractual relationship that is not a fiduciary one. This will affect the timing of the availability of information and the ability of the *Owner* to make use of that information. If the construction entity is not on board during the design (typical in Design-Bid-Build when cost is the only consideration), collaboration at this stage is not an issue. If, however, some contractor involvement during the design phase is needed, a *best value* selection that includes considerations other than *Total Construction Cost*, can be used in selecting the *CM/GC* or the *Design-Builder*. Nonetheless, the contractual relationship developed is generally very similar to Design-Bid-Build concerning access to information.

A *qualifications based selection* (i.e., the *Construction Cost of Work* not a factor at the time of selection) will create a fiduciary relationship. This also allows complete and timely access to the contractor's information. If the project scope is difficult to define, or matching the scope to the project budget is anticipated to be difficult, then having a collaborative process could prove to be advantageous. In such situations, a qualifications-based selection might be more appropriate.

Ramifications: If the project necessitates an open, collaborative relationship among the parties, then a *qualifications based selection* should be considered.

SUCCESS FACTOR: Desire for a Single Contract or Separate Contracts

Primary Factor: *Ability or Desire to Take Responsibility for Managing the Design*

Critical Question: *Does the Owner have in-house design resources qualified to oversee design professionals, and does the Owner have the ability to commit sufficient resources to design management?*

Discussion: Some recipient entities may have professional staff capable of providing quality oversight of design professionals for the *Owner*. The *Owner* must make an honest self-assessment, taking into account factors regarding complexity of the project and competing

Delivery Method Selection Criteria & Processes (cont.)

obligations of in-house staff, to determine realistically whether the agency is capable of design management.

Given self-assurance in agency ability, the agency can then consider the practicality of any desire to take on the responsibility for providing design management. If the project is of such unique function that the *Owner* has greater knowledge of its design intent than the agency thinks could be translated reliably into a design without intimate involvement of the district or municipality's own staff, then the *Owner* should consider holding a separate contract with the design professional. However, if the desire exists, the *Owner* must consider its commitment to provide the necessary resources.

Ramifications: Ability and desire to manage the design of a project are both reasons to consider holding separate contracts for design and construction, and argue against Design-Build.

Primary Factor: *Ability or Desire to Eliminate Responsibility for Disputes Between Designer and Builder*

Critical Question: *Does the Owner desire to hold a single entity responsible for coordination, collaboration, and productivity for the entire project?*

Discussion: A completed project is the result of extensive coordination of talent and resources. The skill sets of the *Designer* are not the same as those of the *Constructor*. Viewpoints and interpretations differ, as do personalities, agendas, ethics, and levels of responsibility.

Although holding separate contracts allows the *Owner* to manage the project through the leverage of direct legal relationships with the *Designer* and with the *Constructor*, the *Owner* takes on the responsibility for resolving disputes between the other two parties. If the *Owner* has the greater desire to transfer that responsibility than to use his contractual leverage, its tool is the single contract with an integrated contractual delivery method—Design-Build.

Ramifications: The integrated nature of Design-Build, with its single contract, allows the *Owner* to hold a single entity responsible for the project and keeps disputes between the *Designer* and the *Constructor* in-house with the *Design-Builder*. The trade-off is the loss of *Owner* leverage penetrating separately to the differing skill sets and corresponding work products.

SUCCESS FACTOR: Regulatory/Legal or Funding Constraints

Primary Factor: *Regulatory and Statutory Requirements*

Critical Question: *Do laws, rules, regulations, etc., permit the use of an alternative project delivery method?*

Delivery Method Selection Criteria & Processes (cont.)

Discussion: The statutory and regulatory basis for use of alternative project delivery methods on school construction projects has already been set out in an earlier portion of this publication.

The local requirements, under which a District/Municipal entity undertaking a project operates, may ultimately be the deciding factor in selecting the project delivery option. While the statutes, regulations and policies of the Departments of Administration (DOA) and Transportation & Public Facilities (DOT/PF) govern the procurement process for most State agencies, political subdivisions of the state may adopt their own laws, rules, regulations, and policies. While it is generally safe to say that the “standard” method of *Design-Bid-Build* is an acceptable method for all District/ Municipal entities, a review of the pertinent laws, rules, regulations, and policies early in the life of the project is strongly recommended in order to allow time to obtain approval for use of an alternative project delivery option. Regulations within a given locality may also determine which project delivery option can be used.

For school capital projects that incorporate state aid through the Department of Education & Early Development, regulations require that all contracts be awarded based on competitive sealed bids unless an alternative delivery option is approved by the commissioner. The commissioner will base a decision on the rationale provided by the requesting agency and the factors discussed in this handbook.

Ramifications: The decision on what delivery option is most appropriate must be made early in the planning phase of the project and properly documented so that sufficient time and justification can be prepared to gain approval for an alternative delivery option if that option is most appropriate.

Primary Factor: *State Budget and Funding Cycles*

Critical Question: *Is funding available for construction at initiation of design?*

Discussion: The State’s budget and funding cycle could have an impact on the timing, sequencing and a subsequent recommendation of a project delivery option. There are three funding combinations for design and construction addressed by this handbook. One is complete project funding that would include design and construction funding all at one time. The second is phased project funding, which is one funding for design, and a second separate funding for construction. The third, is phased construction funding which is one funding for design and then funding of multiple components of construction each funded separately.

Ramifications: While any of the options will work with complete project funding, any phasing of the funding can have a major impact on the decision of which option to select. For example, without complete project funding, Design-Build is not feasible.

Delivery Method Selection Criteria & Processes (cont.)

Summary

With a list of options and list of major factors to consider, the goal is to determine through a process of elimination, “Which project delivery options are least appropriate to recommend on my project?”

The order in which the *primary factors* are applied by DEED in the review and approval process is illustrated in the ***DEED Alternative Project Delivery Approval Flowchart*** shown in Appendix B. An assessment of the *Need Factors* is applied to the project, any one of which may drive the need to use an alternate project delivery method. Next, the *Success Factors* are applied. These factors reflect judgments that must be made regarding the ability of *Owners* to be successful in implementing a particular delivery method. You should consider the input of several advisers who have experience going through this process. This experience will enable the *Owner* to understand the consequences of managing the project under the various delivery options.

For example, the need to accelerate the schedule may be cited as one of the primary reasons Design-Bid-Build is not the best option. There are circumstances, however, where breaking the project into multiple prime bid packages, each being design-bid-build, is a perfectly reasonable option. Having someone with the experience and understanding of how to manage such a process, and the risks associated with it, could offer valuable guidance as to many of the pros and cons of delivering a specific project using the multiple prime contractor variant of the Design-Bid-Build project delivery method.

As the factors are considered, how they relate to the ***DEED Project Delivery Option Matrix*** (p. 12) demonstrates which options have been eliminated. Since every project is unique, which factors apply and the weight they need to be given is also unique on every project. A group of trusted advisers should be able to use the benefit of their experience to assist the *Owner* in determining which factors should carry the most weight and ultimately which of these six options is most appropriate for each particular project.

Implementing Project Delivery Methods

Introduction

Just selecting the “right” delivery option is not enough. There are numerous details to be addressed in order to ensure the desired results are achieved. Requests For Proposals (RFPs) that clearly spell out expectations and match the right selection criteria with the right project delivery option are examples of the type of issues that must be addressed when implementing any project delivery method. Entities looking for assistance with these issues will benefit from the following information.

Considerations for Solicitation and Award

Using the *DEED Project Delivery Options Matrix*, *Primary Factors* and *DEED Alternative Project Delivery Approval Flowchart*, entities requesting an approval of an alternative delivery method under 4 AAC 31.080(f) will need to provide the following evidence and supporting documents.

Concurrence Items (Required prior to approval of alternative project delivery method)

- Provide a resolution from the municipal/borough entity or school board authorizing the requested alternative project delivery method; if municipal/borough code allows the use of the requested delivery method, a copy of that code can substitute for a dedicated resolution.
- Provide a document supporting the requested alternative project delivery method as being in the best interest of the state; address:
 - How the alternative delivery method effort will result in lower project costs/increased value to the state (be specific);
 - How quality standards will be maintained; and
 - How unknown conditions will be accounted for.
- Provide the name and qualifications of the *Owner’s* project manager for the alternative delivery method process (list specific experience in the requested delivery method).
- Describe the basic process leading up to the award of the alternative delivery method contract (establish how competitive selection will be achieved).

Upon approval of an alternative delivery method under 4 AAC 31.080(f), directives will be issued by the department applicable to each individual project. These directives will be based on the following factors, some of which are required and will be applied to each project approved for an alternative delivery method and some of which are discretionary and will be applied as needed by the department to either increase the likelihood of a successful project or establish a stronger determination of “best interest” for the state:

Required Alternative Project Delivery Directives

- The alternative project delivery solicitation will occur under competitive, sealed proposals or, in the case of Design-Build-Bid, sealed bids.
- The RFP must contain the following information:
 - The aggrieved offeror protest provision meeting requirements of 4 AAC 31.080(c);
 - Identification of project bonding, insurance, and prevailing wage requirements; and
 - Identifications of the required project warranty period.

Implementing Project Delivery Methods (cont.)

- The solicitation RFP and supporting documents including, but not limited to 1) a cost estimate based on the RFP documents and prepared by a qualified cost estimator showing the anticipated construction cost to be at or below the budgeted amount, 2) the proposed scoring criteria, 3) positions held by evaluation team members, and 4) a copy of the agreement by which the work is to be undertaken, including any general conditions, supplementary conditions, and other project documents that the agreement will incorporate by reference must be approved by the department prior to advertising.
- The RFP evaluation team will include maximum of five members and must include a Facilities staff member from DEED if determined to be appropriate by the DEED Facilities Manager.
- Evaluation team meetings may be in person or by telephone.
- A majority of the evaluation team must be experienced facilities professionals; the non-majority may consist of educators, board members or other elected/appointed officials, or other interested parties.
- The contract awarded must either be a *guaranteed maximum price* (GMP) or fixed price contract (allowances for cost savings may be incorporated).
- Sealed cost proposals will be provided separate from the responses to remaining proposal items and will be reviewed only after all other evaluation elements are finalized.
- Provisions for local hire as an evaluation criteria or contract performance requirement are excluded (ref. State of Alaska Attorney General advice dated February 18, 2004).

Additional Alternative Project Delivery Directives

- The RFP will require a guaranteed maximum price (GMP) from each offeror with a breakdown of costs by DEED Cost Format, Level 2.
- For Best-Value selections, consideration of cost as a selection criterion will incorporate an evaluation of both the GMP and an evaluation of the offeror's *General Conditions* and *Fees*. The GMP will constitute at least 50% of the possible scoring with all cost factors constituting at least 60% of the possible scoring.
- For QBS selections, the RFP will require objectively calculated cost factors to include the *Pre-construction* cost, *General Conditions* costs and the constructor's *Fee* to combine for at least 50% of the available points.
- An independent cost estimator will be retained and a cost estimate will be prepared for the work prior to negotiation of the lump-sum contract.
- A separate scoring factor will be included in the evaluation criteria to evaluate the offeror's plans/abilities to incorporate the resulting facility into a preventive maintenance and facility management program.
- Prior to solicitation, designs will be completed to a sufficient detail (approximately 35% or greater) to provide clarity to the scope of the project and will contain: design standards, necessary drawings, material specifications, performance specifications, project constraints, and other information relevant to the project. (Note: this directive will become required for any request for Design-Build.)
- Identification of project documentation (i.e. software, manufacturer's literature, product warranties, product operating handbooks, inventory of installed equipment, maintenance

Implementing Project Delivery Methods (cont.)

- cycles, etc.) required to establish an effective preventative maintenance and facility management program as defined by AS 14.11.011(b)(4) will be included in the RFP.
- Evaluation criteria and weighting as selected from Appendix C may be mandated by DEED to ensure selection criteria is responsive to the project environment.
 - Restrictions on the use of a multi-step selection process. A multi-step selection process is any solicitation which evaluates offerors using sequential criteria. Typical first-step criteria includes qualifications/experience, technical capability, capacity, etc. and usually results in a short-list of qualified offerors continuing to subsequent steps and contract award.
 - Legal review of the RFP by the entity's attorney or an independent counsel experienced in construction solicitations and familiar with the entities local codes and structure.
 - For projects including site as a criteria, provide site parameters and site selection criteria.
 - In accordance with 4 AAC 31.025, sufficient interest via a deed or lease will be established for the proposed site prior to advertising.
 - *Owner* representation must be provided by one of the following methods:
 - The *Owner* must provide a dedicated project manager with suitable experience and credentials to establish criteria, perform inspections and enforce *Owner* requirements;
 - The *Owner* must contract for project management/*Owner* representation by consultant (subject to the provisions of statutory limitations on fees – AS 14.11.020, and professional services procurement requirements – 4 AAC 31.065); or
 - The design team is to be retained by the district under a separate contract from that of the general contractor and will act on the *Owner's* behalf.
 - All construction materials that are to be installed by the contractor are to be purchased by the contractor; the recipient (i.e. municipality/borough/school district) shall not purchase and/or stock pile materials that are to be utilized by the contractor as part of the project construction.
 - The price component will be factored such that the difference between the lowest cost proposal and other proposals grows at a rate of twice the proportionate differential between offers (a sample of that formula is depicted below).

$$\text{Total GMP Points} = 300 \times (\text{Lowest Received GMP} / \text{Proposer's GMP}) - 200$$

[where 100 is the maximum points available for the GMP]

Conclusion

The environment in which a project is initiated may necessitate an *Owner* to take specific, intentional steps toward setting its course in order to achieve a successful project. Those steps include assessing the project delivery method most likely to result in a project that meets scope, schedule and budget constraints.

This handbook builds on an analysis of historic use of alternative project delivery methods on school projects in Alaska. It provides both a framework for clear discussion of the options and a process of evaluation whereby an *Owner* may, in conjunction with trusted advisers, determine the appropriateness of using an alternative delivery method.

Stipulations and directives for various delivery methods are included for use once a best-interest determination has been made in favor of an alternative method. These directives are intended to keep the process of selecting construction entities for public capital projects funded with state aid through the Department of Education & Early Development open and fair.

Sources

1. *Project Delivery Options – Understanding Your Options*; Atlanta, GA; Georgia State Financing and Investment Commission, 2003.
2. *Project Delivery Options – Selecting the Appropriate Project Delivery Option*; Atlanta, GA; Georgia State Financing and Investment Commission, 2003.

Appendix A

Glossary

CM/GC Best Value

This is the construction manager as general contractor (at-risk) method. This method is defined by the use of separate design and construction contracts where the cost of the work is a selection criteria and the total construction cost is not the sole selection criteria.

CM/GC QBS

This is the construction manager as general contractor (at-risk) method with a variation of the selection process. This method is defined by the use of separate design and construction contracts where the cost of the work is not a selection criteria nor is the total construction cost the sole selection criteria.

Competitive Sealed Bid

A standard solicitation provision whereby an offeror's price proposal is transmitted in a sealed envelope for consideration at a bid opening for comparison with other offerors. This solicitation method is the default method under DEED regulation.

Competitive Sealed Proposal

An alternative solicitation process whereby factors other than, or in addition to price are solicited for consideration. Offeror's are usually scored by a selection panel. This solicitation method is allowed under DEED regulation when supported as being in the state's best interest.

Constructor

The entity in a capital project responsible for the construction of a facility or infrastructure project (as differentiated from "contractor", which can be any entity providing a product or service).

Constructor's Fees

The component of a Constructor's Total Construction Cost that are above its direct and indirect costs (i.e., its profit); usually expressed as a percentage of those costs.

Construction Cost of Work

The fixed costs of labor and materials as provided for in the project scope.

Contract Type

The type of contractual arrangement between *Owners*, Designers and Constructors. Contract Type is one of the two determinants, Selection Method being the other, of a project delivery method.

Critical Question

The central question for each Primary Factor in the decision making process related to selection of the most beneficial project delivery method. Answers to critical questions are used to move through the *Alternative Project Delivery Approval Flowchart* to determine delivery options that best match a project's environment.

Designer

The entity in a capital project responsible for the design of a facility or infrastructure project and the documentation of that design for use by the Constructor.

Appendix A (cont.)

Design-Bid-Build

Often referred to as the “traditional” project delivery method. This method is defined by the use of separate design and construction contracts where the cost of the work is a selection criteria and the total construction cost is the sole selection criteria.

Design-Build Best Value

This is normal design-build. This method is defined by the use of a combined design and construction contract where the cost of the work is a selection criteria and the total construction cost is not the sole selection criteria.

Design-Builder

A term used to identify the entity contractually responsible to the *Owner* for both the Design and Construction of a capital project.

Design-Build Low Bid

This is a specific variation of the design-build project delivery method. This method is defined by the use of a combined design and construction contract where the cost of the work is a selection criteria and the total construction cost is the sole selection criteria.

Design-Build QBS

This is normal design-build with a variation on the selection process. This method is defined by the use of a combined design and construction contract where the cost of the work is not a selection criteria nor is the total construction cost is the sole selection criteria.

General Conditions

The component of a Constructor’s Total Construction Cost that account for its cost of doing business that are not direct costs for materials and labor on a capital project (i.e., its overhead); usually itemized by category such as “home office”, insurance, etc. but can be expressed as a percentage of direct costs.

General Contractor

The contractual entity responsible to an *Owner* for the delivery (execution) of a facility or infrastructure project. Subcontractors work under the authority of the General Contractor but do not have a direct contractual relationship with the *Owner*.

Need Factors

The subset of Primary Factors that drive an *Owner’s* need to explore and/or use alternative project delivery methods. These factors pertain to challenges related to a projects schedule and scope definition.

Owner

The entity in a facility or infrastructure project that will issue contracts and direct work related to the design and construction and make payments following performance; the *Owner* is normally also the end user of the project.

Pre-construction Services

Services provided by a Constructor to support of the Designer in finalizing a project’s design prior to the commencement of construction. Typical services include cost estimating, constructability reviews, schedule analysis, value analysis, phased construction, etc.

Appendix A (cont.)

Primary Factors

The group of key factors of a project's environment that test both the need to move from Design-Bid-Build delivery and the *Owner's* likelihood of success using an alternative project delivery option.

Project Delivery Options Matrix

The matrix of basic options for the delivery of construction projects which results from the combination of selection methods (3 possible) and contract types (2 possible). This matrix yields six unique combinations understood to encompass all project delivery methods and their variants.

Qualifications Based Selection

A method of selecting a Constructor where the Total Construction Cost is not a factor for selection. Under this method, constructors are primarily evaluated based on the qualifications they have that would indicate their ability to succeed on a particular project.

Selection Method

The method by which an *Owners* will select the Constructor for a capital project. Differentiation of Selection Methods hinges on the role of the Total Construction Cost in the selection process. Selection Method is one of the two determinants, Contract Type being the other, of a project delivery method.

Success Factors

The subset of Primary Factors that drive assess an *Owner's* ability use alternative project delivery methods. These factors pertain to challenges related to resources, philosophy and legal constraints.

Total Construction Cost

A Constructor's price for the execution of a facility or infrastructure project inclusive of the Construction Cost of Work (direct costs), General Conditions (overhead) and Fee (profit). Often solicited by *Owner's* as a lump sum or guaranteed maximum price.

Total Design and Construction Cost

The combination of Total Construction Cost and design fees for which an *Owner* is responsible on a capital project.

Traditional Method

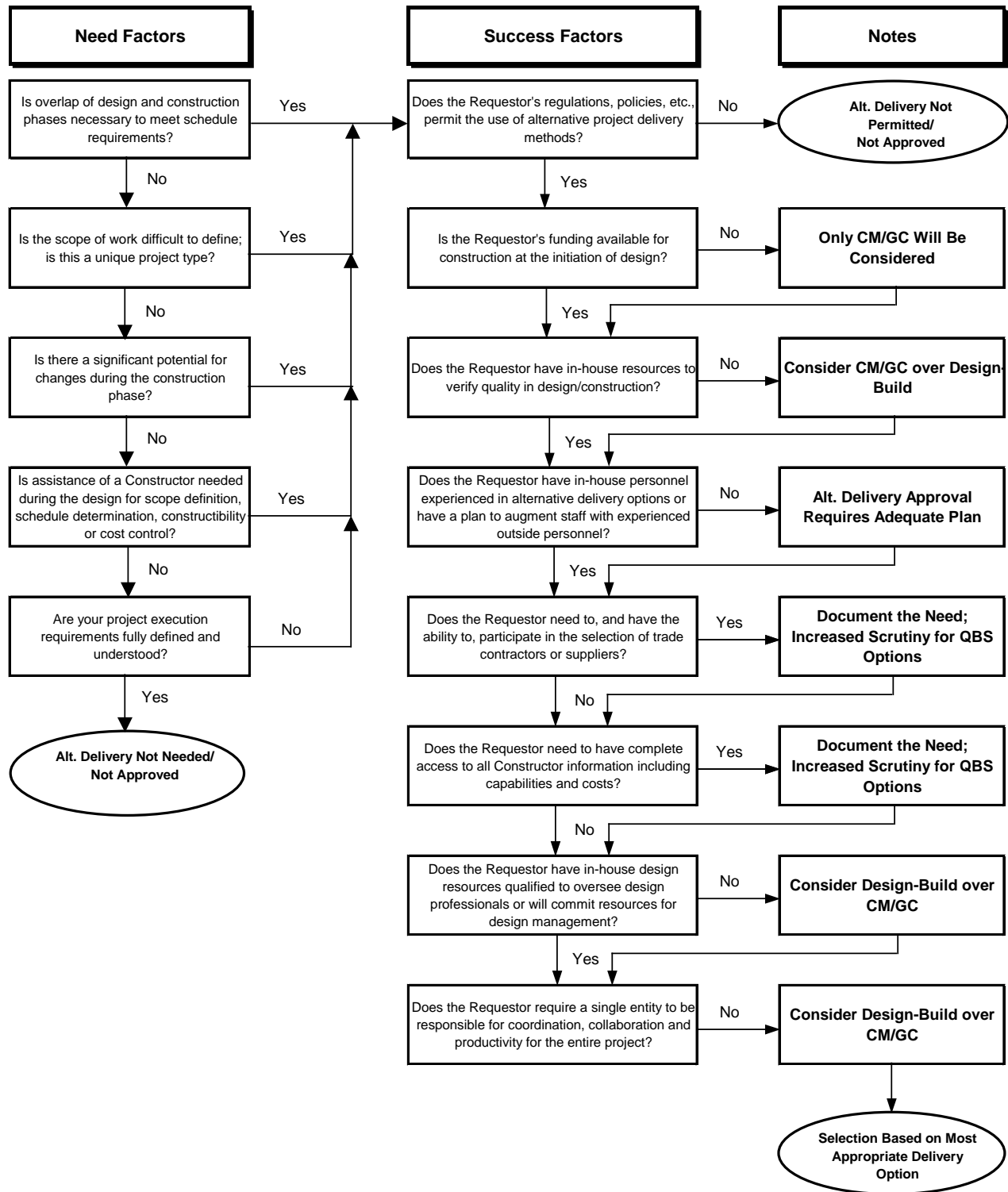
A term synonymous with the Design-Bid-Build project delivery method; also known as low bid.

Unique Characteristics

The features of a project delivery option that set it apart from all other options. Unique Characteristics result from assessing the Contract Type and Selection Method of a project delivery method.

Appendix B

DEED Alternative Project Delivery Approval Flowchart



Appendix C

Sample Evaluation Criteria

Preconstruction Services Experience	Range: 5-10%
-------------------------------------	--------------

Describe your firm’s approach to the following preconstruction responsibilities: Design review and commentary, document coordination, constructability review and commentary, cost estimating, value engineering, site logistics, and subcontract preparation and packaging. Provide two or more examples of the range of pre-construction services your firm has provided on previous design-assist projects or projects with a guaranteed maximum price (GMP Projects). Describe the manner in which pricing and constructability services will be provided for areas of work normally subcontracted by the proposer.

Value Engineering/Project Estimating	Range: 5-10%
--------------------------------------	--------------

Describe your value engineering process and how you work with the design team to help reduce construction and life cycle facility costs. Explain your method of estimating the costs of construction during the design process before design documents are complete.

Design Assist/GMP Experience	Range: 10-15%
------------------------------	---------------

Provide a summary of projects of this type completed in the last 5 years. Describe your experience, providing details regarding your firms’ specific contractual roles and responsibilities. Include the names, addresses, and phone numbers of *Owner* and Architect references for each project. Describe your experience working on a team approach with the *Owner*, Architect and other consultants to achieve the best facility possible within the established time frame and budget.

School Construction Experience	Range: 10-30%
--------------------------------	---------------

Identify all of the school construction projects performed by the Proposer in the last 5 years where the Proposer has acted as a constructor (either as a General Contractor or a Design/ Builder). Provide names, addresses and phone numbers of *Owner* and Architectural references on projects listed. Highlight [*sub-arctic*] experience.

Project Team	Range: 5-15%
--------------	--------------

Describe the proposed Contractor’s team, including the specific roles and responsibilities of each member. An organization chart would be helpful. Include the staffing requirements and identification of key personnel. Provide separate lists for the preconstruction and construction phases. Provide qualifications for the key individuals including history of employment, education, experience, and any other information the selection committee might find useful in evaluating the project team.

Management Plan	Range: 10-30%
-----------------	---------------

Summarize how the proposer will staff and organize this particular project. Include information on the anticipated level of effort during the construction document design phase, estimating process, and construction quality control procedures. Outline work that will likely be accomplished via subcontract vs. proposer’s own forces during the construction phase. Comment on the proposer’s review of the attached proposed project schedule and their capacity to meet schedule. Address any significant scheduling issues and potential for partial completion/partial occupancy scenarios.

Appendix C (cont.)

Quality Control	Range: 5-10%
-----------------	--------------

Provide a summary of your firm's approach to quality control during construction. Include a description of the quality control organization you plan to employ and the authority assigned to the different level of quality control responsibility.

Preconstruction Fee	Range: 5-10%
---------------------	--------------

Stipulated sum for all services to be provided until completion of Construction Document Phase.

GMP	Range: 50-65%
-----	---------------

The guaranteed maximum price (GMP) with a breakdown of costs by DEED Cost Format or Construction Specification Institute Division.

Overhead & Profit for Change Order Work	Range: 5-8%
---	-------------

The Overhead & Profit percentage that the contractor will apply to the cost of work directed by change order to arrive at the total cost of the change order work.

References	Range: 5-8%
------------	-------------

Include at least two *Owner* and two *A/E* references from similar projects included and described in the AIA Document 305– Contractor's Qualification Statement.

Contractor's Qualifications/Financial Capabilities	Range: 10-30%
--	---------------

Summarize the proposer's current and anticipated workload from _____ - _____. Include a description of projects, dollar values of construction for which the proposer is responsible, either as a prime or subcontractor, and bonding and insurance capacity available for the referenced period. Provide copy of contractor's State of Alaska Business License. Provide list of legal claims pending or settled over the past five years, either *Owner* or contractor initiated.

Maintenance and Management Plan	Range: 3-8%
---------------------------------	-------------

Provide information on proposer's experience and implementation of the preventative maintenance and facility management program required by AS 14.11.011(b)(4).

Current and Projected Workload	Range: 5-10%
--------------------------------	--------------

What has been your annual volume (in dollars) of construction for the past five years? What is your anticipated volume for the current year? What is your plan for the next two years?

Appendix D

Alternative Project Delivery Approval REVIEW CHECKLIST

District:

Project/School:

Project Delivery Option Requested:

Item	Requirement	Checked	Comments
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<i>Need Factors</i>			
	Tight project milestones or deadlines	<input type="checkbox"/>	
	Amount of overlap of design and construction phases	<input type="checkbox"/>	
	Scope definition	<input type="checkbox"/>	
	Potential for changes during construction	<input type="checkbox"/>	
	Need/desire for the contractor's input during design	<input type="checkbox"/>	
	Flexibility to make design changes after construction cost commitments	<input type="checkbox"/>	
<i>Success Factors</i>			
	Ability or desire to define and verify program & design content/quality	<input type="checkbox"/>	
	Experience with the particular delivery method & forms of contracts	<input type="checkbox"/>	
	Ability to participate in multiple trade contractor/supplier evaluations	<input type="checkbox"/>	
	Desired contractual relationship and ability to recoup savings	<input type="checkbox"/>	
<i>Concurrence Items</i>			
	Provide a resolution supporting the requested project delivery method	<input type="checkbox"/>	
	Request must address how the alternative delivery method will result in lower project costs/increased value to the state	<input type="checkbox"/>	
	Request must address how quality standards will be maintained	<input type="checkbox"/>	
	Request must address how unknown conditions will be accounted for	<input type="checkbox"/>	
	Provide name and qualifications of the Owner's project manager for the alternative delivery method process (list specific experience)	<input type="checkbox"/>	
	Describe the basic process leading up to the award of the contract (establish how competitive selection will be achieved)	<input type="checkbox"/>	
<i>Possible Directives-see pages 31-33 of project delivery method handbook</i>			
	6 month approval expiration	<input type="checkbox"/>	

Appendix D (cont.)

Alternative Project Delivery Procurement REVIEW CHECKLIST

District:

School:

Project Name/Number:

Item	Requirement	Checked	Comments
RFP Review			
1	RFP incorporates design standards and project description items	<input type="checkbox"/>	
2	Evaluation criteria includes a fixed price (e.g., LS or GMP)	<input type="checkbox"/>	
3	Evaluation criteria clear and sets cost at 50% or greater weight	<input type="checkbox"/>	
4	Provisions for a PM plan are incorporated in evaluation criteria	<input type="checkbox"/>	
5	Owner representation clear; as either independent design team, qualified owner staff or consultant	<input type="checkbox"/>	
6	Contract agreements anticipated for use are included in RFP	<input type="checkbox"/>	
7	Advertising period of 21 days or longer	<input type="checkbox"/>	
8	At least three publishing dates	<input type="checkbox"/>	
9	Sealed proposals requested with award to most qualified offeror	<input type="checkbox"/>	
10	Provisions to negotiate final cost and move to other ranked offerors (QBS/ Pre-construction Services)	<input type="checkbox"/>	
11	Provisions for award protest within 10 days included	<input type="checkbox"/>	
12	Bid bonds provided for	<input type="checkbox"/>	
13	Performance/Payment bond provided for	<input type="checkbox"/>	
14	Notice that the project requires compliance with AS 36.05.070, prevailing wage rates	<input type="checkbox"/>	
15	Contractor's liability insurance included in agreement	<input type="checkbox"/>	
16	Notice that the project requires compliance with AS 36.15.010, use of local forest products required wherever practicable	<input type="checkbox"/>	
17	Local hire encouragement is not mentioned	<input type="checkbox"/>	
18	GMP will be submitted in a separate sealed envelope	<input type="checkbox"/>	

Printed: 08/09/17

Alt. Delivery RFP Checklist
Reviewed by: _____

Page 1 of 2

District
Logo

[Project Name]

Project Delivery Options Analysis

XYZ School District

Date: [Month, Day, Year]

Appendix E (cont.)



**PROJECT
MANAGER**

[Name]
[Title]
XYZ School District
[City], Alaska

CONTRIBUTORS

[Name]
[Title]
XYZ School District

[Name]
[Company]
[City], Alaska

Appendix E (cont.)

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Executive Summary

Background

In [Month, Year], the XYZ School District submitted a capital project to the Alaska Department of Education & Early Development for FYXX funding consideration. The project, entitled [Project Title], received funding through DEED and the district entered into a Project Agreement with the following final scope:

- *[Copy from Project Agreement]*

Appendix E (cont.)

Purpose

The purpose of this document is to evaluate project delivery method options available under Department of Education & Early Development provision and select the delivery method that had the greatest influence on the success of the [Project Name] project. This evaluation identified six alternative delivery methods as described in the DEED publication Project Delivery Methods Handbook but focuses primarily on [number] alternatives. These are summarized as follows [select from among those below as extracted from the DEED handbook]:

Design-Bid-Build

Design-Bid-Build is the most common project delivery option. It is often referred to as the “traditional” method. For school projects in Alaska with a state contribution, Design-Bid-Build is the default delivery method. All other project delivery options require a specified approval.

There are three prime players: *Owner*, *Designer* and *Constructor* (general contractor). The relationship of these parties is depicted in the graphic at the right.

Design-Bid-Build
(Two Separate Contracts for Design & Construction)



A standard three-question test can be applied to determine, from these relationships, whether a delivery option falls into the Design-Bid-Build category. Those three questions and their results are as follows:

- Are the *Designer* and *Constructor* contracts combined? **NO**
- Is the *Construction Cost of Work* a selection criteria? **YES**
- Is the *Total Construction Cost* the sole selection criteria? **YES**

Under this delivery method, selection of the *Constructor* is based on a *Total Construction Cost* with the award going to the lowest responsible and responsive bidder.

Construction Manager/General Contractor—Best Value

CM/GC—BV is the next most common project delivery option. It allows the *Owner* to maintain control throughout the design process but provides for the early involvement of a “best qualified” *Constructor*. For school projects in Alaska with a state contribution, CM/GC is an alternate delivery method and requires a specified approval by both school boards and DEED.

CM/GC
(Two Separate Contracts for Design & Construction)



Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis

There are three prime players: *Owner*, *Designer* and *Constructor* (general contractor). The relationship of these parties is depicted in the associated graphic.

The standard three-question test can be applied to determine, from these relationships, whether a delivery option falls into the CM/GC category. Those three questions and their results are as follows:

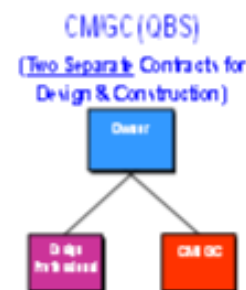
- Are the *Designer* and *Constructor* contracts combined? **NO**
- Is the *Construction Cost of Work* a selection criteria? **YES**
- Is the *Total Construction Cost* the sole selection criteria? **NO**

Under this delivery method, selection of the *Constructor* is based on a best value weighting of *Total Construction Cost* with other factors; the award goes to the CM/GC that best meets the predefined qualifications and cost selection criteria.

Construction Manager/General Contractor – QBS

CM/GC—QBS is a lesser used project delivery option. It allows the *Owner* to maintain control throughout the design process while providing for the early involvement of a “best qualified” *Constructor* without regard to the construction cost of work. For school projects in Alaska with a state contribution, CM/GC—QBS requires that cost elements other than the Cost of Work provide 50% of the evaluation. CM/GC-QBS is an alternate delivery method and requires a specified approval by both the recipient entity and DEED.

There are three prime players: *Owner*, *Designer* and *Constructor* (manager-general contractor). The relationship of these parties is depicted in the graphic at the right.



The standard three-question test can be applied to determine, from these relationships, whether a delivery option falls into the CM/GC category. Those three questions and their results are as follows:

- Are the *Designer* and *Constructor* contracts combined? **NO**
- Is the *Construction Cost of Work* a selection criteria? **NO**
- Is the *Total Construction Cost* the sole selection criteria? **NO**

CM/GC selection: Qualifications based; does not incorporate any weighting for the *Construction Cost of Work*. Rather, selection is based on weighting of predefined criteria with the award going to the offeror that best meets the predefined criteria; selection criteria must include weighting of some cost factors at 50% unless otherwise approved. Typically these include *General Conditions* or *Fee* costs.

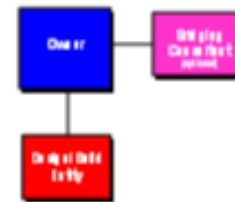
Appendix E (cont.)

Design-Build Bid

Design-Build—Bid is a niche project delivery option. It requires a level of Owner sophistication to exercise quality control throughout the design and construction process. However, its simplicity is ideal for Owners with clearly documented standards but relatively few management resources. It also provides for the early involvement of a “best qualified” *Constructor/Designer*. For school projects in Alaska with a state contribution, Design-Build is an alternate delivery method and requires a specified approval by both school boards and DEED.

There are two prime players: The *Owner* and the *Design-Builder*. [The *Designer* (architect) and the *Constructor* (general contractor) are combined into one entity.]

Design-Build Bid
(Single Contract for Design & Construction)



The three-question test has the following result:

Are the <i>Designer</i> and <i>Constructor</i> contracts combined?	YES
Is the <i>Construction Cost of Work</i> a selection criteria?	YES
Is the <i>Total Construction Cost</i> the sole selection criteria?	YES

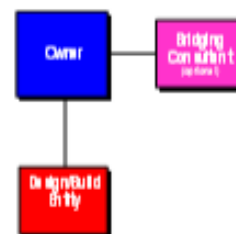
Design-Builder selection: Based on *Total Design and Construction Cost* with the award going to the lowest responsible and responsive bidder.

Design-Build—Best Value

Design-Build—BV is the least common of the three primary project delivery options. It requires a level of *Owner* sophistication to exercise quality control throughout the design and construction process. However, its simplicity is ideal for *Owners* with clearly documented standards but relatively few management resources. It also provides for the early involvement of a “best qualified” *Constructor/Designer*. For school projects in Alaska with a state contribution, Design-Build is an alternate delivery method and requires a specified approval by both school boards and DEED.

There are three prime players: *Owner*, *Designer* and *Constructor* (general contractor). The relationship of these parties is depicted in the graphic at the right.

Design-Build (Best Value)
(Single Contract for Design & Construction)



Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis

The standard three-question test can be applied to determine, from these relationships, whether a delivery option falls into the Design-Build category. Those three questions and their results are as follows:

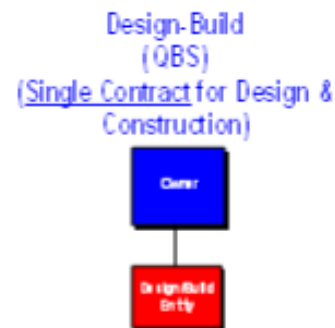
- Are the *Designer* and *Constructor* contracts combined? **YES**
- Is the *Construction Cost of Work* a selection criteria? **YES**
- Is the *Total Construction Cost* the sole selection criteria? **NO**

Under this delivery method, selection of the *Design/Builder* is based on some weighting of *Total Construction Cost* including the *Construction Cost of Work* with the award going to the *Design/Builder* that best meets the predefined qualifications and cost selection criteria.

Design-Build—QBS

Design-Build—QBS is a lesser used project delivery option. It requires a level of *Owner* sophistication to exercise quality control throughout the design and construction process. However, its simplicity is ideal for *Owners* with clearly documented standards but relatively few management resources. It also provides for the early involvement of a “best qualified” *Constructor/Designer*. For school projects in Alaska with a state contribution, Design-Build—QBS requires that cost elements other than the *Cost of Work* provide 50% of the evaluation. Design-Build—QBS is an alternate delivery method and requires a specified approval by both the recipient entity and DEED.

There are two prime players: The *Owner* and the *Design-Builder*. [The *Designer* (architect) and the *Constructor* (general contractor) are combined into one entity.]



The three-question test has the following result:

- Are the *Designer* and *Constructor* contracts combined?** **YES**
- Is the *Construction Cost of Work* a selection criteria?** **NO**
- Is the *Total Construction Cost* the sole selection criteria?** **NO**

Design-Builder selection is not based on any weighting of the *Construction Cost of Work*. Rather selection is based on weighting of predefined criteria, with the award going to the *Design-Builder* that best meets the predefined selection criteria. Selection criteria must include weighting of some cost factors at 50% unless otherwise approved. Typically these include *General Conditions* or *Fee* costs.

Appendix E (cont.)

Delivery Options Evaluation Process

Using the Department of Education & Early Development's *Project Delivery Methods Handbook*, the district's project manager assessed a series of Determining Factors. These factors are established by DEED and include items related to a project's schedule, the ability of the district to define the scope of the project and potential for changes, the district's internal resources available to execute the project and its preference for structuring contracts and finally, any regulatory or legal constraints. Primary considerations under each of these categories were reviewed and evaluated, the results of which are included in the later sections of this document. [Optional: In an effort to confirm the basis of assumptions, particularly regarding possible project schedules and construction methods, the project manager also interviewed specialists with experience in these areas. These are listed in the contributor's section of the study's acknowledgements.]

Results

This analysis indicates the [Project Name] project has a high likelihood of success under the [enter method] project delivery method. However, the anticipated success of this method is dependent on the following factors:

- A. [List/discuss any schedule-related issues.]
- B. [List/discuss any budget-related issues.]
- C. [List/discuss any scope-related issues.]

Appendix E (cont.)

Project Delivery Options

The XYZ School District reviewed the following matrix of project delivery options—each defined by a unique combination of *contract type* and *selection method*—discussed in the Department of Education & Early Development’s (DEED) *Project Delivery Methods Handbook*.

SELECTION METHOD	CONTRACT TYPES	
	DESIGNER & CONSTRUCTOR (w/SEPARATE CONTRACTS)	DESIGNER/CONSTRUCTOR (ONE CONTRACT)
Competitive Sealed Bid (Low Bid) Total Construction Cost is <u>sole</u> criteria for selection	Design-Bid-Build	Design-Build-Bid
Competitive Cost Proposal (Best Value) Total Construction Cost weighted with other factors for selection	CM/GC Best Value (BV)	Design-Build Best Value (BV)
Competitive Qualifications Proposal (Qualifications Based Selection) Total Construction Cost is <u>not</u> a factor for selection	CM/GC QBS	Design-Build QBS

The district recognizes that the default method established in regulation is the Design-Bid-Build delivery method. However, because it is a key principle of project management that benefits may be available to Owners when the traditionally distinct entities of the Designer and the Constructor are strategically aligned or even merged, XYZSD has undertaken to analyze the permissible alternative project delivery methods for possible use on its [Project Name] Project (DEED #XX-XXX). This document provides the results of that analysis.

Having agreed to a set project delivery method options, the next step taken by XYZSD was to determine which of the options is most appropriate for the particular project under consideration. This analysis does not assume there is only one possible option for project delivery. However, while no one project delivery option is perfect, the district believes one option may be better suited than another based on the unique requirements for a particular project. The requirements for the [Project Name] project were evaluated to determine which of the various options would most likely produce the best outcome for the state and the school district.

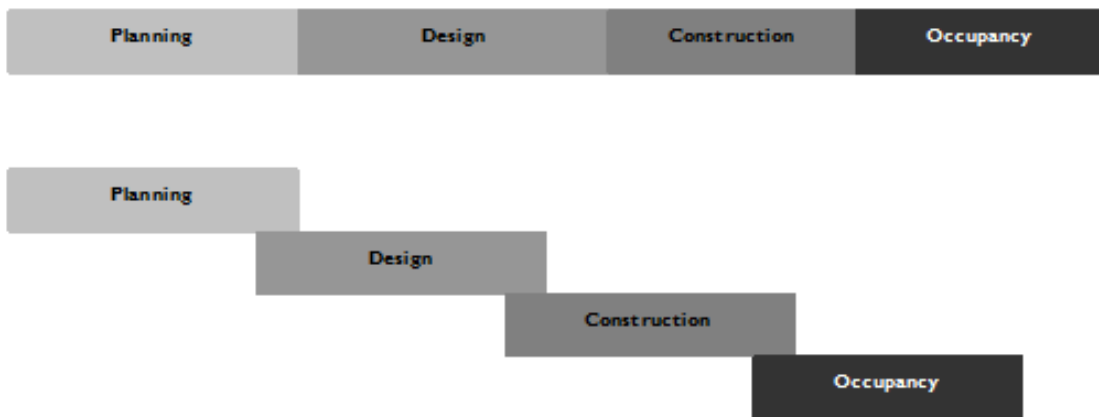
As part of the analysis, the district implemented a variation of the DEED recommendation of establishing a “group of trusted advisors”. This effort primarily consisted of gathering some expertise in areas of [list field(s)]. That knowledge,

Appendix E (cont.)

combined with in-house expertise regarding the work effort and timelines related to project design and the education process, was used to provide the needed reality check on the determinations made under each delivery option.

The Project Environment

Every project occurs in the context of a unique environment, an environment consisting of a variety of both physical and philosophical factors. This environment bears greatly on the successful maturation of a project. That maturation occurs in four typical phases: planning, design, construction and occupancy. These can occur sequentially or may be overlapped (see illustration).



The main characteristics of a project's environment consist of its schedule, the need and ability to establish and define its scope, the resources available to the project, the risks associated with the project and the external constraints placed on the project.

Although identifying and coping with the factors in a project's environment is both complex and an ongoing task until completion is achieved, the focus of this analysis is primarily project initiation not project execution. The district will use the luxury of this focus to narrow our determination of primary factors from the overall project environment to those that bear most directly on determining the "best" project delivery method. The district is further assisted in this effort by one of the external factors for school construction projects receiving state aid. This external factor is that the Design-Bid-Build project delivery option is the standard project delivery method for school construction projects. However, if we can recognize there are some primary factors affecting particular projects that might eliminate this delivery method or make it untenable without significantly increasing risk, an alternative is provided for.

Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis

Determining Factors Analysis

Establishing Determining Factors

Need Factors		Success Factors		
Schedule/Necessity to Overlap Phases	Ability to Define the Project Scope/Potential for Changes	Owner's Internal Resources & Philosophy	Desire for a Single Contract or Separate Contracts	Regulatory/Legal or Funding Constraints
Tight Project Milestones or Deadlines	Scope Definition	Ability or Desire to Define and Verify Program & Design Content/Quality	Ability or Desire to Take Responsibility for Managing the Design	Regulatory and Statutory Requirements
Amount of Overlap of Design & Construction Phases	Potential for Changes During Construction	Experience with the Particular Delivery Method & Forms of Contracts	Ability or Desire to Eliminate Responsibility for Disputes Between Designer and Builder	State Budget and Funding Cycles
	Need/Desire for the Contractor's Input During Design	Ability to Participate in Multiple Trade Contractor/Supplier Evaluations		
	Flexibility to Make Design Changes After Construction Cost Commitments	Desired Contractual Relationship and Ability to Recoup Savings		

The district's analysis groups the *Primary Factors* into five categories as shown in the table below, taken from the DEED Handbook:

By addressing these *Primary Factors*, the district was confident it could guide the selection of the most appropriate delivery option and increase the chances for a successful project.

The first two categories are grouped as *Need Factors*. These factors determine the need to move away from the Design-Bid-Build delivery method established as the standard delivery method for projects administered by DEED. In the following section, **Delivery Method Selection**, XYZSD will demonstrate how the project's environment establishes the need versus the desire or preference for a delivery method other than Design-Bid-Build. The remaining three categories are grouped as *Success Factors*. These are the elements of the project environment that can determine how likely a project is to succeed in using an alternative project delivery method and which of the delivery options is most appropriate. Many of these are tied to the XYZSD's ability to execute the project in a non-traditional method. Regardless of whether the project environment shows a need to move away from the department's standard delivery method or to apply the standard method, XYZSD will demonstrate it both has chosen and that it has the ability to manage the factors of the project

Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis

environment aligned with the successful implementation of the project delivery option selected.

Evaluating Determining Factors

For each factor, there is a *Critical Question* that should be considered. Grouped within the five categories, each *primary factor* is listed along with its critical question, appropriate commentary and the ramifications associated with the answer. *Need factors* are addressed first.

Need Factor #1: Schedule/Necessity to Overlap Phases

Primary Consideration: *Tight Project Milestones or Deadlines*

Critical Question: *Is overlap of design and construction phases necessary to meet schedule requirements?*

Discussion: [Enter information on project schedule.]

Schedules supporting the analysis offered can be reviewed in Appendix A.

Ramifications: [Summarize impacts of schedule discussion on this primary consideration.]

Primary Consideration: *Amount of Overlap of Design and Construction Phases*

Critical Question: *Is there time to complete the Design Development stage of the design prior to starting construction?*

Discussion: [Enter information on how overlap might address project schedule.]

Ramifications: Enter conclusions of schedule discussion on this Need Factor.]

Need Factor #2: Ability to Define the Project Scope/Potential for Changes

Primary Consideration: *Scope Definition*

Critical Question: *Is the scope of work difficult to define?*

Discussion: [Enter information on project scope definition.]

Ramifications: [Enter impacts of scope discussion on this primary consideration.]

Primary Consideration: *Potential for Changes During Construction*

Critical Question: *Is there a significant potential for changes during the construction phase?*

Discussion: [Enter information on project scope change potential.]

Ramifications: [Enter impacts of change discussion on this primary consideration.]

Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis

Primary Consideration: *Need/Desire for the Contractor’s Input During Design*

Critical Question: *Is input from a Constructor during design required or desired?*

Discussion: [Enter information on how contractor input might address project scope issues.]

Ramifications: Enter conclusions of contractor input discussion on this primary consideration.]

Primary Consideration: *Flexibility to Make Design Changes After Construction Cost Commitments*

Critical Question: *Are your design and scope requirements fully defined?*

Discussion: [Enter information on how changes after cost commitments relate to project scope issues.]

Ramifications: [Enter conclusions of changes to scope discussion on this primary consideration.]

Success Factor #1: Owner’s Internal Resources & Philosophy

Primary Consideration: *Ability or Desire to Define and Verify Program and Design Content/Quality*

Critical Question: *Will the Owner utilize outside resources to verify quality?*

Discussion: [Enter information on the qualifications and experience of the Owner’s staff to establish and review quality issues. Discuss internal tools and resources and the need for any outside resources.]

Ramifications: [Enter conclusions related to in-house resources and experience, and any need for outside/additional resources.]

Primary Consideration: *Experience with the Particular Delivery Method and Forms of Contracts*

Critical Question: *Are agency in-house personnel experienced in alternative delivery options or, if not, will in-house personnel be augmented by other agency or contracted personnel?*

Discussion: [Enter information on how the qualifications and experience of the Owner’s staff. Discuss internal tools and resources and the need for any outside resources (e.g., architects, engineers, project managers, construction inspectors, etc.) Note limitation for managing any delivery method.]

Ramifications: [Enter conclusions regarding Owner experience and any impact on the project.]

Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis

Primary Consideration: *Ability to Participate in Multiple Trade Contractor/Supplier Evaluations*

Critical Question: *Does the Owner need the ability to participate in the selection and evaluation of trade contractors or suppliers?*

Discussion: [Discussion should include project schedule options, Owner personnel knowledge and experience, and the need to participated in the selection of subs and lower tier specialties.]

Ramifications: [Enter conclusions regarding the need to participate in acquisition of lower-tier contractors and the Owner's internal or external resources.]

Primary Consideration: *Desired Contractual Relationship and Ability to Recoup Savings*

Critical Question: *Does the Owner wish to have a complete and timely access to all of the Contractor's Information?*

Discussion: [Enter information related to the level of involvement in the Contractor's information about the job.]

Ramifications: [Enter conclusions. Generally, if the Owner is not fully able to take advantage of an open, collaborative relationship among the parties for making financial decisions, then a *qualifications based selection* does not need to be considered under this factor.]

Success Factor #2: Desire for a Single Contract or Separate Contracts

Primary Consideration: *Ability or Desire to Take Responsibility for Managing the Design*

Critical Question: *Does the Owner have in-house design resources qualified to oversee design professionals, and does the Owner have the ability to commit sufficient resources to design management?*

Discussion: [Enter information about the Owner's in-house resources for managing or executing Design. What experience is there and does it need to be augmented?]

Ramifications: [Enter conclusions about the Owner's ability and desire to manage the design of the project or to assign that responsibility to another entity.]

Primary Consideration: *Ability or Desire to Eliminate Responsibility for Disputes Between Designer and Builder*

Critical Question: *Does the Owner desire to hold a single entity responsible for*

Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis

coordination, collaboration, and productivity for the entire project?

Discussion: [Enter information on the ability and experience of XYZSD' responsibility for resolving disputes between the Design and Construction entities.]

Ramifications: [Discuss the conclusions regarding the needs of the project to have Designer and Constructor entities integrated or the pros/cons of separation and the ability to manage such.]

Success Factor #3: Regulatory/Legal or Funding Constraints

Primary Consideration: *Regulatory and Statutory Requirements*

Critical Question: *Do laws, rules, regulations, etc., permit the use of an alternative project delivery method?*

Discussion: [Enter information about state (DEED) requirements for alternate delivery methods. Discuss the local requirements and allowances for alternative delivery methods.]

Ramifications: [Enter conclusions regarding law and regulatory issues. Consider timelines that may be needed.]

Primary Consideration: *State Budget and Funding Cycles*

Critical Question: *Is funding available for construction at initiation of design?*

Discussion: [Discuss the State's budget and funding cycle and how they may or may not have an impact on the timing, sequencing and a subsequent recommendation of a project delivery option.]

Ramifications: [Enter conclusions such as: "Any of the permitted delivery options will work with complete project funding," or other statement supporting the project environment.]

Delivery Method Selection

Although there are a number of factors in making a decision concerning which project delivery option to recommend, by the time a few *primary factors* are applied, it becomes apparent which options are least appropriate. By the process of elimination, the most appropriate option(s) can be determined.

Having used the DEED matrix of options and worked through its list of major factors to consider, the district is able to determine through a process of elimination, "Which project delivery options are least appropriate to recommend on this project?"

The order in which the *primary factors* have been applied in our analysis is driven by the approval process as illustrated in the **DEED Alternative Project Delivery Approval Flowchart** shown in Appendix B. An assessment of the *Need Factors* was applied to the project, any one of which may drive the need to use an alternate project delivery

Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis

method. Next, the *Success Factors* were applied. These factors reflect judgments that were made regarding the district's ability to be successful in implementing a particular delivery method.

The depiction of the DEED Project Delivery Options Matrix showing the project delivery options eliminated as a result of the districts analysis is included below.

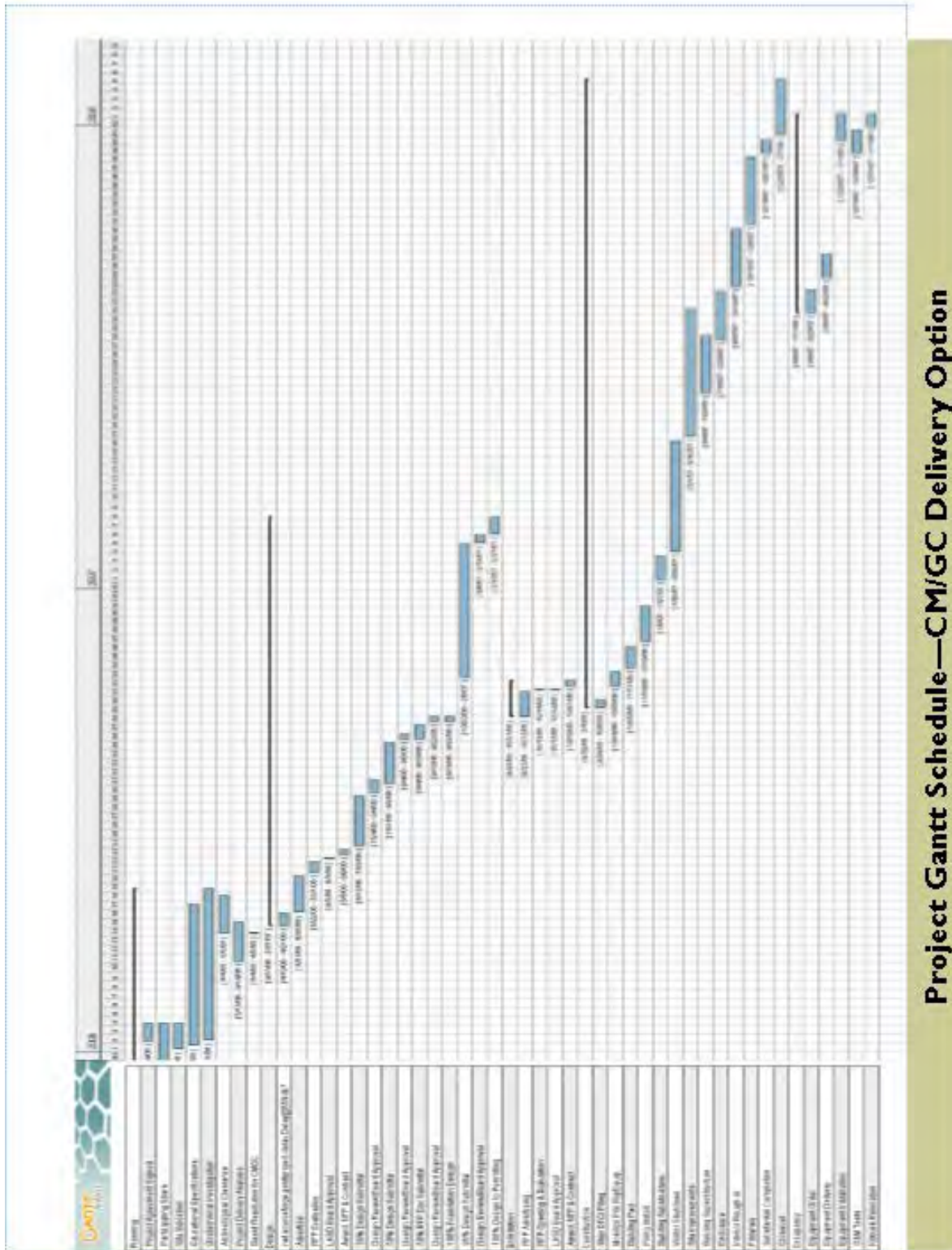
SELECTION METHOD	CONTRACT TYPES	
	DESIGNER & CONSTRUCTOR (w/SEPARATE CONTRACTS)	DESIGNER/CONSTRUCTOR (ONE CONTRACT)
Competitive Sealed Bid (Low Bid) Total Construction Cost is <u>sole</u> criteria for selection	Design-Bid-Build	Design-Build-Bid
Competitive Cost Proposal (Best Value) Total Construction Cost weighted with other factors for selection	M/C Best Value (BV)	Design-Build Best Value (BV)
Competitive Qualifications Proposal (Qualifications Based Selection) Total Construction Cost is <u>not</u> a factor for selection	M/C QS	Design-Build QS

[Note: Adjust markings above as required.]

In summary, the XYZ School District is proposing to use the [Enter name] project delivery method for the [Project Name] project. [Add additional support narrative as needed OR alternative outcomes based on information yet to be finalized or determined.]

Appendix E (cont.)

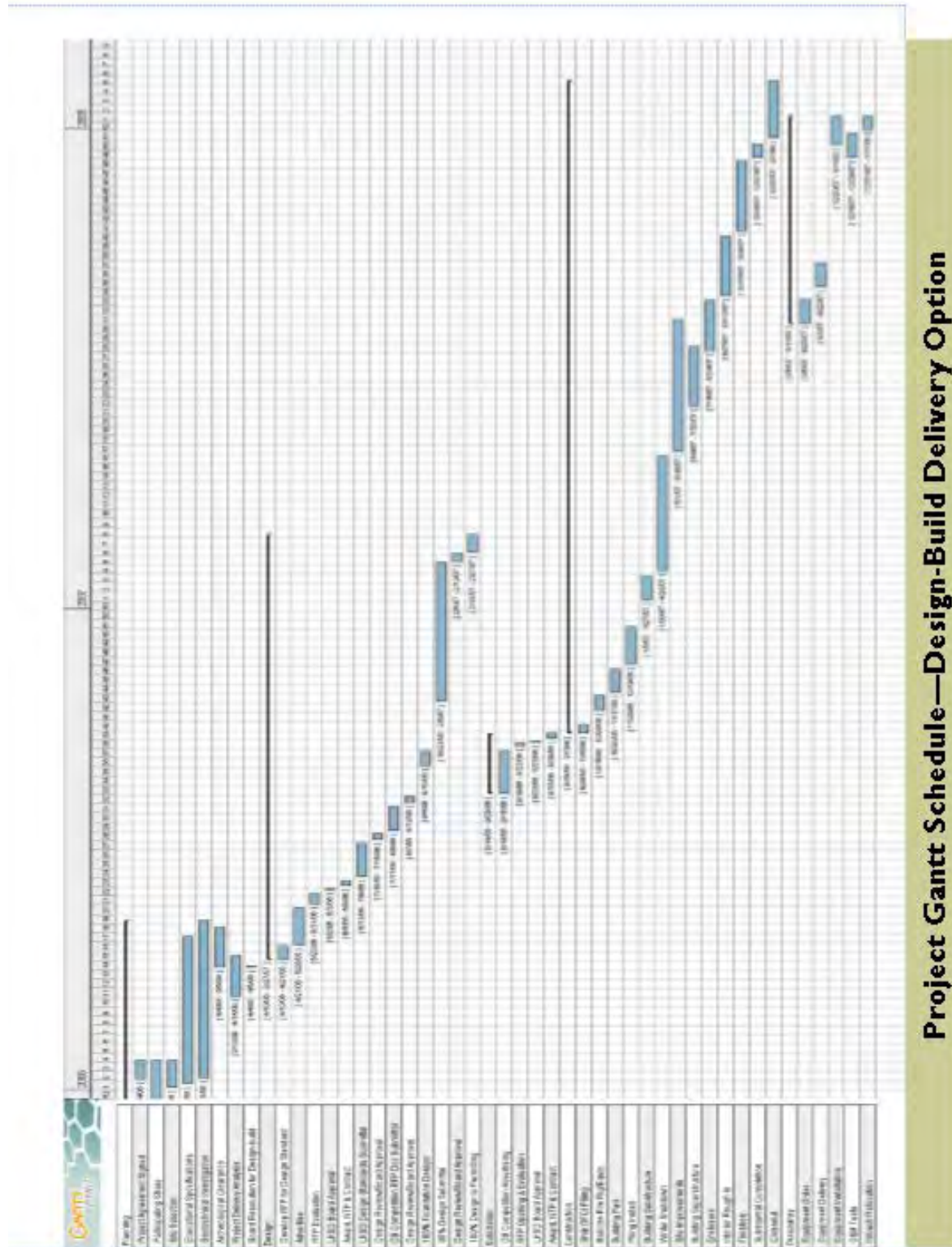
Sample School Capital Project—Project Delivery Options Analysis



Project Gantt Schedule—CM/GC Delivery Option

Appendix E (cont.)

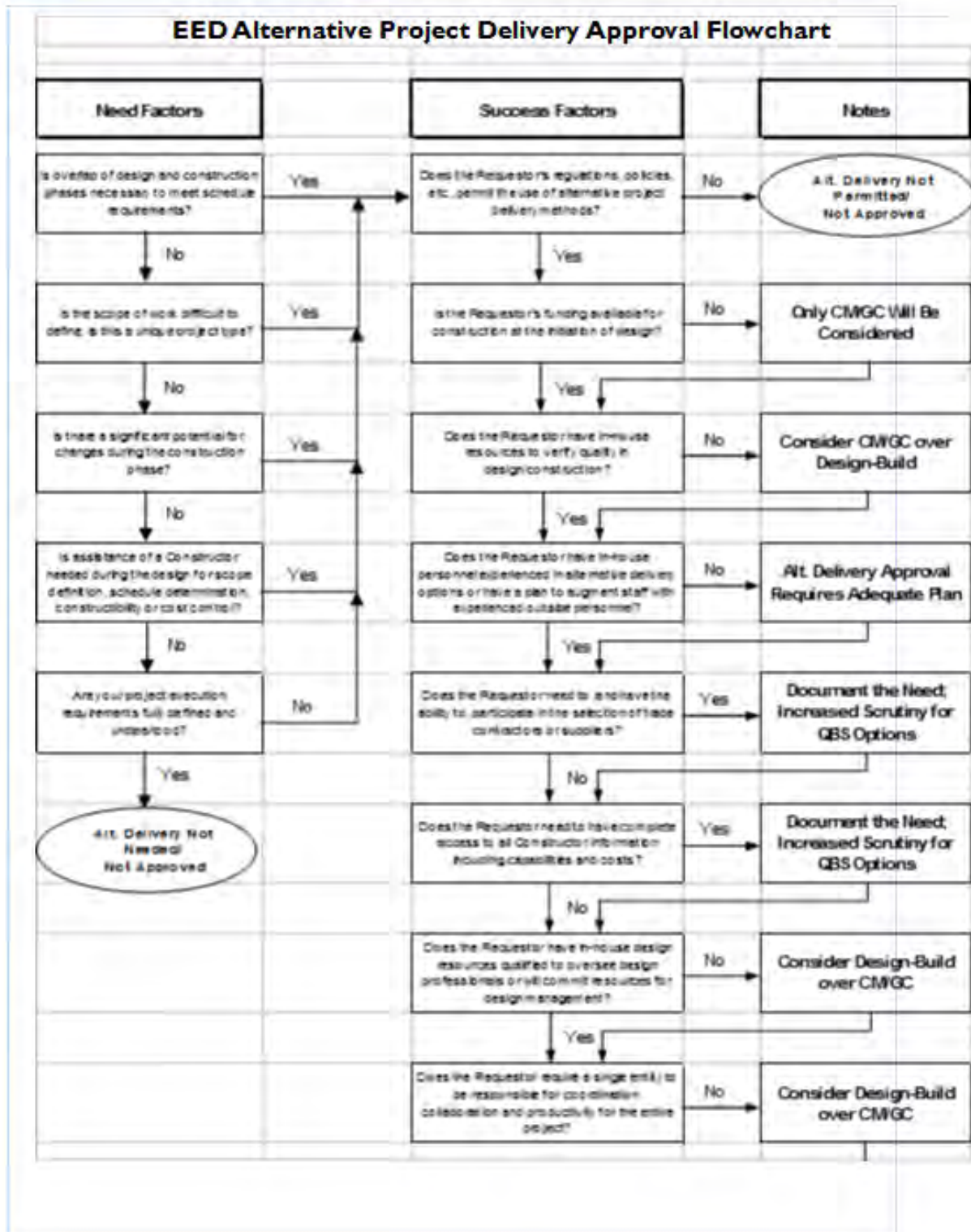
Sample School Capital Project—Project Delivery Options Analysis



Project Gantt Schedule—Design-Build Delivery Option

Appendix E (cont.)

Sample School Capital Project—Project Delivery Options Analysis





Guidelines for School Equipment Purchases

**PRIMARY
AUTHOR**

Tim Mearig, Architect
Alaska Department of Education & Early Development
Juneau, Alaska

CONTRIBUTORS

Facilities Staff
Alaska Department of Education & Early Development
Juneau, Alaska

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State of Alaska
Department of Education & Early Development
Juneau, Alaska

Originally published in 1988 by the State of Alaska, Department of Education as *Guidelines for School Equipment Purchases* and updated in 1997 and 2005 under the same name.

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Introduction

Overview

Regulations governing the use of state aid from debt reimbursement and grant funding provide for the use of capital project funds for the purpose of equipping new or rehabilitated school facilities. In addition, statutes prohibit the granting of capital project funds to districts unless districts account for all school equipment through an auditable fixed asset inventory system. The purpose of this Department of Education & Early Development guideline is to assist school districts and municipal entities in purchasing equipment in compliance with school construction statutes and the regulations which implement them. The guideline provides direction in three major areas: identifying the needed equipment, equipment budgets and accounting for the equipment.

Authority

AS 14.17.190(b)

(b) Each district shall maintain complete financial records of receipt and disbursement of public school foundation money, money acquired from local effort, and other money received by the district. The records must be in the form required by the department and are subject to audit by the department at any time.

AS 14.11.011(b)

(b) For a municipality that is a school district or a regional educational attendance area to be eligible for a grant under this chapter, the district shall submit

(1) a six-year capital improvement plan that includes a description of the district's fixed asset inventory system and preventive maintenance program no later than September 1 of the fiscal year before the fiscal year for which the request is made; the six-year plan must contain for each proposed project a detailed scope of work, a project budget, and documentation of conditions justifying the project;

AS 14.11.017(a)(3)

(a) The department shall require in the grant agreement that a municipality that is a school district or a regional educational attendance area . . .

(3) agree to limit equipment purchases to that required for the approved project plan submitted under (5) of this subsection and account for all equipment purchased for the project under a fixed asset inventory system approved by the department,

AS 14.14.060(h)

(h) School boards within the borough may determine their own policy separate from the borough for the purchase of supplies and equipment.

AS 14.11.135(3)

(3) "costs of school construction" means the cost of acquiring, constructing, enlarging, repairing, remodeling, equipping, or furnishing of public elementary and

Introduction (cont.)

secondary schools that are owned or operated by the state, a municipality, or a district and includes the sum total of all costs of financing and carrying out the project; these include the costs of all necessary studies, surveys, plans and specifications, architectural, engineering, or other special services, acquisition of real property, site preparation and development, purchase, construction, reconstruction, and improvement of real property and the acquisition of machinery and equipment that may be necessary in connection with the project. . . .

4 AAC 31.900 defines school equipment as follows:

(2) “capital equipment” means built-in and movable equipment used to furnish a newly constructed or rehabilitated space; it includes the first-time purchase of library books, reference material, and media to furnish a new or renovated library; it does not include supply items such as textbooks and expendable commodities; the term is further defined in the Department of Education & Early Development’s *Guidelines for School Equipment Purchases*, 1997 edition;

Identifying Needed Equipment

Educational Specifications

The general scope of necessary equipment purchases, as defined in 4 AAC 31.900(2) and this guide, should be a part of the educational specification developed for the project. Paragraph (7) of 4 AAC 31.010 Educational Specifications, indicates that the educational specifications should include, “the educational spaces needed, their approximate sizes in square feet, *their recommended equipment requirements*, and their space relationships to other facility elements.” Educational specifications for projects incorporating state funding are reviewed and approved by the Department of Education & Early Development prior to contract award. Good educational specifications include, in tabular form, a listing of necessary equipment for the project. The listing should be based on the Activity Setting Descriptions identified in the department’s guide “A Handbook to Writing Educational Specifications”, current edition. If the project architect’s professional services include responsibilities for preparing furnishing, fixtures, and equipment (often referred to as FF&E) documents, these listings become an invaluable tool in communicating district needs to ensure their inclusion in the project. The project’s design documents should identify types and quantities of equipment which conform to the district’s established standards. The actual selection and purchase of this equipment is normally the responsibility of the school district in which the school facility is located unless otherwise agreed when a municipality is the project manager.

Technology Items

A key component of any equipment budget is the provision of technology items such as computers, computer peripherals and software, audio-visual and vocational-technical equipment. Technology incorporates a wide spectrum of equipment items and has become an integral part of education. Technology can both be taught as a subject area and used as a delivery system in the teaching/learning process across all subject areas. In other words, most schools include both technology education and educational technology. They do this to differing degrees depending on the objectives and culture of the school district or individual school. The definitions included in Appendix A indicate that technology is best thought of in the broad sense of those equipment items used to process or create electronic data which are integrated into a system. Under this definition, typical technology equipment at the publication of this guide would be, computers, printers (2D/3D), monitors, video projectors, interactive whiteboards, scanners (2D/3D), video cameras, digital cameras, large format displays, video recorders/players, image processors, robotics, calculators, electronic test equipment, voice over IP, digital telephone, etc. Most of these items are dependent on both the software and wiring/cabling connections to make them functional for specific purposes. An initial copy of software can be purchased as technology equipment. Typically, the wiring and cabling will be included as part of the construction budget.

Furnishing & Equipment Items

The remaining components of an equipment budget include furnishings and the equipment necessary to provide for the administration, operations and instructional programs of the school.

Identifying Needed Equipment (cont.)

The identification of furnishings for administrative and instructional use is a relatively straightforward process. The items are typically large and are used daily. This serves to keep them in the forefront of people's minds when being asked to develop school equipment lists. The identification of instructional equipment presents additional challenges and requires intentional planning and even research on the part of the school district's project design team. Probably the most overlooked items are those that pertain to the maintenance and operation of the new or renovated school. Items in this category include custodial care equipment, personnel lifts, mowers, snow blowers, and similar items that are appropriately sized and are dedicated to the use and operation of that specific facility. Maintenance items such as testing equipment, any type of construction equipment, or vehicle that can be used at multiple school locations are not appropriate purchases under the capital equipment associated with the school facility being constructed or rehabilitated.

Distinguishing Between Supply & Equipment Items

An item can be classified as **supply** if it meets one or more of the following criteria:

1. It is consumed, worn out, or deteriorated as it is used, to the point of being not useful or not available for its principal purpose, and under normal conditions of use, it reaches this state of being not useful or not available for its principal purpose typically within one (1) but not more than two (2) years.
2. Its original shape, appearance, and/or character changes with use.
3. It loses its identity through fabrication or incorporation into a different or more complex unit or substance.
4. It is expendable, that is, if the item is damaged or some of its parts are lost or worn out, it is usually more feasible to replace the item with an entirely new unit rather than repair it. Examples are paper, pencils, cleaning supplies, etc.

An item can be classified as **equipment** if it is an instrument, machine, apparatus, or set of articles which meets *all* of the following criteria:

1. It retains its original shape, appearance, and/or character with use.
2. It does not lose its identity through fabrication, or incorporation into a different or more complex unit or substance.
3. It is non-expendable; that is, if the item is damaged or some of its parts are lost or worn out, it is usually more feasible to repair the item rather than to replace it with an entirely new unit.
4. Under normal conditions of use, including reasonable care and maintenance, it can be expected to serve its principal purpose for more than one (1) year.

Equipment items are normally of significant value, usually over \$5000, or the value that the local school district has established in its capitalization policy. However, smaller value items, often

Identifying Needed Equipment (cont.)

needed in quantity or available as sets, which meet the above conditions also qualify as equipment. Examples include, a) office equipment such as punches and staplers, classroom flags, and waste cans, b) maintenance and career technology equipment such as hand tools and diagnostic equipment, and c) food service equipment such as utensils, pot/pans, shelving, and portable work surfaces.

Items which are obviously “supply” in nature may be purchased only if they are an integral part of an equipment package purchase such as with a computer (operating system software) or teaching machine or other device meeting the criteria of an equipment item.

For supply/equipment decision flow chart, see the department’s Uniform Chart of Accounts, current edition.

School Equipment Budgets

Quantities

Equipment items should be purchased only as needed to support the individual school project or program which is authorized. Numbers of desks, computers, calculators, video players, video display panels, etc., should be--when added to those already available to be moved from any older facility which formerly housed the program--a total of no more than those appropriate to adequately provide for the educational program served by the school construction project named in the funding application or project agreement. The Department of Education & Early Development will approve the general types and quantities of equipment purchases as it approves the educational specifications submitted by the school district. It is the responsibility of the school district to actually purchase the equipment and to make specific cost-benefit value decisions and product selections.

Overall Budgets

The portion of each school construction or major maintenance project budget used for the purchase of school equipment should respond to the district's instructional program, the type of equipment needed to deliver the program, the grade levels being served, the availability of satisfactory existing equipment and the cost and quantities of new equipment. Traditionally, school equipment budgets have been thought of as a percentage of the facility construction cost. Current experience is showing percentages ranging as high as eight percent. This figure is for new construction; a lesser amount often is sufficient in renovations due to the availability of existing equipment items. For projects funded by appropriations made to the Department of Education & Early Development, total equipment budgets (i.e. conventional equipment plus technology items) have been limited to 7% unless a detailed justification is provided which shows the correlation between a school board-approved instructional program and the need for additional equipment.

While budgeting for equipment as a percentage of construction cost has some merit, state-wide equity is difficult to achieve due to the widely varying cost per square foot of Alaska schools. Whereas the cost of acquiring a constructed facility involves labor costs, material costs, and substantial premiums to access and serve remote sites, the cost of acquiring school equipment is more likely to be similar among districts regardless of location. Some small increases can be expected for shipping, lack of quantity discounts, as well as the services required to install more elaborate systems.

The department has established two parameters with which to evaluate school equipment budgets. The first will be the percentage-of-construction method with the standard limitation remaining at 7%. The second budget parameter is established on a per-student basis as shown in the tables on the following page:

School Equipment Budgets (cont.)

Elementary Students Served	Technology Equipment	All Other Equipment
10 - 100 students	\$1,400	\$1,700
101 - 250 students	\$1,300	\$1,700
251 - 500 students	\$1,000	\$1,500
over 500 students	\$900	\$1,400

Secondary Students Served	Technology Equipment	All Other Equipment
10 - 100 students	\$1,700	\$2,100
101 - 250 students	\$1,500	\$2,000
251 - 500 students	\$1,300	\$1,900
over 500 students	\$1,200	\$1,700

Note: for schools with a mix of elementary (K-6) and secondary students (7-12), the aggregate number of students will determine which per-student allotment is used. Example: A K-12 school with 86 students in grades K-6 and 59 students in grades 7-12 would use figures from the 101-250 category (\$1,300 and \$1,700 for elementary and \$1,500 and \$2,000 for secondary). These would be applied to the specific numbers of students in each grade grouping.

Schools in regions with a geographic area cost factor greater than 110.00, as established in the department's current Program Demand Cost Model for Alaskan Schools, will be allowed an additional amount to account for estimated shipping and installation costs. For these schools, equipment budgets calculated using the per-student table may be increased an amount equal to one-fifth of their geographic area cost factor. Example: A school with a geographic factor is 140.91, may increase their per-student-based equipment budget by 8.18 percent. ($40.91 / 5 = 8.18$)

Summary

For projects funded under AS 14.11, total school equipment budgets will be limited to the lesser of the amounts generated by the percentage of construction cost formula at 7%, and the per-student formula shown above. The opportunity to provide detailed justification which shows the need for additional funding of equipment remains in effect.

For projects providing new facilities or projects constructing space for new media programs which do not replace another facility, the initial purchase of library media is appropriate for inclusion in the equipment budget.

Accounting for Equipment Purchases

Installed Equipment

Built-in equipment or furnishings or those pieces of equipment which are an integral part of a building system are normally included in the construction documents and are not considered capital equipment for the purposes of a fixed asset inventory. Installed equipment is instead accounted for as part of the building cost.

Fixed Asset Inventory

Procedures and requirements for establishing and maintaining a property accounting system can be found in various industry, state, and federal publications. Equipment purchased as part of a school construction project will be recorded in a district's approved fixed asset inventory system, as required. It is impractical for every individual item purchased as school equipment to be recorded. Therefore, a minimum cost should be established above which an asset will be entered into the fixed asset records. The Alaska Department of Education & Early Development Uniform Chart of Accounts, current edition, establishes that minimum at \$5000 or the school district's/municipality's capitalization threshold for equipment, whichever is lower. The cost established as the threshold should be stated in the fixed asset portion of the annual audit submitted for department review under 4 AAC 09.130. In establishing the appropriate management of school equipment within a fixed asset system, cost thresholds and financial accounting are one consideration. Another consideration of similar importance is level of control or physical control. Often, these two considerations—fiscal control and physical control—work in conjunction within a fixed asset inventory.

Equipment Control

The tracking and control of physical resources by school districts is a matter of responsible stewardship. In devising methods for carrying out this responsibility, selecting an appropriate level of control is important. Three broad categories of control have been suggested as applicable to school equipment purchases: little or no control, group control, and individual control. Two of these, group control and individual control intersect with the district's fixed asset system. The individual control category, in which discrete equipment items are tracked based on their relatively high value, has been adequately covered in the preceding paragraph. Group control, as a category, offers a mechanism for school districts to include equipment items with lower individual dollar values in their fixed asset inventory. Items in this category, when taken as a group, are valuable enough to justify the cost of providing some type of control over their safety, use, location, and condition. Examples of such items include classroom equipment group, or administration equipment group. These groups would consist of furnishings, computers/peripherals and appliances assigned to a room, suite, or wing of the school facility. Best practices for school equipment accounting would include such groups as fixed assets.

Appendix A - Definitions

Construction Equipment: Any type of bulldozer, front end loader, fork lift, or other type of equipment that is typically used in construction activities that may or may not be legal for use on a public way, that can move under its own power, and is controlled by an operator that is located on or in the equipment.

Installed Equipment: Built-in equipment or furnishings or those pieces of equipment which are an integral part of a building system.

Fixed Assets: An account grouping used to track the balance of expenditures and revenues associated with owned property.

Property: Physical assets including land, buildings, and equipment.

Supplies: Items which are consumed during normal use or are more feasible to replace with an entirely new unit rather than repair it. Supplies are not part of the fixed asset account group.

Technology: An integrated system of electronic and mechanical equipment, associated software and peripherals which creates and/or process information to support a school's educational program.

Vehicle: Any tracked, two, or four wheeled motorized means of conveyance that carries an operator, that may or may not carry a passenger, and that may or may not be legal for use on a public way.



Site Selection Criteria and Evaluation Handbook

CONTRIBUTORS

Sam Kito III, P.E.
Facilities Engineer
Alaska Department of Education and Early Development
Juneau, Alaska

Scott Thomas, P.E.
Alaska Department of Transportation and Public Facilities
Anchorage, Alaska

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Introduction

Overview

The perfect school site can be envisioned as generally level with some topographic interest, having complete utilities, stable, well drained soils, excellent road and pedestrian access, protection from excessive weather patterns, with ample space for school facilities, playground and sports fields. The site would be accessible to present and future populations and be free of any natural or environmental hazards. It would be removed from undesirable business, industry and traffic hazards but be convenient to important public facilities and recreational/outdoor learning areas. In most communities, however, the perfect site is elusive and difficult to find.

School siting is also a serious public policy decision. Land availability, land use, public sentiment and other community issues can have dramatic influence on site selection. In any site selection process, local involvement and judgments regarding the relative significance of selection criteria are important.

This Site Selection Criteria Handbook was developed with flexibility in mind, and can be used by school districts to perform a site selection analysis for any school facility by carefully selecting the appropriate criteria and weighting factors. Districts can use this guide for analysis of site opportunities for elementary schools, secondary schools, charter schools, alternative schools and special purpose facilities.

Finally, site selection for school facilities has a direct and lasting impact on the resources of the State of Alaska. Both the economic resources and the natural resources of the state are affected by the construction and operation of public schools. Primarily in response to these factors, the state recognizes the need for careful and thorough evaluation of school sites.

Authority

The guidelines incorporated in this handbook have been developed to give assistance and direction to Alaska school districts and communities in determining the suitability of various building sites for educational facilities planning. They are based upon AS 14.11.013 and 14.11.100, which provides for department review of projects to ensure they are in the best interest of the state. This provision is further developed by regulation 4 AAC 31.025 which requires approval of educational facility sites under paragraph (a) and investigations by the appropriate local governing body for suitability in paragraph (d). This handbook establishes the basic considerations for an adequate site selection process. Other products of similar detail may be used to fill the requirements laid out in statute and regulation.

Basic Procedures

Site Selection Elements

This handbook establishes a set of basic site selection elements and offers suggested evaluation criteria for rating the elements. Although the document does incorporate an internal weighting factor (it lists a few key ranking criteria elements which have high cost impacts in more than one sub-category) it does not prescribe the importance of most selection elements but rather, incorporates a weighting system whereby a district or community can assign a range of importance to each element. It is recognized that information for all the elements cannot always be determined nor are all elements applicable to every site. However, detail and rigor in addressing the elements is important for an effective evaluation.

The selection elements are grouped into three major categories as follows:

- 1. Social and Land Use Factors***
- 2. Construction Cost Factors***
 - a) Soils/Foundations*
 - b) Utilities*
 - c) Other*
- 3. Operations and Maintenance Cost Factors***

The site selection elements form the basis for an evaluation matrix which is shown in **Appendix A** and is available as a spreadsheet on the department's website. The first step in the process is to review the matrix elements for applicability to the project and sites being considered.

Weighting Factors (WF)

After identifying the site selection elements, the next step is to assign weighting factors to each element. Assignment of the weighting factors is the district/community's opportunity to apply its values to the evaluation process so that the final scores for each site reflect issues involved at the local level. This is often accomplished through community surveys, public meetings and other forums for developing consensus among the parties affected by the school project. A suggested model for the district/community weighting factors is shown below:

Weighting Factors

- 1 = not very important*
- 2 = somewhat important*
- 3 = important*
- 4 = very important*
- 5 = essential*

Basic Procedures

Applying Ranking Criteria

Following the assignment of the weighting factors, each selection element is evaluated according to established criteria and ranked on the simple five point scale from 0 to 4. The detailed ranking criteria to be used, which differentiates as needed between rural and urban sites, is described following this section on **Basic Procedures**. The table below gives a suggested definition of each ranking score:

Criteria Ranking Scores

0 = unacceptable (least desirable/least cost effective)

1 = poor

2 = fair

3 = good

4 = excellent (most desirable/most cost effective)

Tabulating and Analyzing Results

Using the Site Evaluation Matrix (Appendix A) enter the criteria ranking scores for each element. Compute the total score for each site by multiplying each criteria score by the weighting factor and sum them. An example of a portion of the Site Evaluation Matrix is shown below:

Maintenance and Operating Cost Factors									
Criteria	WF	Site 1	S1 x WF	Site 2	S2 x WF	Site 3	S3 x WF	Site 4	S4 x WF
Site Drainage	3	4	12	3	9	3	9	n/a	n/a
Flooding	4	4	16	4	16	2	8	n/a	n/a
Site Erosion	4	3	12	3	12	3	12	n/a	n/a
Sun Orientation	2	2	4	1	2	1	2	n/a	n/a
Protection from Elements	2	3	6	3	6	2	4	n/a	n/a
Proximity to Natural Hazards	4	0	0	3	12	4	16	n/a	n/a
Alternative Energy Sources	3	1	3	1	3	2	6	n/a	n/a
Air Inversions/Katabatic Winds	2	4	8	4	8	4	8	n/a	n/a
TOTALS			61		68		65		n/a

The total scores for each site represent a detailed analysis; the highest score should indicate the most desirable site. If the district or community, based on factors not captured by the evaluation, desires to choose a site other than the site receiving the highest score, a narrative justification of this position will need to be developed for inclusion in the site selection report.

Ranking Criteria Elements

The following ranking criteria elements provide specific guidance to school districts in establishing a score of each associated ranking element. If a particular district has a particular criteria that is not included in the ranking criteria listed below, but is important to the district in determining the acceptability of a school site, then the district can utilize the spreadsheet available on the department's website to add that criteria to the scoring matrix. Because the department reviews and approves site selection decisions made by a school district, the department will need to be consulted if additional criteria are proposed for a site selection analysis.

Size of Site

Criteria:

The specific criteria listed below have been adapted from the *Council of Educational Facility Planners International Creating Connections Guideline*.

Selection of a school site involves many variables, all of which cannot be captured in a basic metric such as the one shown below; however, the tool below can be helpful for identifying the approximate site size necessary to accommodate a district's proposed school facility. For assistance with estimating size for a particular use contact the department, or consult with a design professional.

Use	Typical Size	Actual Estimated Size
Building Footprint	Varies	
Service Area (3 dumpsters/recycling bins, loading and turning area for two trucks)	8,000 SF	
Bus Drop-off/Pick-up (including space for angled parking and driveways with appropriate turning radius)	5,500 SF/bus	
Bus Drop-off/Pick-up (parallel loading at sidewalk)	650 SF/bus	
Car Drop-off/Pick-up	250 SF/car	
Vehicle Parking	285 SF/space	
Paved Outdoor Play Area	4,500 SF (varies)	
K-2 Playground Equipment Area	3,200 SF (varies)	
3-5 Playground Equipment Area	3,200 SF (varies)	
Outdoor Learning Area	Varies	
Grassy/Natural Play Area	Varies	
Football Field	88,000 SF	
Football Field with track and field event space	225,000 SF	
Soccer	106,000 SF/field	
Total Net Square Footage		
Net to Gross Factor (10% for larger sites varying to 30% for small sites to accommodate walkways and buffers between activity areas)	10%-30% of net square footage	
Total Useable Area Required		
Number of Useable Acres Required (divide total useable area required by 43,560 SF/acre)		

See next page for evaluation criteria

Ranking Criteria Elements

Evaluation (for Site Size Criteria):	Scores:
Site size is within 30% of the calculated programmatic space requirements for the proposed facility	0
Site size is within 20% of the calculated programmatic space requirements for the proposed facility	1
Site size is within 10% of the calculated programmatic space requirements for the proposed facility	2
Site size is adequate to meet the calculated programmatic space requirements for the proposed facility	3
Site size exceeds the calculated programmatic space requirements for proposed facility and provides room for building expansion and/or activity use expansion	4

Proximity to Population to be Served

Criteria:

Ideally, all students served by the school would be in convenient, safe walking distance to the site. In communities with roads, convenient vehicle/bus travel is also important. Evaluate this criterion using the anticipated population distribution when the school is at capacity (i.e. 5 year post-occupancy). Use the following standard, evaluating for both elements and using the lowest score:

- 50% of students served are within reasonable walking distance (i.e. ¼ mile or less) and,
- 90% of students served are within a 15 minute vehicle/bus ride

Evaluation:	Scores:
Proximity of student population is 40% or more below standard	0
Proximity of student population is within 20% of standard	1
Proximity of student population is within 10% of standard	2
Proximity of student population is equal to standard	3
Proximity of student population is 10% or more above standard	4

Ranking Criteria Elements

Proximity to Future Expansion of Community

Criteria:

Occasionally, schools are constructed on sites that within 20 years are no longer adjacent to population centers and/or residential areas. This criterion assesses long-range planning and land use factors related to school sites. Use a subjective evaluation of how well the site corresponds to future expansion and land use in the community to score this criterion. Answer the question, “Is this a good long-term site for a school?”

Evaluation:	Scores:
Incompatible with future expansion	0
Significant variances with future expansion	1
Some variances with future expansion	2
Corresponds well with future expansion	3
Corresponds ideally with future expansion	4

Proximity to Important Existing Facilities

Criteria:

In some instances, a district/community can identify an existing facility (e.g. swimming pool, food service, etc.) which is shared between multiple schools and to which close proximity is essential or desired. If more than one facility is important, this criterion may have to be scored multiple times. In most cases the adjacency is important because it involves student transit. Use the following standard:

- students served are within a short walking distance to important existing facilities (i.e. 1/8 mile [660ft.] or less)

Evaluation:	Scores:
Proximity of school is 40% or more below standard	0
Proximity of school is within 20% of standard	1
Proximity of school is within 10% of standard	2
Proximity of school is equal to standard	3
Proximity of school is 10% or more above standard	4

Ranking Criteria Elements

Year-round Accessibility

Criteria:

Ideally, the site should be easily accessible during all times of the year regardless of weather and temperature effects on paths, walks or roads. In some communities, access may improve during winter due to frozen water/wetlands. In other communities, winter may cause the most difficult accessibility problems. Evaluate this criteria assuming standard amenities for site accessibility are provided (i.e. walks, roads, bridges, etc.). Costs for providing these amenities should be covered in other criteria.

Evaluation:	Scores:
Site is inaccessible during certain times of the year	0
Access is routinely interrupted by weather/temperature conditions	1
Access is periodically over swampy, unstable soils	2
Typically year-round well drained ground/road access	3
Fully accessible; only severe storms may temporarily hinder access	4

Site Topography

Criteria:

Ideally, the site should be fairly level with some topographic relief that can provide opportunities for learning area development. In some communities, choice of level property may not be available, so consideration should be given to the side that best meets the programmatic needs of the facility. Evaluate this criterion by considering the types of amenities required for the facility (i.e. playground/play area, soccer field, track, basketball court, etc.). Costs for providing these amenities should be covered in other criteria.

Evaluation:	Scores:
Site contains significant topographic relief, and cannot accommodate anticipated uses	0
Site is not level, and can only accommodate a limited number of anticipated uses	1
Site is not level, but can still accommodate all anticipated uses	2
Site is mostly level and can accommodate all anticipated uses	3
Site is level and can accommodate all anticipated uses	4

Ranking Criteria Elements

Traffic Impact, Access Needs:

The following five criteria relate to traffic and access issues that may affect a potential school site. A thoughtfully situated site will allow walking, busing and driving access while minimizing crash risk between those modes of travel as well as mainline traffic. The criteria address capital and maintenance needs for road function, sight distance, access and circulation, walking routes, school zones, turn lanes, and traffic signals. The following five criteria are especially important to consider in urban and suburban site selection processes where inadequately addressed traffic issues can result in safety concerns for students.

Road Access

Criteria:

Evaluate site access options. Access to the school site from minor arterials and collectors is more compatible than access from high speed or high volume road corridors or a low volume neighborhood residential street. Consider traffic speed and volume at the point of driveway access. Request DOT/PF or local agency assistance for roadway classification and traffic volume information.

Evaluation:	Scores:
Driveway access from National Highway System, Principal Arterial, or Interstate	0
Driveway access from a low volume internal residential-only street	1
Driveway access from a Major Arterial roadway	2
Driveway access from a Minor Arterial roadway	3
Driveway access from Local Road or Collector (not generally a low volume residential-only street)	4

Visibility, safety of driveways

Criteria:

Driveways have the potential to create conflicts when vehicles enter the roadway, particularly where slopes, curves or obstacles prevent good sight distance. The potential for conflicts can be reduced through provision of proper sight distance and traffic control devices. Evaluate sight distance at existing intersections and identify changes that may be required to provide adequate sight distance. Request DOT/PF or local agency assistance for minimum intersection sight distance.

Evaluation:	Scores:
Adequate intersection sight distance cannot be provided or is very difficult to provide.	0
n/a	1
Adequate intersection sight distance can be provided but requires clearing and/or earthwork.	2
n/a	3
Adequate intersection sight distance can be provided without any major work.	4

Ranking Criteria Elements

Driveway Conflicts and Internal Circulation

Criteria:

Driveway access options are limited by roadway frontage. The greater the frontage along a road, or along adjoining roads, the greater the likelihood that multiple driveways will provide options for internal site circulation of vehicular traffic (buses, visitors, students and faculty), pedestrians and bicycle traffic. Evaluate driveway access and internal circulation options. For information on driveway separation requirements, contact DOT/PF.

Evaluation:	Scores:
Road frontage limits access to one driveway; site restricts or limits internal site circulation, or driveways and access frontage is insufficient for multiple modes of access.	0
n/a	1
Road frontage limits driveway access options; site allows internal site circulation options. Frontage limits multiple modes of access.	2
n/a	3
Road frontage wide enough for multiple driveways and other modes of travel; site allows internal site circulation options.	4

Safe Routes to School for Pedestrians and Bicycles

Criteria:

Safe walking routes enable students within a short distance of the school the option to walk or ride bicycles. Minor collectors and local roads with easy access to the school are best for student pedestrians and bicycles. Roads with a significant amount of traffic act as barriers to students, will require traffic control devices (signs, signals, crossing guards) and can result in conflicts when students make poor crossing decisions. Evaluate the local walking conditions and changes necessary to improve safety for students.

Evaluation:	Scores:
No walking routes are available, nor can reasonable routes be constructed.	0
Walking routes can be constructed, but significant pathway work is required. Traffic control devices could be extensive, requiring tunnels, bridges, or signalization.	1
Walking routes can be constructed at-grade without major right-of-way or road work.	2
Existing walking routes are suitable for 1/4 to 1/2 mile travel. A school zone beacon system may be required.	3
Existing walking routes are suitable for 1/4 to 1/2 mile travel. No new traffic control devices are required.	4

Ranking Criteria Elements

Roadway Capacity, Safety Needs

Criteria:

Schools generate a significant amount of traffic. Increased vehicle trips to a school site may create congestion and delay for school and non-school related traffic. Turning movements create conflicts between vehicles and pedestrians. Major intersection safety improvements include adding through lanes, right-turn lanes, a significant length of road widening to accommodate left turn lanes, or a traffic signal or a roundabout. Evaluate how increased traffic volume and turning movements can be safely accommodated. Request DOT/PF or local government guidance and technical assistance regarding traffic impacts, safety improvements and permitting.

Evaluation:	Scores:
The roadway requires major intersection and road segment improvements for long distances. Requires a Traffic Impact Analysis (TIA) per 17 AAC 10.060 (required typically for site generated traffic volume greater than 100 vehicles per hour).	0
The roadway requires major intersection improvements. Requires a Traffic Impact Analysis (TIA) per 17 AAC 10.060 (required typically for site generated traffic volume greater than 100 vehicles per hour).	1
The roadway requires widening to provide turning lanes to accommodate turning traffic demand. Requires a limited Traffic Impact Analysis (TIA) to review turning demands.	2
No roadway improvements are required; signing changes are needed.	3
No roadway improvements are required; existing road capacity and traffic control devices are adequate.	4

<<<<END OF TRAFFIC AND ACCESS RELATED CRITERIA>>>>

Aesthetic Value

Criteria:

Sites can be assessed for the quality of their surroundings such as vegetation, topography, views and surroundings. Because aesthetic value is subjective, it is important that the local residents establish the aesthetic criteria considering each of the categories mentioned above. Use a subjective evaluation of the aesthetic merits of the site and answer the question, "What would it take to make this site aesthetically pleasing?"

Evaluation:	Scores:
Will never be aesthetic	0
Has few natural aesthetic features and little potential	1
Has some aesthetic features; potential for more with considerable effort	2
Could have many aesthetic features with minimal efforts	3
Has many aesthetic features naturally	4

Sun Orientation

Ranking Criteria Elements

Criteria:

The site should allow designs to take full advantage of available sun angles. Locating outside play areas to receive sunlight normally makes them a more desirable place for activity. A facility can benefit from the solar gain of winter sunlight. Large stands of trees, north-facing slopes and adjacent structures can be detrimental. Evaluate this criteria based on the year-round use of the facility.

Evaluation:	Scores:
Site is in constant shadow during fall, winter and spring months	0
Site is mostly in shadow during winter months with some fall/spring sun	1
Site is mostly exposed winter sun	2
Site is exposed to year-round sun with some obstructions	3
Site is exposed to full year-round sunlight; no obstructions	4

Protection from Elements

Criteria:

The site should provide protection from prevailing winds which intensify cold temperatures, dust, driving rain and drifting snow. Topography, orientation and site vegetation relative to cold winter winds can be important both for indoor and outdoor educational activities. Sites with some type of wind protections are desirable over those exposed to harsh winds (this is especially critical in coastal areas). Evaluate this criteria based on natural features. Costs of compensating for inadequate protection should be covered in other criteria.

Evaluation:	Scores:
Site is fully exposed to prevailing winds; no obstructions	0
Site is mostly exposed to prevailing winds	1
Site is partially protected from prevailing winds; some natural barriers	2
Site is mostly protected from prevailing winds	3
Site offers full protection from prevailing winds	4

Ranking Criteria Elements

Site Drainage

Criteria:

Sites with good drainage are easier to develop and maintain. Good drainage reduces the chance of water or ice collecting around a facility which could cause undermining, decay and/or frost heave leading to structural damage. It could also make general use and occupancy of the site difficult. Evaluate this criteria based on natural features. Costs of compensating for inadequate drainage should be covered in other criteria.

Evaluation:	Scores:
Site is generally low; surrounding areas drain into it	0
Drainage collects in some areas within the site	1
Drainage collects in areas adjacent to the site	2
Site has positive drainage; water contribution from surrounding areas is easily accommodated	3
Site has positive drainage; no water contribution from surrounding areas	4

Proximity to Natural Hazards

Criteria:

Ideally, the site would have no susceptibility to damage (facilities, utilities, etc.) from natural disasters. These would include the results of “Force Majeure” such as earthquakes, avalanches/landslides, volcanic activity as well as health and safety hazards such as bluffs/steep cliffs, bodies of water and sewage/garbage disposal areas. Evaluate this criteria based on natural features and the historical occurrence of those hazards listed above. Costs of compensating for hazards should be covered in other criteria.

Evaluation:	Scores:
Site in proximity to five or more hazards	0
Site is in proximity to four or fewer hazards	1
Site is in proximity to three or fewer hazards	2
Site is in proximity to one hazard	3
Site free of any potential damage/injury from natural hazards	4

Ranking Criteria Elements

Zoning/Land Use

Criteria:

Current and projected zoning and land use should be compatible with the use of the site for a school. If local regulations do not currently permit educational facilities, it could be a lengthy process to obtain a change in zoning or a conditional use permit. Evaluate this criterion according to the difficulty and associated risk.

Evaluation:	Scores:
Present/future zoning does not permit use of the site for a school	0
Not zoned for schools but change or exemption can be requested	1
Current zoning will allow schools as conditional use	2
Currently zoned for schools; not likely to change	3
Present/future zoning permits schools or no zoning restrictions exist	4

Site Soils/Foundation Conditions

Criteria:

Ideal sites contain well graded, stable soils with high soil bearing pressure. Soil conditions should allow conventional, economical foundation systems which can meet or exceed a 50 year life expectancy with little maintenance. Soil conditions which can adversely affect construction include, discontinuous permafrost, silts and clays, substantial surface or sub-surface organic and high water contents (all susceptible to frost heave). Sites should be assessed for the quality of their soil based on known conditions or on-site investigations.

Evaluation:	Scores:
Unstable soils throughout; highly specialized foundation required	0
Mostly unstable soils; specialized foundation required	1
Isolated area of the site have unstable soils, some specialized foundation likely	2
Most areas of the site have stable soils; conventional foundation possible	3
Stable soils; conventional foundation system possible	4

Ranking Criteria Elements

Availability of Water Utilities

Criteria:

Connection into an existing, reliable water supply system with adequate capacity is preferred. Sites closest to the existing system would be rated highest. When considering adequacy, don't forget fire suppression system requirements. If a new water system is required for the site, then sites should be rated as to their potential to support/provide the system. For new systems, proximity to wells, lakes or rivers may be a factor. Evaluate this criteria based on known improvements and/or natural features as described above. Costs of providing water utility should be covered in other criteria.

Evaluation:	Scores:
No existing system; no known/potential water supply near site	0
No existing water system; potential water supply near site	1
No existing water system available; known water supply at site	2
Adequate, reliable water system is available adjacent to or near the site	3
Adequate, reliable water system is available within the site	4

Availability of Sewage Utilities

Criteria:

Connection into an existing, reliable waste/sewer system with adequate capacity is preferred. Sites closest to the existing system would be rated highest. If a new sewage system is required for the site, then sites should be rated as to their potential to support/provide the system. For new systems, perking soils, space for lagoons and availability of effluent outfalls may be a factor. Evaluate this criteria based on known improvements and/or natural features as described above.

Evaluation:	Scores:
No existing system; no known/potential waste handling area near site	0
No existing sewer system; potential locations for sewer system near site	1
No existing sewer system available; known location/method avail. on site	2
Adequate, reliable sewer system is available adjacent to or near the site	3
Adequate, reliable sewer system is available within the site	4

Ranking Criteria Elements

Availability of Electrical Power

Criteria:

Connection into an existing, reliable electrical system with adequate capacity is preferred. Sites closest to the existing system would be rated highest. If a new electrical system is required for the site, then sites should be rated as to their potential to support/provide the system. For new systems, space for generators, space for fuel storage and availability of fuel may be a factor. Evaluate this criteria based on known improvements and projected requirements.

Evaluation:	Scores:
No existing system; known difficulties for generation on site	0
No existing power system; good potential for power generation near site	1
No existing power system available; known power generation at site	2
Adequate, reliable power system is available adjacent to or near the site	3
Adequate, reliable power system is available within the site	4

Availability of Fuel Storage/Distribution

Criteria:

Connection into an existing, reliable fuel storage/distribution system with adequate capacity is preferred. Sites closest to the existing system would be rated highest. If a new fuel system is required for the site, then sites should be rated as to their potential to support/provide the system. For new systems, proximity to delivery points, available land for tankage, etc. may be a factor. Evaluate this criteria based on known improvements and/or natural features as described above. Costs of providing fuel utility should be covered in other criteria.

Evaluation:	Scores:
No existing system; known difficulties for fuel storage on site	0
No existing fuel system; good potential for fuel system near site	1
No existing fuel system available; known fuel system location on site	2
Adequate, reliable fuel system is available adjacent to or near the site	3
Fuel system is not required or is available on site	4

Ranking Criteria Elements

Proximity to Fire Response Equipment

Criteria:

This may or may not influence site selection in rural areas since many villages have no organized fire protection. In areas with fire hydrants and a continuous/reliable water supply and/or a fire station, sites may be rated by response time or whether a site is within the service area. In facility design, sprinkler systems may be specified which become part of the fire protection equipment which is independent of site location except as it relates to water supply. Use the following standard:

- site is within a service area and is in close proximity to a fire station (i.e. 4 miles or less)

Evaluation:	Scores:
Proximity of site is 40% or more below standard	0
Proximity of site is within 20% of standard	1
Proximity of site is within 10% of standard	2
Proximity of site is equal to standard	3
Proximity of site is 10% or more above standard	4

Ease of Transporting Construction Materials

Criteria:

Proximity to transportation routes which can support heavy equipment and loads can affect the usability of a site for construction. This criterion is not to measure the cost of getting construction materials to a community or geographic area but evaluates the local impact of transporting materials to the site. Sites closest to the transportation route will be most easily serviced. Evaluate based on the following:

Evaluation:	Scores:
Site is inaccessible	0
Transporting materials/equipment will be very difficult	1
Transporting materials will be difficult	2
Transporting will be fairly easy, routes will need upgrading	3
Transporting of equipment/materials will be simple; on established routes	4

Ranking Criteria Elements

Site Availability

Criteria:

Land status availability is one of the most fundamental criteria for locating capital improvements. The title to the site should be free of legal encumbrances, platted and surveyed with an accurate legal description and have a single owner. Evaluate as follows:

Evaluation:	Scores:
Clear or unclear title, owner/seller not interested	0
Uncertain title/boundaries; multiple owners	1
Some encumbrances/easements, etc., multiple owners	2
Clear title, recent survey, possibly available	3
Clear title, recent survey, definitely available	4

Site Cost

Criteria:

Land parcels should be available at an affordable cost. The most favorable situation is one in which the parcel is public land available at no cost to the district or available by donation from a private entity. Obviously, the cost of some parcels may be totally beyond the available funds. Evaluate as follows:

Evaluation:	Scores:
Site is cost prohibitive	0
Site is above fair market value but within reach	1
Site is available at fair market value	2
Site is available below fair market value	3
Site is available at no cost or has a nominal administrative fee	4

Ranking Criteria Elements

Alternative Energy Sources

Criteria:

In some cases it may become feasible/cost effective to use the waste heat from an electrical generation plant, or some other low-cost alternative energy source for heating the new facility. All other criteria being equal, this may become an important factor. Evaluate as follows:

Evaluation:	Scores:
Site has no possibilities for alternative energy systems	0
n/a	1
Site is adjacent to alternative energy systems; significant effort to develop	2
n/a	3
Site is adjacent to alternative energy systems; easily developed	4

Permafrost Stability

Criteria:

The best method in dealing with permafrost is to avoid it if possible. If the whole area is underlain with permafrost, then a site with well drained, non-frost-susceptible soils is preferred since there is less chance of encountering an ice wedge/lens, which, when melted will cause unstable soil conditions. Evaluate as follows:

Evaluation:	Scores:
No soils testing; obvious signs of discontinuous permafrost	0
Soils test silt and clay, known permafrost conditions	1
Undetermined soil conditions; no obvious signs of permafrost	2
Limited soils information; most of site free of permafrost	3
Site soils tested, no permafrost present	4

Ranking Criteria Elements

Flooding

Criteria:

Flooding potential from adjacent bodies of water should be considered. Ideally, the site would not be located within a flood plain or flood-prone area.

Evaluation:	Scores:
Site floods routinely	0
Site is within flood plain boundaries	1
Site is in close proximity to flood prone areas	2
Site is in proximity to bodies of water but well above flood plain	3
Site is not in flood plain; no nearby bodies of water	4

Site Erosion

Criteria:

Sites which border on eroding river banks and eroding sea spits should be evaluated on how much and how often erosion takes place to determine if a facility would be endangered. Slopes which have been cleared of vegetation can also erode due to heavy rain. Evaluate this criteria based on natural features and the historical occurrence of those hazards listed above. Costs of compensating for hazards should be covered in other criteria.

Evaluation:	Scores:
Known erosion potential	0
n/a	1
Moderate erosion potential; mostly during construction	2
n/a	3
No erosion potential; not near water or at toes of slopes	4

Ranking Criteria Elements

Air Inversions/Katabatic Winds

Criteria:

During winter under clear sky/no wind conditions, cold air flows down hillsides settling in low-lying areas. This causes temperatures to be colder at low-lying sites (especially in the Interior where there may be little wind). In regions where this occurs often during the winter, sites which are on a hillside are preferred over sites in low-lying areas. Evaluate as follows:

Evaluation:	Scores:
Site has continuous winter Katabatic accumulations	0
Site is routinely affected by Katabatic accumulation; annually	1
Site is in areas of occasional Katabatic wind; not every season	2
Site is adjacent to areas of known Katabatic accumulation	3
Site is on a hillside above cold air accumulation areas	4

Existing Site Development

Criteria:

Vacant, undeveloped land is preferable; if developed or currently used, alternative sites must be available for existing uses. Evaluate based on the magnitude of existing uses requiring relocation and/or demolition and the simplicity of the action.

Evaluation:	Scores:
Site has many existing uses; will all be problematic to relocate/demolish	0
n/a	1
Has 2000 square feet or less in existing uses; all relocatable/demo	2
n/a	3
Site has no existing uses	4

Ranking Criteria Elements

Access to Outdoor Recreation/Learning

Criteria:

Students benefit when complimentary park and recreation resources are located near public schools. Recreation and nature areas available by walking provide opportunities to use the outdoors as an extension of the classroom. Evaluate according to the following standard:

- site is contains or is adjacent to outdoor recreation/nature area (i.e. 1/8 mile or less)

Evaluation:	Scores:
Proximity of site is 40% or more below standard	0
Proximity of site is within 20% of standard	1
Proximity of site is within 10% of standard	2
Proximity of site is equal to standard	3
Proximity of site is 10% or more above standard	4

Noise

Criteria:

Incompatible noise such as from air traffic, vehicle traffic, industrial uses, etc. is detrimental to educational delivery. Evaluate this criteria based on actual or anticipated noise factors according to the following standard:

- sound decibel level is below 65db sustained and 75db peak
- Costs for mitigating these factors will be covered in other criteria.

Evaluation:	Scores:
Sound level of site is 40% or worse than standard	0
Sound level of site is within 20% of standard	1
Sound level of site is within 10% of standard	2
Sound level of site is equal to standard	3
Sound level of site is 10% or more better than standard	4

Ranking Criteria Elements

Wetlands

Criteria:

Wetlands should be avoided due to the adverse impact on cost and schedule. Evaluate as follows:

Evaluation:	Scores:
100% of site is classified as wetlands; significant impact to building	0
Most of the site is wetlands; considerable impact to building likely	1
Some of the site is classified as wetlands; some impact to building likely	2
Some of the site is classified as wetlands; little or no impact to building	3
Site has no wetlands	4

Potential for Hazardous Materials

Criteria:

The site should be free of evidence of past use by industrial functions, unregulated storage of items containing hazardous materials or know disposals of hazards. A site assessment may be required. Evaluate as follows:

Evaluation:	Scores:
100% of site has known hazmat; significant impact to building	0
Most of the site has known/probable hazmat; considerable impact likely	1
Some of the site has known/probable hazmat; some impact likely	2
Some of the site has known/probable hazmat; little or no impact likely	3
Site has no known/potential hazmat issues	4

The Evaluation Report

There are many formats for reporting the results of a site investigation. Reports can range from basic tabulations and narratives with a few maps showing the sites being evaluated to high-powered multi-media presentations incorporating aerial photography, video footage, color graphics and detailed site plans. Appendices can range from a few simple support documents to detailed reports covering everything from archeology to zoning maps. Regardless of the visual and graphic development, a good site investigation report should include the following:

Introduction and Executive Summary

The introduction should describe the purpose and scope of the investigation listing the type and size of planned facilities which the site would need to support and a brief description of the sites. Toward the front of the report, a summary which indicates which site was selected and the basic rationale for the selection should be provided.

Maps and Graphics

Because of the type of information normally processed in a site investigation, graphic representations are essential. For instance, a metes and bounds narrative of the property may very well be an accurate description of the site's boundaries but a site plan with a graphic representation of those bearings and distances communicates more effectively, the shape and size of the site. Similarly, the sentence, "a stream crosses the property from the north to the south," offers a general description of a key site feature where the same stream drawn on a site plan offers an instant evaluation of its impact on placing a building on the site.

It is helpful not only to have graphic representation of each site and its immediate surroundings showing roadways, vegetation, adjacent structures, etc., but also a smaller scale map showing each of the potential sites and their relationship to one another as well as to key area landmarks. Appendix B shows an example of a site graphic for a rural village. On one simple sheet the following items are indicated: each site, bodies of water, compass directions, roads/paths, vegetation, topography, existing structures and site improvements, utility systems, prevailing winds, winter sun angles and natural and man-made hazards.

Aerial photographs, site cross-sections, and photographic panoramas are all useful and fairly standard graphic tools which assisting not only in describing the results of the site investigation but are often instrumental in making the evaluation itself.

Evaluation Matrix and Narratives

In addition to graphics, tabulated data is often one of the best ways to condense information and allow comparison across a specific category. The tabulations shown in Appendix A and/or the spreadsheet available on the department's website offer suggested formats for this type of information.

Appendix A Site Evaluation Matrix

Social and Land Use Factors

Criteria	WF	Site 1	S1 xWF	Site 2	S2 xWF	Site 3	S3 xWF	Site 4	S4 xWF
Size of Site									
Proximity to Population to be Served									
Proximity to Future Expansion of Community									
Proximity to Important Existing Facilities									
•									
•									
<i>Year-round Accessibility</i>									
Site Topography									
Road Access									
Visibility, Safety of Driveways									
<i>Driveway Conflicts and Internal Circulation</i>									
<i>Safe Routes to School for Pedestrians and Bicycles</i>									
<i>Roadway Capacity, Safety Needs</i>									
Aesthetic Value									
<i>Sun Orientation</i>									
<i>Protection from Elements</i>									
<i>Site Drainage</i>									
<i>Proximity to Natural Hazards</i>									
Zoning/Land Use									
Proximity to Fire Response Equipment									
<i>Flooding</i>									
<i>Existing Site Development</i>									
Access to Outdoor Recreation/Learning									
Noise									
<i>Wetlands</i>									
<i>Potential for Hazardous Materials</i>									

TOTALS

Note: Italicized Items are also evaluated in either Construction Cost Factors or Maintenance and Operating Cost Factors

Appendix A Site Evaluation Matrix

Construction Cost Factors

Criteria	WF	Site 1	S1 xWF	Site 2	S2 xWF	Site 3	S3 xWF	Site 4	S4 xWF
Soils/Foundation Conditions									
Permafrost Stability									
Availability of Water Utilities									
Availability of Sewer Utilities									
Availability of Electric Power									
Availability of Fuel Storage/Distribution									
Year-round Accessibility									
Driveway Conflicts and Internal Circulation									
<i>Safe Routes to School for Pedestrians and Bicycles</i>									
Roadway Capacity, Safety Needs									
Ease of Transporting Construction Materials									
Site Availability									
Site Cost									
<i>Site Drainage</i>									
<i>Proximity to Natural Hazards</i>									
<i>Site Erosion</i>									
Existing Site Development									
Wetlands									
Potential for Hazardous Materials									

TOTALS

Note: Italicized Items are also evaluated in Maintenance and Operating Cost Factors

Appendix A

Site Evaluation Matrix

Maintenance and Operating Cost Factors

Criteria	WF	Site 1	S1 xWF	Site 2	S2 xWF	Site 3	S3 xWF	Site 4	S4 xWF
Safe Routes to School for Pedestrians and Bicycles									
Site Drainage									
Flooding									
Site Erosion									
Sun Orientation									
Protection from Elements									
Proximity to Natural Hazards									
Alternative Energy Sources									
Air Inversions/Katabatic Winds									

TOTALS

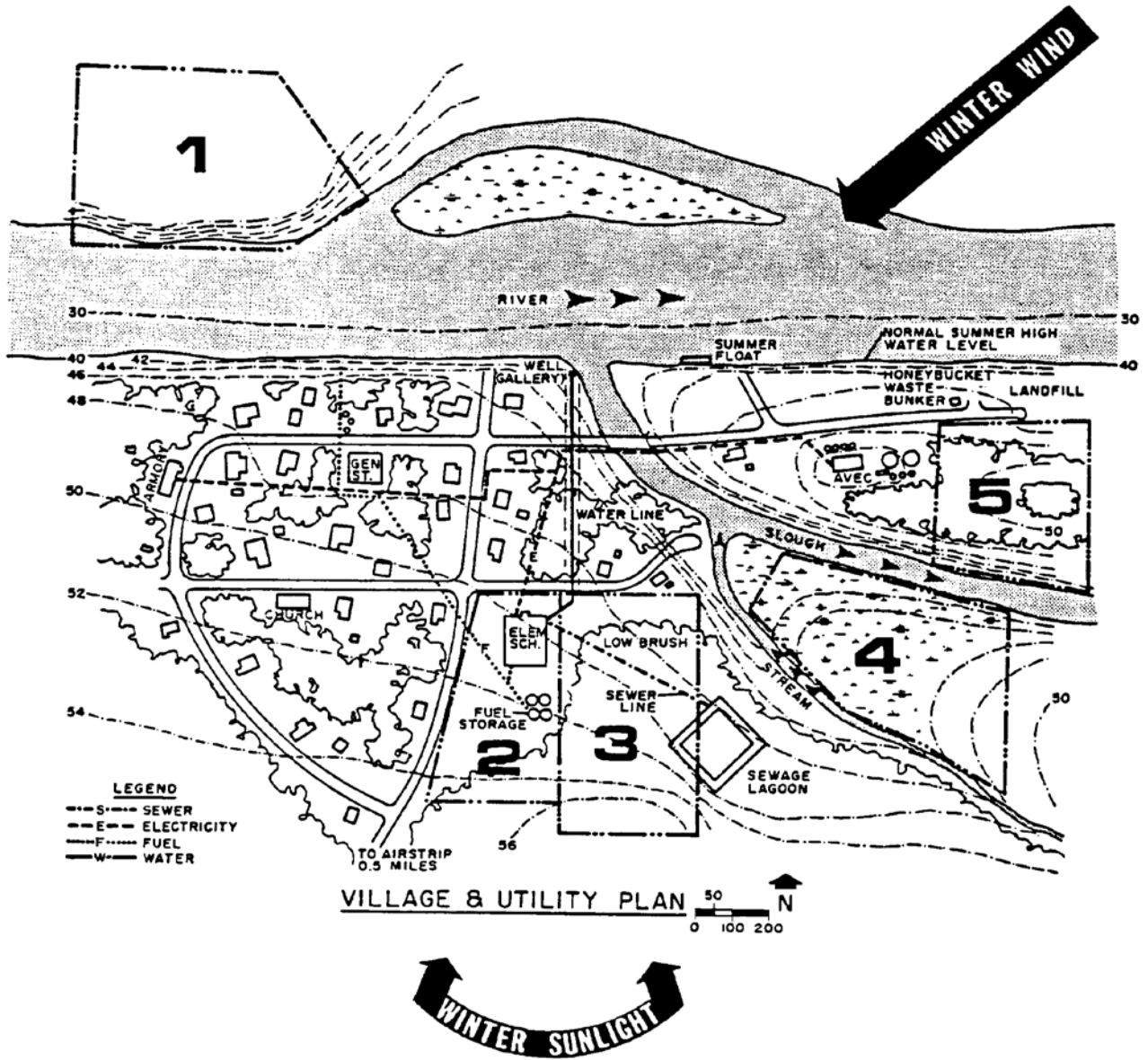
Site Evaluation Summary Table

Criteria	Site 1	Site 2	Site 3	Site 4
Social and Land Use Factors				
Construction Cost Factors				
Maintenance and Operating Cost Factors				

GRAND TOTALS

Appendix B

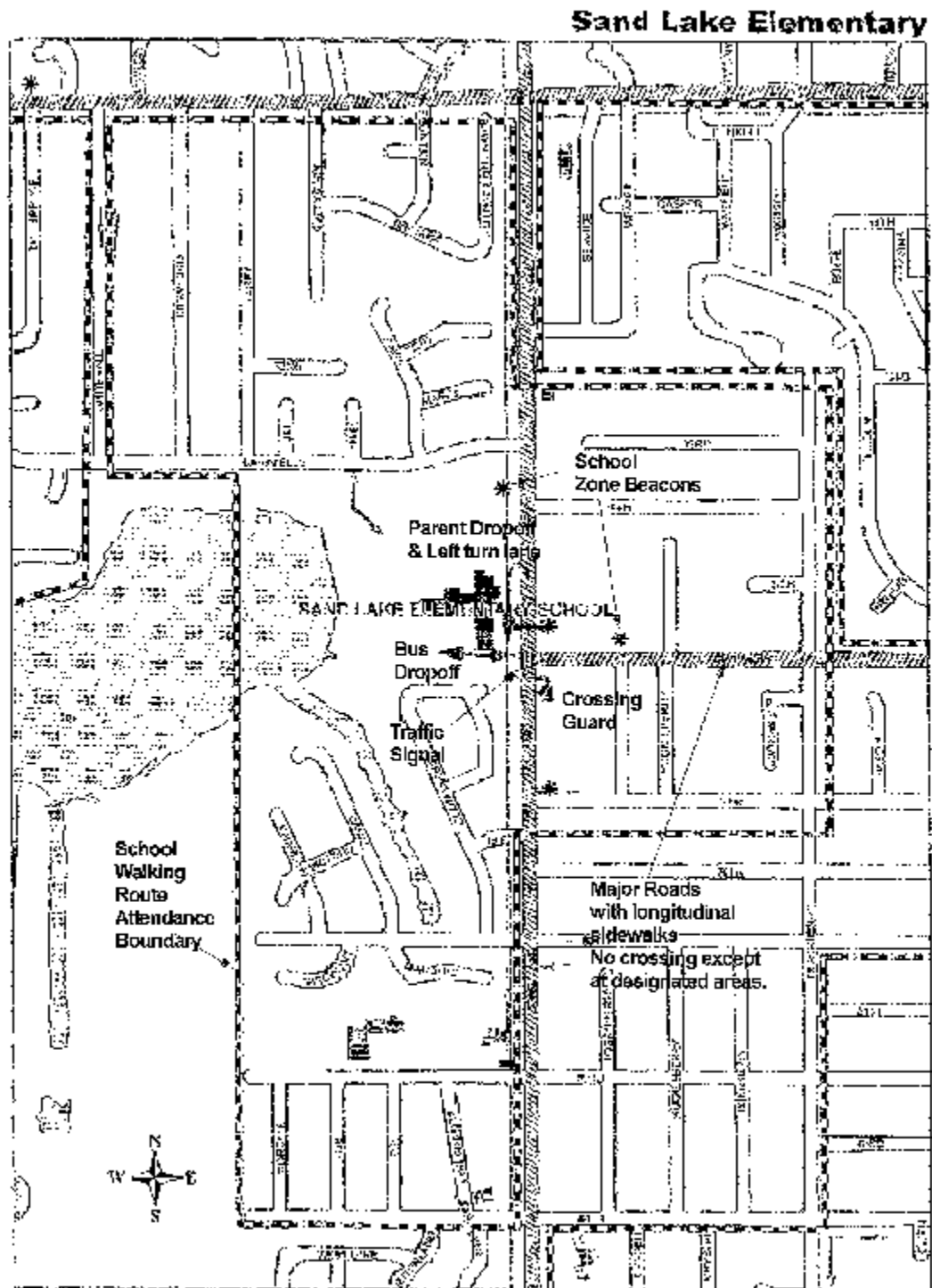
Sample Site Graphic Analysis



SAMPLE

Appendix C

Suburban School Layout



SAMPLE

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 12B

◆ **ISSUE**

The board is being asked to adopt amendments to regulation 4 AAC 31 School Facility Planning and Construction. The amendments add a new subsection 4 AAC 31.080(i) and amend other related sections to implement requirements for commissioning on certain school capital projects.

◆ **BACKGROUND**

- Facility commissioning has become an accepted best-practice for today's complex, "smart" buildings. As defined in these regulations, commissioning means functional testing of building systems to ensure that a facility operates as intended and that prepares an owner to efficiently operate its systems and equipment. Both empirical and anecdotal evidence is available demonstrating the value of commissioning in ensuring cost effective building operation following the completion of construction.
- Proposed amendments to 4 AAC 31.080 establish the requirement for commissioning based on the type, size, and complexity of the school capital project and identify five key building systems that would most benefit from the commissioning process.
- Proposed amendments to 4 AAC 31.065 serve to identify commissioning as a professional service subject to requirements for open, competitive selection when above the \$50,000 threshold.
- Proposed amendments to 4 AAC 31.013 acknowledge the value of periodically commissioning existing facilities and make it a criteria of a qualifying energy management plan.
- Amendments to 4 AAC 31.900 introduce necessary definitions of the terms 'commissioning' and 'commissioning agent'.
- The proposed amended regulations were the result of a special subcommittee of the statutory Bond Reimbursement & Grant Review Committee and have been reviewed and approved by that body.
- No public comment was received by the time the board packet was finalized. Any public comment received since then will be distributed at the board meeting.
- Proposed amendment changes can be found behind this cover memo.
- Heidi Teshner, Director of Finance and Support Services, and Tim Mearig, Facilities Manager, will be present to brief the board.

◆ **OPTIONS**

Adopt the proposed regulations.

Amend the proposed regulations and adopt the amended regulations.

Open a second period of public comment.

Seek more information.

◆ **ADMINISTRATION'S RECOMMENDATION**

Adopt the proposed regulations.

◆ **SUGGESTED MOTION**

I move the State Board of Education & Early Development adopt the proposed amendments to 4 AAC 31 School Facility Planning and Construction to implement requirements for commissioning on certain school capital projects.

4 AAC 31.013(a) is amended to read:

(a) For a district to be eligible for state aid under AS 14.11.011 **or AS 14.11.100**, the district must have a facility management program that addresses the following five elements of facility and maintenance management:

(1) a formal maintenance management program that records maintenance activities on a work order basis, and tracks the timing and cost, including labor and materials, of maintenance activities in sufficient detail to produce reports of planned and completed work;

(2) an energy management plan that includes

(A) the recording of energy consumption for all utilities on a monthly basis for each building; for facilities constructed before December 15, 2004, a district may record energy consumption for utilities on a monthly basis when multiple buildings are served by one utility plant; **and**

(B) regular evaluation of the effectiveness of and need for commissioning existing buildings;

(3) a custodial program that includes a schedule of custodial activities for each building based on type of work and scope of effort;

(4) a maintenance training program that specifies training for custodial and maintenance staff and records training received by each person; and

(5) a renewal and replacement schedule that, for each school facility of permanent construction over 1,000 gross square feet, identifies the construction cost of major building systems, including electrical, mechanical, structural and other components; evaluates and

establishes the life-expectancy of those systems; compares life-expectancy to the age and condition of the systems; and uses the data to forecast a renewal and replacement year and cost for each system.

(Eff. 7/13/2000, Register 155; am 12/19/2002, Register 164; am __/__/__, Register _____)

Authority:	AS 14.07.060	AS 14.11.015	AS 14.11.100
	AS 14.11.011	AS 14.11.017	AS 14.11.132
	AS 14.11.013		

4 AAC 31.065(a) is amended to read:

(a) If a school district determines that it is necessary to engage the services of a private consultant to **provide** design, [OR PROVIDE] **commissioning, or** construction management **services** for an educational facility with money provided under AS 14.11.011 - AS 14.11.020, or for a project approved for reimbursement of costs under AS 14.11.100, and the estimated cost of the contract is more than \$50,000, the selection of the consultant shall be accomplished by soliciting written proposals by advertising in a newspaper of general circulation at least 21 days before the proposals are due. The contract shall be awarded to the most qualified offeror, after evaluating the proposals submitted.

(Eff. 12/2/83, Register 88; am 8/31/90, Register 115; am __/__/__, Register _____)

Authority:	AS 14.11.017	AS 14.11.020	AS 14.11.132
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4 AAC 31.080 is amended by adding a new subsection to read:

(i) A school district shall perform commissioning of the systems included in a school capital project if the school capital project is an addition of over 5000 square feet or new construction of an education-related facility that is over 5,000 square feet. If the school capital project is a rehabilitation of an education-related facility over 10,000 square feet, a school district shall perform commissioning of each system substantially upgraded in the school capital project. A school district may perform commissioning for a rehabilitation of an education-related facility for each system impacted by the project but not substantially upgraded in the rehabilitation. Commissioning required under this subsection must include the services of a commissioning agent. Commissioning permitted under this subsection for a system that is impacted by a rehabilitation project but not substantially upgraded in the rehabilitation may use the services of a commissioning agent or may use a qualified facility professional, including a school district employee. The cost of commissioning, including the cost of a commissioning agent, required or permitted under this subsection is an allowable cost of school construction. (Eff. 12/2/83, Register 88; am 8/31/90, Register 115; am 4/17/98, Register 146; am 11/20/2005, Register 176; am __/__/__, Register __)

Authority: AS 14.07.060 AS 14.11.020 AS 14.11.132

4 AAC 31.900 is amended by adding new paragraphs to read:

(31) “commissioning” means functional testing activities for a mechanical, electrical, fuel oil, controls, and building envelope system to ensure that a facility or a system operates as the owner and designers intended and that prepares an owner to efficiently operate its systems and equipment;

(32) “commissioning agent” means an individual who is certified with a recognized standards organization approved by the department to provide commissioning services, who may be an employee of the school district or an independent design consultant hired on behalf of the school district to

(A) create a commissioning plan, checklists, and functional performance tests for each commissioned system;

(B) coordinate the commissioning team for the mechanical, electrical, fuel oil, controls, and building envelope systems;

(C) coordinate the work of the construction contractor, school district, and design team as it pertains to the commissioning process;

(D) witness the functional performance testing;

(E) assist in resolution of issues found during commissioning; and

(F) verify the training of owner maintenance personnel on commissioned systems; (Eff. 3/1/78, Register 65; am 6/9/83, Register 86; am 12/2/83, Register 88; am 9/12/85, Register 96; am 8/31/90, Register 115; am 9/29/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am 2/18/99, Register 149; am 7/13/2000, Register 155; am 8/23/2001, Register 159; am 12/19/2002, Register 164; am 12/20/2002, Register 164; am 6/17/2010, Register 194; am ___/___/___, Register ___)

- | | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 14.07.020 | AS 14.11.020 | AS 14.11.102 |
| | AS 14.07.060 | AS 14.11.100 | AS 14.11.132 |
| | AS 14.11.011 | | |

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 13

◆ ISSUE

The board is being asked to approve Commissioner Johnson's appointment of Tamara Van Wyhe as Director of Educator and School Excellence.

◆ BACKGROUND

- AS 14.07.145(e) states the Commissioner may employ and remove personnel in exempt or partially exempt service subject to approval of the board.
- Commissioner Johnson has appointed Tamara Van Wyhe as Director of the Division of Educator and School Excellence.
- Behind this cover memo are: 1) a copy of AS 14.07.145(e), and 2) Tamara Van Wyhe's resume.

◆ OPTIONS

Approve the appointment.

Disapprove the appointment.

Seek additional information.

◆ ADMINISTRATION'S RECOMMENDATION

Approve the appointment.

◆ SUGGESTED MOTION

I move the State Board of Education & Early Development approve the appointment of Tamara Van Wyhe as Director of Educator and School Excellence.

Sec. 14.07.145. Commissioner of education and early development.

(a) The board shall appoint the commissioner of education and early development subject to the approval of the governor. The commissioner shall be the principal executive officer of the department.

(b) The commissioner shall be appointed without regard to political affiliation and shall have at least a master's degree with five years' experience in the field of education since receiving it, with at least three of the five years in an exclusively administrative position.

(c) The commissioner serves at the pleasure of the board and may not be appointed by the board for a fixed term.

(d) The commissioner shall receive the salary set out in AS 39.20.080.

(e) The commissioner shall employ and remove all classified personnel in the department subject to AS 39.25 (State Personnel Act). The commissioner may employ and remove personnel in the exempt or partially exempt service subject to the approval of the board. Personnel in the exempt or partially exempt service have a right of appeal to the board if they are removed.



TAMARA L. C. VAN WYHE

CERTIFICATION AND ENDORSEMENTS

Alaska Type B Administrative Certification. K-12 Principal Endorsement. Superintendent Endorsement in progress.

National Board Certification from National Board for Professional Teaching Standards. English Language Arts (Adolescence and Young Adulthood).

Alaska Type A Teaching Certification. Endorsements: Secondary English (7-12); Secondary Speech (7-12); Secondary Journalism (7-12); Middle School Language Arts (5-8).

PROFESSIONAL PREPARATION

Beginning Summer 2017: Alaska Superintendent Endorsement Program – University of Alaska Southeast
In Progress: Doctor of Education: Personalized & Competency-Based Instruction – Capella University
In Progress: Distance Teaching and E-Learning Endorsement – University of Alaska Southeast
Graduate Certificate in Educational Leadership – University of Alaska Anchorage; August 2007
Continuing Graduate Education – University of Alaska Southeast; Fall 1999-present
Continuing Graduate Education – Alaska Pacific University/ASDN; Spring 2001-present
Continuing Graduate Education – Bread Loaf School of English; Summers 1999, 2001
Master of Arts Degree in Teaching (Secondary Education) – Augustana College; May 1995
Bachelor of Arts Degree in English – Augustana College; December 1994
Bachelor of Arts Degree in Speech Communication – Augustana College; May 1988
Bachelor of Arts Degree in Journalism – Augustana College; May 1988
Minor in Special Education – Augustana College; December 1994
Graduate G.P.A. 3.98 / 4.0 Undergraduate G.P.A. 3.65 / 4.0

PROFESSIONAL EDUCATION EXPERIENCE

Superintendent – February 2017 to present. Copper River School District, Glennallen, Alaska. Responsible for leadership and management of school district, including communication and interactions with Board of Education, supervision of principals and district-level directors/coordinators, public relations and interactions with stakeholders and personnel, and implementing district's strategic plan.

Interim Superintendent – July 2016 to February 2017. Copper River School District, Glennallen, Alaska. Responsible for leadership and management of school district, including communication and interactions with Board of Education, supervision of principals and district-level directors/coordinators, public relations and interactions with stakeholders and personnel, and maintaining stability of district during leadership transition.

Director of Teaching & Learning Support – July 2010 to February 2017. Copper River School District, Glennallen, Alaska. Responsible for oversight and leadership of district-wide curriculum, instruction, assessment, staff development, educator evaluation program, grant management, and grant writing.

Principal, Glennallen School – 2008-2010. Responsible for leading K-12 school with total enrollment of 280 students. Additional district-wide responsibilities as curriculum and staff development coordinator.

Assistant Principal, Glennallen School – 2006-2008. Responsible for leading junior high and high school program within K-12 building and assisting with staff supervision in elementary grades. Additional district-wide responsibilities as curriculum coordinator and staff development coordinator.

Curriculum-Instruction & Assessment Support Specialist – August 2005-August 2006. Copper River School District; Glennallen, Alaska. Newly-created, district-wide position involved mentoring, literacy coaching, classroom support, curriculum review and committee supervision, staff development responsibilities, development and maintenance of teacher-support website and professional library, and assistance with district test coordinator responsibilities.

English Language Arts Teacher – August 1997 to May 2005. Kenny Lake High School; Kenny Lake, Alaska. Grades 7-12. Responsible for all English Language Arts courses for students in grades 7-12; also taught Fine Arts, Speech Communication, Drama, Journalism, Computer Applications, World History, Vocal Music.

English Composition and Literature Teacher – August 1996 to May 1997. Robert Service High School; Anchorage, Alaska. Grades 9, 11, 12. Responsible for multiple sections of composition and literature.

Special Education/Resource Teacher – January to May 1996. Colony Middle School; Palmer, Alaska. Grade 7. Long-term substitute position; responsible for providing resource support services to students, meeting IEP goals, and completing necessary SpEd documentation.

Special Education/Resource Room Teaching Assistant – October to December 1995. Colony Middle School; Palmer, Alaska. Grades 7 & 8. Provided tutorial assistance to students in resource room setting in the areas of written language and reading.

Middle School Student Teaching – April to May 1995. Whittier Middle School; Sioux Falls, South Dakota.

Secondary Student Teaching – February to March 1995. Hills-Beaver Creek High School, Minnesota.

Special Education Practicum – Fall 1994. Summit Oaks Alternative Education Program; Sioux Falls, South Dakota. Grades 7-12.

SUMMARY OF RELEVANT CONTENT AREA-RELATED EXPERIENCES & LEADERSHIP

Digital Promise League of Innovative Schools member: 2017-present. Represent Copper River School District within the League of Innovative Schools.. The CRSD is one of 102 forward-thinking districts in 33 states (three districts in Alaska) to hold League membership.

Prince William Sound College Advisory Council member: 2016-present. Serve on council as representative of Copper River School District (seat held by Superintendent).

Wrangell Institute for Science and the Environment (WISE) Advisory Board member: 2016-present. Serve on board as representative of Copper River School District (seat held by Superintendent).

Alaska Teacher Placement (ATP) Advisory Board: 2014-present. Appointed to statewide board providing guidance related to statewide recruiting, hiring, and retention of high-quality educators.

Alaska Arts Education Consortium (AAEC) Board of Trustees: 2013-present. Elected as Interior Representative on 12-member board providing support of and programming for arts education in Alaskan schools.

Future Educators of Alaska (FEA) Advisory Council member: 2011-present. Appointed to statewide council providing guidance for career development of future educators in Alaska's middle and high schools; named to statewide team for participation in Educators Rising national conference, Summer 2016.

Alaska Association of School Boards Conference Presentations: “DTI Districts: Building A Systemic Personalized Learning System in Alaska,” November 2016; “What Are Districts Offering for Choice?,” November 2016; “Mining the Arts” New Visions Arts Grant Sectional, November 2012.

Alaska Career & Technical Education (ACTE) Professional Development Conference Presentation: “Thinking Inside the Box: A CTE Model for Rural Schools,” October 2016.

Alaska Society for Technology in Education (ASTE) Member, Conference Presenter, and Regional Board of Directors Representative – 2008-present. Served as Southcentral Representative on ASTE Board from 2012-2015. Presented multiple sectionals at ASTE state conference from 2010 to present, with four presentations slated for 2017 conference.

Presenter: iNACOL Blended and Online Learning Symposium, Palm Springs, CA; November 2014. Session co-presented with three other districts from across the U.S. highlighting student learning gains and academic growth resulting from the use of blended learning in traditional classroom settings.

Alaska State Standards Review and Content Designation Committees – 2010-present. Assisted with review of state standards in preparation for new assessments and district support materials development. Served on multiple committees responsible for crafting new standards prior to submission to state Board of Education for adoption in 2012.

Language Arts Consultant/Teacher Educator – 1999 to present. Yukon-Koyukuk School District (Fall 2005); Anchorage School District (Summer 2004); Alaska Gateway School District (2003-2004); Yakutat School District (1999-2003); Yukon Flats School District (Fall 2001); Copper River School District (1998-present). Training presentations on Six-Trait analytical writing assessment, writing instruction strategies, standards-based literacy across the curriculum, and models of best practice instruction in the English Language Arts classroom.

Alaska State Writing Consortium Teacher-Leader – 2000 to 2010. Summer 2005 Invitational Institute, “Leading Writers,” UAS/Juneau, AK; Winter 2005 Virtual Open Institute, “The Write Time,” distance-delivered via Alaska Teacher Leadership Network; Spring 2004 Invitational Writing Retreat, “Write at the Heart,” Anchorage, AK; Summer 2003 Invitational Institute, “Leading Writers,” UAA/Anchorage, AK; Summer 2001 Basic Institute, “Connecting Writers,” UAS/Juneau, AK. Responsible for planning, leading, and follow-up for ASWC annual institutes involving nearly 100 educators from across Alaska.

Alaska Department of Education / Data Recognition Corporation Committee Work – January 2004 to 2010. Participated in Grade Level Expectation Committee work (Writing, grades 7-10) in January, March, & October 2004; SBA Item Writing Workshop, April 2004; Performance Descriptors Committee, July 2004; Field-Test Item Review Committee, December 2004; SBA Standards Validation Committee (Writing Test), May 2005; various content review and “bookmarking” committees related to Standards Based Assessments in Reading and Writing, 2006-2010.

Alaska’s Measuring Student Progress Committee – 2004 to 2008. Copper River School District teacher representative on select committee convened by AK Commissioner of Education Roger Sampson. Responsible for research and writing of formative assessments specific to Alaska’s Grade Level Expectations for Reading in grades 7-10.

Adjunct Faculty, University of Alaska Southeast – Spring 2002-Summer 2004. Served as instructor for distance-delivered Alaska Studies for Educators.

Rural Practicum Mentor: University of Alaska Southeast, 2001-2004. Member of mentoring pilot program sponsored by UAS and Bread Loaf Rural Teacher Network. Program involved participation in face-to-face mentor meetings, online coursework, and hosting practicum experience for pre-service teacher.

Presenter: National Council of Teachers of English Annual Convention, Baltimore, MD; November 2001. Session co-presented with Idalia, CO, colleague on classroom research related to online poetry exchange.

Focus on strategies for successfully implementing literature and writing-based online exchanges and action research component of project.

Presenter: Alaska State Literacy Conference, Anchorage, AK; October 2001. “Shadow Writing: Pleasant Practice for the Reluctant Writer.” Session presented philosophy of writing instruction supporting scaffolded practice for junior high and high school writers. Content drawn from three years of classroom experience with effective model for successfully developing abilities of young writers.

Presenter: Bread Loaf Teachers Network Spring Conference, Sante Fe, NM; May 2001. Presented extensive documentation from two years of online communication between students at Kenny Lake High School and Idalia (CO) High School. Online transcripts used to illustrate growth and development of students as analytic and creative thinkers and writers.

Bread Loaf Writers Conference Invitational: February 2001. Members of Bread Loaf Rural Teacher Network gathered to author articles on successful classroom practices. Authored chapter entitled “Shadow Writing: Pleasant Practice for the Reluctant Writer.”

Presenter: Alaska State Literacy Conference, Juneau, AK; October 2000. Session co-presented with Kenny Lake colleague: “Inquiry Circles and the Brain: Methods, Materials, and Motivations for Learning.” Session included classroom simulation of Inquiry Circle approach to literature.

Presenter: National Bread Loaf Rural Teachers Network Summit, Middlebury, VT; June 2000. Invited as representative of state of Alaska to share successful online exchange conducted via BreadNet communications network.

Presenter: Northwest Regional Council of Teachers of English Conference, Big Sky, MT; April 2000. Session presentation focused on successful online exchange/conference with classroom in Colorado entitled “Pass the Poetry: Redefining Place in the High School Classroom.”

Bread Loaf Writers Conference Invitational: Anchorage, AK; February 2000. Members of Bread Loaf Rural Teachers Network gathered to author articles on “best practices” in standards-based classrooms for publication and distribution throughout the state of Alaska.

Freelance Writing – 1999 to present. Submission of professional articles to various organizations and publications related to education at local, state, and national level.

Free-lance Communication Specialist – 1986 to 2010. Utilize creative communication skills and abilities to design and author promotional materials and offer guidance in creative and professional writing, layout, and design.

Creative Specialist – The Austad Company (Sioux Falls, SD); 1986 to 1988. Designed, wrote, and edited customer newsletters, product copy, and press releases. Created effective, innovative brochures and advertisements for direct marketing campaigns.

PUBLICATION, RECOGNITION, GRANTS, AND AWARDS

Designed, authored, and currently manage CRSD’s Digital Teaching Initiative (DTI) Grant. Three-year project (2014-2017) funded at \$652,053 focuses on development of new models for quality instruction in Alaska’s rural schools, distance delivery of instruction, and blended/online learning opportunities.

Copper River Record weekly contributor of CRSD education-related column, “The Current.” August 2016-present. Guest contributor 2014-2016.

Alaska Society for Technology in Education (ASTE) Technology Leadership Award: Alaska's Outstanding Technology Administrator, 2015

Authored Copper River School District Residential and Virtual School Program Planning Grant, funded at \$275,000, FY 2015. Funds used to research feasibility of variable-term residential program and supported implementation of online learning options for CRSD high school students.

American School Superintendents Association (AASA) /Farmers Insurance Women in School Leadership Award Nominee, 2013. One of 25 women nominated for national award recognition.

Coordinated and authored Alaska Department of Education Career & Technical Education (CTE) Implementation Grants focusing on career education and Personalized Learning & Career Plan (PLCP) programming and CTE-focused professional development for CRSD staff. "CTE K-12: It's Everybody's Business" funded at \$29,000 during FY 12; "CTE K-12: Your Life, Our Responsibility" funded at \$32,000 during FY 13.

Coordinated Future Educators of Alaska (FEA) Grant Awards totaling more than \$60,000 since 2011, supporting FEA programs at Kenny Lake and Glennallen Schools. Established FEA chapters. Supported youth leadership development, with eight students selected as FEA state officers/leaders since 2011.

Developed programming, authored grant applications, and managed "New Visions" Arts Grant and Artists in the Schools (AIS) projects, sponsored by Alaska Department of Education & Early Development (DEED) and Alaska State Council on the Arts (ASCA). Projects totaling more than \$50,000 ongoing since 2009.

Glennallen Elementary School, Alaska, recognized as 2009 United States Department of Education NCLB-Blue Ribbon School. Represented Glennallen School as Principal at awards ceremony in Washington, D.C., in November 2009.

Kenny Lake School Language Arts "Pass the Poetry" project focus of Georgia Southern University doctoral study by Julie Henderson Rucker, Ph.D., 2008: "Effects of Online, Collaborative Discourse on Secondary Student Writing: A Case Study of the History and Ecology of an Electronic Exchange."

Kenny Lake School, Alaska, recognized as 2005 United States Department of Education NCLB-Blue Ribbon School. Served as sole English Language Arts teacher at KLS from 1997-2005 for students in grades 7-12; authored Kenny Lake School's Blue Ribbon School application (Fall 2004); served as teacher representative at NCLB-Blue Ribbon Schools Awards Ceremony in Washington, D.C., November 2005.

Kenny Lake School Language Arts classroom and writing instruction featured in Northwest Regional Education Labs publication chapter entitled *Tapestry of Tales*, highlighting effective writing program in rural school. Chapter authored by Debbie Ellis, NWREL, 2005.

Kenny Lake School Language Arts classroom instruction and poetry writing activities featured in Northwest Regional Education Lab training material for *Classroom to Community & Back* Instructional Program. NWREL, 2005.

National Board of Professional Teaching Standards Certification: English Language Arts / Adolescents & Young Adults; November 2004. One of only 180 NBCTs in Alaska; sole NBCT in the CRSD.

Coordinated, compiled, and edited fourth volume of student-authored poetry and prose, *Amongst the Dreams of Heroes*, 149 pages; featuring creative writing by students in grades 4-12 at Kenny Lake School. April 2004.

Article entitled “When the Impossible Happens: Site-Based Professional Development in Rural Alaska.” Publication in *The Bread Loaf Teacher Network Magazine*, Spring 2004.

Article entitled “Remembering Stephanie: A Eulogy.” Composed for very personal reasons in response to the death of a student, this piece was shared at a school assembly and later at a memorial service. Published in an issue of *Village Voices*, a RurAL CAP publication, Winter 2003.

Coordinated and authored winning Technology Advancement Grant application for the C.A.B.L.E. Project at Kenny Lake School, funded at \$151,000. Coordinated grant project focusing on brain-based research, technology integration in the classroom, and school-wide action research. Project involved ten certified staff members (entire staff) at KLS. May 2001-September 2002.

Coordinated, compiled, and edited third volume of student-authored poetry and prose, *Shadows of Ourselves: Poetry from Our Point of View III*. 172 pages; featuring creative writing by students in grades 2-12 at Kenny Lake School. April 2002.

Chapter entitled “Shadow Writing: Pleasant Practice for the Reluctant Writer.” Publication in *Standard Implications II: Classroom Truths and Consequences*. Ed. Annie Calkins; University of Alaska Southeast, 2001.

Winner of The Kate and Paul Farmer Award from National Council of Teachers of English for “Developing a Passion for Poetry: Breaking Rules and Boundaries with Online Relationships in the High School Classroom.” Selected as “most outstanding” *English Journal* article published in 2000 written by a high school teacher. Awarded November 2001.

Guest Editorials in *The Juneau Empire* and *The Anchorage Daily News*. “Testing Tonia: A Teacher’s Call to Action.” Focus on the implications of high-stakes test on “real” students. Summer 2001.

Alaska Department of Education Bread Loaf Fellowship. Fellowship involved study at Bread Loaf School of English (Juneau, AK, campus) during summer of 2001 and subsequent research related to online writing and its classroom implications. Coursework: Summer 2001; Research 2001-02 SY.

Coordinated, compiled, and edited second volume of student-authored poetry, *If Our Words Had Wings: Poetry from Our Point of View II*. 172 pages; featuring creative writing by students in grades 8-12 at Kenny Lake School. April 2001.

National Ethnography in Education Forum 2001; Philadelphia, PA. Attended as member of Bread Loaf Teacher Network panel that met to examine online transcripts from technology-based exchanges. Work resulted in “framework” for examining students’ online writing. March 2001.

National Council of Teachers of English Leadership Development Award winner. Recognized for contributions to the profession as an early-career English language arts professional educator at NCTE Annual Convention, November 2000.

Publication in *English Journal*, NCTE secondary journal: “Developing a Passion for Poetry: Breaking Rules and Boundaries with Online Relationships in the High School Classroom.” November 2000.

Interview/section related to Kenny Lake School and Language Arts publishing activities in article authored by Sam Swope. *Voices from the Middle*, middle-level journal of NCTE.; publication September 2000.

Chapter entitled “The Arts Meet the Ice: Poetry Readings in Rural Alaska.” Chapter accepted for publication in *Celebrating Students’ Writing*, edited by Chris Weber; Portland, Oregon.

Jordan Fundamentals Grant: “Writing Our Lives: The History of Kenny Lake.” Grant project involved students in grades 7-12 researching and writing the history of Kenny Lake, Alaska, culminating in the publication

of a professionally published anthology of stories and historic anecdotes. Funded March 2000; project implemented 2000-2001 SY.

Coordinated, compiled, and edited 98-page volume of student-authored poetry, *The World We Know: Poetry from Our Point of View*. Featured creative writing by students in grades 7-12 at Kenny Lake School. February 2000.

Copper River School District Teacher Representative at Alaska Education Summit 2000, Girdwood, AK. Appointed by superintendent and CRSD Board of Education, September 2000.

Chapter entitled "The Power of Poetry: Changing Lives with Words." Publication in *Standard Implications*. Eds. Annie Calkins & Scott Christian; University of Alaska Southeast, 2000.

Alaska K-12 Balanced Reading Program Grant. Implementation of Grant involved working with primary and intermediate teachers at Kenny Lake to develop a balanced reading program for Kenny Lake School K-12 site. January 2000-January 2002.

DeWitt Wallace-Reader's Digest Fellowship. Fellowship involved study at Bread Loaf School of English (Middlebury, VT) during summer of 1999 and subsequent membership and extensive involvement in Bread Loaf Rural Teacher Network. Coursework: June-August 1999; Network affiliation: June 1999-present.

AREAS OF PROFESSIONAL INTEREST AND RESEARCH IN EDUCATION

Blended, Personalized, and Competency-Based Learning (doctoral program specialization)

Standards-Focused Teaching and Learning in the Rural Alaskan Classrooms (focus for development of a variety of student, staff, and parent tools and resources)

Six-Trait Analytical Writing Assessment and Implementation of Teaching Models: State of Alaska Writing Assessment Training and State Scoring Participation; District-level Writing Assessment Coordinator; Multi-district Professional Development Facilitator

Technology as a Preferred Tool for Writing (graduate research focus)

Online-Writing and the Influence of a Distant Audience

Research-based Technology Integration in K-12 School Settings

Power of Poetry in the Junior High and High School Classrooms

Collaboration & School-wide Action Research as an Avenue for Change in the K-12 School

TECHNOLOGY-RELATED COMPETENCIES

Design and development of district-wide digital learning programs in the Copper River School District, including blended learning in traditional classroom settings utilizing multiple digital resources and learning tools, distance education via video-conferencing (VTC), and fully online virtual program involving five different content providers.

Founding member of and regular contributor to Alaska Ed Chat (#AKedchat) on Twitter, weekly education-related online chat for Alaskan educators, established December 2015.

Design, development, and maintenance of Copper River School District web presence, including public-facing website and password-protected Employee Portal. Management of and regular posting to district website, CRSD social media sites, and employee-specific resources.

Investigation, review, vetting, and training related to digital content tools used in Copper River School District and recommended for use in blended learning classrooms across Alaska as part of Digital Teaching Initiative (DTI) Grant activities, including development of relationships with vendors, contract negotiations, and platform set-up and maintenance.

Design and use of web-based/Internet classroom sites (i.e. Blackboard, Schoology, Google Classroom, Eluminate, Alaska Teacher Leadership Network (ATLN), and Bread Loaf Teacher Network (BreadNet)) to support students and facilitate technology-based communication between and among classrooms.

Design and implementation of online exchange conferences linking students in remote areas via BreadNet (communication network of the Bread Loaf Teacher Network) for the purposes of discussing literature, writing, research, and cultural similarities and differences.

Understanding of structure and participation in distance-delivered, web-based coursework for adult learners (utilizing UAS Caucus system, BreadNet, ATLN, Moodle, web logs, etc.).

Development of online career and English Language Arts portfolios for students in grades 9-12 at Kenny Lake School.

Creation of extensive web pages documenting Pass the Poetry online literature conference. Pages posted as part of UAS Best Practices in Reading and Writing website; Spring 2000.

Integration of technology as a teaching tool in classroom environment; regular integration of technology and multi-media work as required modes for presenting evidence of learning.

CO-CURRICULAR INSTRUCTIONAL /ADVISORY ACTIVITIES

Copper River School District Language Arts Committee member: 1997 to 2010; Chair 2004-2008

Copper River School District Writing Assessment Coordinator: 1998 to 2010

Kenny Lake School Site Coordinator for District Writing Assessment: 1997 to 2005

Copper River School District Goals 2000 Steering Committee, faculty representative

Copper River School District School-to-Work Committee member: 1997 to 1999

Copper River School District Curriculum Steering Committee member: 1997 to 1999

Kenny Lake School National Honor Society, National Junior Honor Society, and Tri-M Music Honor Society Advisor: 2000-2005 (initiated charters for NJHS & Tri-M chapters, 2002)

Kenny Lake School Arts Night Coordinator and Drama Director: 1998-2005

Kenny Lake School Choral Director: 1999-2005 (KLS choir honored as featured entertainment at closing banquet for Alaska State School Boards Annual Meeting, November 2004; selected for command performance as "Best Small Choir" at Region II Music Festival, April 2005)

Kenny Lake School Learning Evidence Achievement Plan Program Coordinator: 1998-2005 (initiated first "LEAP Night" in Spring 1998, an event now in its 20th year at Kenny Lake School)

Kenny Lake School Close Up Washington D.C. Club Advisor: 1997 to 2000

PROFESSIONAL MEMBERSHIPS (PRESENT & PAST)

Alaska Superintendents Association (ASA)

The School Superintendents Association (AASA)

Alaska Arts Education Consortium (AAEC): Elected Interior Region Representative 2013-present

iNACOL (International Association for K-12 Online Learning)

Phi Delta Kappa (PDK International)

Alaska Society for Technology in Education (ASTE): Elected Southcentral Region Rep, 2012-2015

National Council of Teachers of English (NCTE): National Secondary Section Steering Committee member, elected two terms spanning 2003-2008

Bread Loaf Teachers Network

Chi Epsilon Women's Honor Society

Learning Forward (National Staff Development Council)

Association for Supervision and Curriculum Development (ASCD)

International Reading Association

Alaska Council of Teachers of English: President, 2001-20015; Co-President, 2000-2001

Alaska State Literacy Association

Kappa Delta Pi Education Honor Society

REFERENCES

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 14

◆ ISSUE

The board is being asked to approve Commissioner Johnson's appointment of Brittany Hartmann as Chief of Staff.

◆ BACKGROUND

- AS 14.07.145(e) states the Commissioner may employ and remove personnel in exempt or partially exempt service subject to approval of the board.
- Commissioner Johnson has appointed Brittany Hartmann as Chief of Staff.
- Behind this cover memo are: 1) a copy of AS 14.07.145(e), and 2) Brittany Hartmann's resume.

◆ OPTIONS

Approve the appointment.
Disapprove the appointment.
Seek additional information.

◆ ADMINISTRATION'S RECOMMENDATION

Approve the appointment.

◆ SUGGESTED MOTION

I move the State Board of Education & Early Development approve the Commissioner's appointment of Brittany Hartmann as Chief of Staff.

Sec. 14.07.145. Commissioner of education and early development.

(a) The board shall appoint the commissioner of education and early development subject to the approval of the governor. The commissioner shall be the principal executive officer of the department.

(b) The commissioner shall be appointed without regard to political affiliation and shall have at least a master's degree with five years' experience in the field of education since receiving it, with at least three of the five years in an exclusively administrative position.

(c) The commissioner serves at the pleasure of the board and may not be appointed by the board for a fixed term.

(d) The commissioner shall receive the salary set out in AS 39.20.080.

(e) The commissioner shall employ and remove all classified personnel in the department subject to AS 39.25 (State Personnel Act). The commissioner may employ and remove personnel in the exempt or partially exempt service subject to the approval of the board. Personnel in the exempt or partially exempt service have a right of appeal to the board if they are removed.

Brittany M. Hartmann



EXPERIENCE:

Legislative Aide for Senator Anna MacKinnon, Co-Chair of Finance (December 2016 – May 2018)

- I have carried, presented and passed legislation, which requires communication in an effective, efficient and concise manner. Legislation that I carried focused on: Education, Energy Efficiency, broadband expansion throughout Alaska, education funding and Construction/Maintenance of Public schools. I also worked on numerous projects on numerous topics that the Senator needed me to. Throughout my time on Sen. MacKinnon's staff, I would coordinate meetings with important stakeholders on different pieces of legislation, I did research, communicated with legislative legal to draft legislation, carried multiple pieces of legislation, and staffed committees with the Senator. Because of my great working and professional relationships with all senators, I would also have meetings one-on-one with them to discuss the legislation I was carrying. I am a great public relations person and relationship builder from my experience in attending events/meetings as a representative of the Senator. I can create quarterly newsletters, press releases and keep the public well informed in multiple ways, including social media.

Advocacy & Committee Coordinator for Greater Fairbanks Chamber of Commerce (September 2016 – December 2016)

- I was responsible for leading the process of implementing and managing the Chamber's advocacy efforts and legislative priorities. I would also communicate with our local and statewide delegation regarding our priorities and advocate on behalf of the Interior business community. I was in charge of five committees: 1) Energy, Environment and Natural Resources, 2) Government Relations, 3) Transportation Infrastructure, 4) Military Affairs, and 5) Education and Workforce Development. This position required me to advocate for the goals and concerns of the business community in the interior.

Legislative Aide for Senator Click Bishop (January 2013 – August 2016)

- I was the committee aid for the Senate Community & Regional Affairs Committee, where I prepared meetings, bill packets, organized public testimony, wrote scripts, and kept organized files on all bills. I was a Senate Finance Subcommittee Aid for the Department of Military and Veterans Affairs, where I helped the Senator analyze their budget, organized and held hearings on their budget and worked through the funding that they would receive for the coming fiscal year. I understand in-depth how to create and use an operating budget. I also did research, followed legislation and can break down complex legislation into easy to understand bullet points. My areas of focus were: Education, Healthcare, and Military Affairs. I met with constituents and worked with them on their concerns. I organized constituent meetings and private Senatorial meetings. I managed the calendar and schedule of events and committees for the Senator. I attended events/meetings as a representative of the Senator. I created quarterly newsletters, draft press releases and kept an ongoing updated excel spreadsheet of all constituents.

Fairbanks Staffer for Congressman Don Young Campaign (September 2010-November 2010, June 2012 – November 2012)

- Planned, organized and executed fundraising events with a limited budget and necessary revenue goals. I organized volunteers for literature drops, parades, etc. I kept track of the Congressman's calendar of meetings and events. When necessary, I would attend meetings, speeches and events with and, on behalf of, the Congressman.

State of Alaska Legislative Aid (January 2010 – December 2012)

- I worked for 3 Representatives and the Fairbanks Legislative Information Office off and on for a total of fourteen months while I finished my college degree. I helped with and created events, handled constituent concerns, conducted research and attended meetings with/for the Representatives. I managed the Representatives' calendars, emails, mail, and phone calls.

Fairbanks/Interior Regional Director of the Ralph Samuels for Governor Campaign (March 2010 – August 2010)

- I gathered volunteers, conducted meetings, created schedules, planned itineraries, fund-raised, went to meetings as a representative of the candidate, set-up interviews, and kept the candidate on track and up to date with everything going on in the interior.

EDUCATION:

2016 - Present

Master's in Business Administration

University of Alaska Fairbanks (Began Fall 2016)

Master's Degree is in Process

2012 Bachelor of Arts in Political Science

University of Alaska Fairbanks (January 2010 – May 2012)

GPA: 3.88

Cum Laude

University Honors Scholar

**Achieved Dean's List: Spring '10, Fall '10

**Achieved Chancellor's List: Spring '11, Fall '11, Spring '12

Michigan State University, East Lansing, MI (Aug. 2008 – Dec. 2009)

Major: Political Theory & Constitutional Democracy

Earned 45 credits toward Bachelor's Degree

**Achieved Dean's List: Fall '09

2008 Lathrop High School, Fairbanks, Alaska

Awarded: - Quota International of Fairbanks Scholarship

- Josh E. Boycott Memorial Scholarship

ACTIVITIES, ACHIEVEMENTS, AND COMMUNITY INVOLVEMENT:

- Member of Fairbanks Young Professionals Council
- Volunteer for the Breast Cancer Detection Center in Fairbanks
- Commissioner on the Fairbanks North Star Borough's Health and Human Services Board (October 2014 – December 2015)

- Member of Fairbanks Chamber of Commerce Education Committee (2016)
- Appointed by Governor Parnell to the Board of Barbers and Hairdressers (May 2012 – October 2012). Please ask for details.
- Event Planner for Private Events/Fundraisers
- Volunteer Event Planner for community events
- Volunteer on Initiative campaigns

Brittany M. Hartmann

[Redacted]

[Redacted]

REFERENCES (Professional):

[Redacted]

**To: Members of the State Board of
Education & Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 15

◆ ISSUE

The board is being asked to approve Commissioner Johnson's appointment of Karen Melin as Deputy Commissioner.

◆ BACKGROUND

- AS 14.07.145(e) states the Commissioner may employ and remove personnel in exempt or partially exempt service subject to approval of the board.
- Commissioner Johnson has appointed Karen Melin as Deputy Commissioner.
- Behind this cover memo are: 1) a copy of AS 14.07.145(e), and 2) Karen Melin's resume.

◆ OPTIONS

Approve the appointment.
Disapprove the appointment.
Seek additional information.

◆ ADMINISTRATION'S RECOMMENDATION

Approve the appointment.

◆ SUGGESTED MOTION

I move the State Board of Education & Early Development approve the Commissioner's appointment of Karen Melin as Deputy Commissioner.

Sec. 14.07.145. Commissioner of education and early development.

(a) The board shall appoint the commissioner of education and early development subject to the approval of the governor. The commissioner shall be the principal executive officer of the department.

(b) The commissioner shall be appointed without regard to political affiliation and shall have at least a master's degree with five years' experience in the field of education since receiving it, with at least three of the five years in an exclusively administrative position.

(c) The commissioner serves at the pleasure of the board and may not be appointed by the board for a fixed term.

(d) The commissioner shall receive the salary set out in AS 39.20.080.

(e) The commissioner shall employ and remove all classified personnel in the department subject to AS 39.25 (State Personnel Act). The commissioner may employ and remove personnel in the exempt or partially exempt service subject to the approval of the board. Personnel in the exempt or partially exempt service have a right of appeal to the board if they are removed.

Karen Melin



EXPERIENCE:

ACTING DEPUTY COMMISSIONER

YEARS EMPLOYED: 12/18 TO PRESENT

ALASKA DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

IN THIS POSITION I WORK ACROSS THE DEPARTMENTS DIVISIONS AND WITH PARTNER AGENCIES TO MOVE ALASKA'S EDUCATIONAL PRIORITIES

MY DUTIES INCLUDED:

- OVERSEEING DEPARTMENT STAFF
- WORKING WITH PARTNERING AGENCIES
- MANAGING DAY TO DAY OPERATIONS OF DEPARTMENT WORK FLOW
- SUPPORTING THE COMMISSIONER IN ALL ASPECTS OF EDUCATIONAL SYSTEMS FOR THE STATE

PROJECT COORDINATOR-

YEARS EMPLOYED: 7/18 TO 12/18

ALASKA DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

IN THIS POSITION I WORKED WITH A TEAM TO IMPLEMENT THE ALASKA EVERY STUDENT SUCCEEDS ACT (ESSA) PLAN, ALASKA EDUCATION CHALLENGE, ACT AS LIAISON BETWEEN THE DIVISION OF STUDENT LEARNING AND THE DIVISION OF EDUCATOR AND SCHOOL EXCELLENCE, AND BEGIN THE WORK OF CURRICULUM REVIEW AS DEFINED IN SB 104.

MY DUTIES INCLUDED:

- CONDUCTING DEPARTMENT STAFF DEVELOPMENT SESSIONS
- SUPPORTING DISTRICTS, SCHOOLS, PRINCIPALS, AND TEACHERS TO ACCOMPLISH THEIR GOALS
- CONDUCT WEBINARS FOR TEACHERS IN READING INSTRUCTION TO PROMOTE ON GRADE LEVEL READING PROFICIENCY
- PRESENT AT EDUCATIONAL CONFERENCES CONCERNING THE EXPECTATIONS AND OPPORTUNITIES IN THE ALASKA ESSA PLAN

DISTRICT MTSS, INTERVENTION, AND ASSESSMENT COORDINATOR –

YEARS EMPLOYED: 8/16 TO 7/18

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT, FAIRBANKS, ALASKA

I LEAD AND SUPPORT THE RTI/MTSS PROCESS DISTRICT WIDE. I AM ALSO RESPONSIBLE FOR THE TRAINING AND ADMINISTRATION OF THE AIMSWEB PLUS, MAP, AND PEAKS. I AM ALSO RESPONSIBLE FOR THE PURCHASE, TRAINING AND SUPPORT FOR DISTRICT MATH AND ELA INTERVENTIONS.

MY DUTIES INCLUDED:

- SUPPORTING PRINCIPALS IN IMPLEMENTING AN EFFECTIVE MTSS PROCESS IN THEIR BUILDINGS

Karen Melin



- SUPPORTING K-12 TEACHERS IN UNDERSTANDING AND IMPLEMENTING AN EFFECTIVE MTSS PROCESS IN THEIR CLASSROOM
- TRAINING ON HOW TO EFFECTIVELY USE A BALANCED ASSESSMENT SYSTEM AT THE CLASSROOM, SCHOOL, AND DISTRICT LEVEL TO SUPPORT ALL STUDENTS
- TRAINING AND SUPPORTING THE ADMINISTRATION OF AIMSweb PLUS, MAP, AND PEAKS
- TRAINING AND SUPPORTING READING REPORTS IN AIMSweb AND MAP
- WORKING COLLABORATIVELY WITH FEDERAL PROGRAMS AND SPECIAL EDUCATION TO INTENTIONALLY CREATE AND CONNECT SYSTEMS THAT ARE COHESIVE ACROSS THE DISTRICT
- WORKING WITH OTHER DEPARTMENTS IN THE DISTRICT IN NAVIGATING COMPLEX CHANGE

TEACHER MENTOR – STUDENT LEARNING DATA

YEARS EMPLOYED: 8/15 – 8/16

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT, FAIRBANKS, ALASKA

MY DUTIES INCLUDED WORKING WITH TEACHERS TO GATHER AND INTERPRET DATA FOR THE PURPOSE OF SETTING GOALS AND ADJUSTING INSTRUCTION TO BEST SERVE ALL OF THE STUDENTS IN THEIR CLASS. WE EXAMINED AIMSweb, MAP, CLASS, BUILDING, DISTRICT, AND STATE DATA TO INFORM INSTRUCTIONAL GROUPING AND INTERVENTIONS SHOULD THEY BE NEEDED. I HELPED THEM CREATE AND USE A COMPREHENSIVE CLASSROOM ASSESSMENT SYSTEM TO FOLLOW STUDENTS LEARNING AND ADJUST INSTRUCTION. OTHER DUTIES INCLUDED MENTORING EARLY CAREER TEACHERS TO IMPROVE THEIR INSTRUCTIONAL PRACTICE AND HONE THEIR SKILLS AS AN EDUCATOR, PLAN AND CONDUCT PROFESSIONAL DEVELOPMENT ACTIVITIES AT THE BUILDING AND DISTRICT LEVEL, AND SERVE AS A MEMBER OF THE DISTRICT TEACHER WORKING GROUP. THIS OPPORTUNITY ALLOWED ME TO LOOK CLOSELY AT THE DANIELSON FRAMEWORK FOR TEACHERS AND SEE HOW IT COULD BE EFFECTIVELY IMPLEMENTED TO HELP TEACHERS AND OTHER EDUCATORS CONTINUOUSLY EXAMINE AND IMPROVE THEIR PRACTICE.

ADMINISTRATOR OF INSTRUCTIONAL SUPPORT

YEARS EMPLOYED: 7/13 – 7/15

ALASKA DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT, JUNEAU, ALASKA

I LED A TEAM OF CONTENT SPECIALISTS THAT OFFERED ASSISTANCE TO SCHOOL DISTRICT SUPERINTENDENTS, SCHOOL LEADERS, AND TEACHERS CONCERNING BEST PRACTICES IN EDUCATION AND STRATEGIES TO IMPROVE CLASSROOM INSTRUCTION ALIGNED TO THE ALASKA ELA AND MATH STANDARDS. I PRESENTED AT CONFERENCES ACROSS THE STATE AS WELL AS WORK WITH TEACHERS AND COMMUNITY GROUPS ON APPROACHES THAT HELP STUDENTS BE SUCCESSFUL IN THEIR ACADEMIC ENDEAVORS. MY RESPONSIBILITIES INCLUDED:

- THE SUPERVISION OF PROFESSIONAL EDUCATORS
- PLANNING AND IMPLEMENTING PROFESSIONAL DEVELOPMENT EVENTS LOCALLY AND AT THE STATE LEVEL
- WORKING THROUGH THE AWARENESS AND IMPLEMENTATION OF THE ALASKA ELA AND MATHEMATICS STANDARDS
- WORKING WITH DISTRICT SUPERINTENDENTS AND DISTRICT LEVEL STAFF TO SUPPORT TEACHERS IN CLASSROOM INSTRUCTION ALIGNED TO THE ALASKA ELA AND MATH STANDARDS

Karen Melin



- COLLABORATING WITH OTHER STATE AGENCIES AROUND EDUCATOR EVALUATION SYSTEMS AND ASSESSMENTS
- COLLABORATING WITH STATE ASSESSMENTS AND TEACHER CERTIFICATION IN CREATING AND IMPLEMENTING STATEWIDE ASSESSMENTS AND EDUCATOR EFFECTIVENESS MODELS

STATE LITERACY SPECIALIST

YEARS EMPLOYED: 7/2011 – 7/13

ALASKA DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT, JUNEAU, ALASKA

MY RESPONSIBILITIES IN THE POSITION INCLUDED:

- SUPPORTING EDUCATORS PRE K – 12 IN THE IMPROVEMENT OF LITERACY INSTRUCTION. TO THAT END I WORKED TO DEVELOP THE ALASKA LITERACY BLUEPRINT. THIS DOCUMENT WAS PREPARED AS A FRAMEWORK THAT ALLOWS INDIVIDUALS WHO WORK WITH CHILDREN, BUILD AN EFFECTIVE LITERACY STRUCTURE.
- PLANNING THE ANNUAL STATE WIDE LITERACY INSTITUTE SPONSORED BY DEED. AT THE CONFERENCE I PRESENTED CONTENT, AS WELL AS ORGANIZED SCHEDULES, SPEAKERS AND PRESENTERS AND SESSION CONTENT.
- DEVELOPING AND GATHERING TOOLS AND RESOURCES FOR LITERACY INSTRUCTION

READING SPECIALIST

YEARS EMPLOYED: 2/08 – 7/11

USD 501 TOPEKA PUBLIC SCHOOLS, TOPEKA, KANSAS

MY RESPONSIBILITY IN THIS POSITION INCLUDED:

- HELP K-5 STUDENTS IMPROVE AS READERS
- ASSESS USING DIEBLES, AIMSWEB, AND OTHER ASSESSMENTS TO IDENTIFY STUDENTS READING DEFICITS
- PROVIDE APPROPRIATE INTERVENTION SUPPORT IN SMALL GROUPS
- HALF TIME LEAD TEACHER/ADMINISTRATOR

TEACHER

YEARS EMPLOYED: 11/97 - 3/98

WICHITA USD 259 WICHITA, KANSAS

IN THIS POSITION I TAUGHT 4TH GRADE MOST SUBJECTS AND FIRST GRADE READING AT AN EDISON PROJECT SCHOOL. THIS PROGRAM WAS PILOT PROGRAM IN WHICH THE PRIVATE SECTOR AND PUBLIC SCHOOL WORKED TOGETHER TO IMPROVE EDUCATION IN IMPOVERISHED COMMUNITIES. SOME OF THE COMPONENTS OF THIS SCHOOL INCLUDED LONGER SCHOOL DAYS (8:00 – 5:00), EXPLICIT BEHAVIORAL EXPECTATIONS, AND ALTERNATE CURRICULUM. THE PROGRAM IS NO LONGER IN OPERATION.

Karen Melin



DIRECTOR OF EDUCATION

YEARS EMPLOYED: 9/96 - 10/97

WASILLA ASSEMBLY OF GOD WASILLA, ALASKA

MY RESPONSIBILITIES IN THIS POSITION INCLUDED:

- ADMINISTRATING ALL EDUCATION PROGRAMS IN THE CHURCH
- TRAINING TEACHERS
- COURSE CURRICULUM FACILITATION
- ORGANIZING AND SUPERVISING APPROXIMATELY 25 ADULT VOLUNTEERS

TEACHER

YEARS EMPLOYED: 1/92 - 6/92 AND 1/95 - 6/97

JUNEAU CHRISTIAN SCHOOL, JUNEAU, ALASKA

I TAUGHT 2ND AND 3RD GRADE. I WAS RESPONSIBLE FOR SETTING A POSITIVE LEARNING ENVIRONMENT AS WELL AS PLANNING AND IMPLEMENTING ALL INSTRUCTION.

TEACHER

YEARS EMPLOYED: 8/79 - 6/80 AND 8/85 - 6/86

JOYLAND LEARNING CENTER AND KINDERGARTEN SPRINGFIELD, MISSOURI

THIS IS A PRIVATE PRE SCHOOL AND KINDERGARTEN. I BEGAN WORKING WITH THE 3 YR. OLD CLASS. I LATER WORKED WITH THE PRE-K 4YR. CLASS. I LATER TAUGHT FULL DAY KINDERGARTEN FOR TWO SEPARATE SCHOOL TERMS.

TEACHER/PROGRAM COORDINATOR

YEARS EMPLOYED: 6/79 - 8/79 AND 9/80 - 6/81

BETHEL LIFE SCHOOL WICHITA, KANSAS

MY RESPONSIBILITY IN THIS POSITION INCLUDED:

- DESIGNING AND IMPLEMENTING THE SUMMER PROGRAM FOR APPROXIMATELY 30 STUDENTS K-6 GRADE
- THE SUPERVISION OF PAID AND VOLUNTEER STAFF MEMBERS
- LATER WAS HIRED TO TEACH A FIRST GRADE CLASS

Karen Melin



CERTIFICATIONS/LICENSES

ALASKA STATE TEACHING LICENSE K-8

EDUCATION

ASSOCIATE OF ARTS IN EARLY CHILDHOOD EDUCATION YEARS ATTENDED: 1976 - 1978
Evangel College *Springfield, Missouri*

BACHELORS OF ARTS IN ELEMENTARY EDUCATION YEARS ATTENDED: 1991 - 1995
University of Alaska Southeast *Juneau, Alaska*

RELATED PROFESSIONAL EXPERIENCE

NAYC CONFERENCE 1994
Presentation Topic: Math in Literature

PRESENTER AT 1994 SOUTHEAST ALASKA READING CONFERENCE
Presentation Topic: Integration of Math and Literature

PRESENTER AT 2012, 2013, AND 2014 ALASKA PRINCIPALS CONFERENCE
Presentation Topic: Instructional Content and Strategies

PRESENTER AT 2014 ALASKA NEA LEADING THE PROFESSION CONFERENCE
Presentation Topic: Math and ELA Standards and Instructional Practice

PRESENTER AT 2013 and 2014 ALASKA BILINGUAL MULTICULTURAL EDUCATION CONFERENCE
Presentation Topic: Academic Standards, Community, and Culture

PRESENTER AT 2012 AND 2013 STATEWIDE LITERACY CONFERENCE
Presentation Topic: Literacy and the Alaska State Standards

Karen Melin

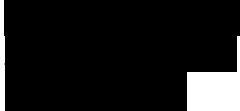


REFERENCES

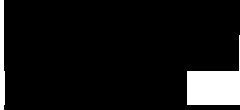
PROFESSIONAL REFERENCES:



meliane.hadaway@k12northstar.org



deborah.riddle@alaska.gov



paul.prussing@alaska.gov



**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 16

◆ ISSUE

The board is being asked to select its officers for the remainder of the school year through 2019 and select subcommittee assignments.

◆ BACKGROUND

- According to the board's bylaws, the board will select its officers at the last regular meeting of the board each school year. The June meeting is the final regular meeting of the school year.
- The officers are: First Vice-Chair and Second Vice-Chair.
- The current officers needed are:
 - First Vice-Chair – Vacancy left by the resignation of Barbara Thompson
 - Second Vice-Chair – Vacancy left by departing member Rebecca Himschoot
- Nominations will be taken, and votes may be cast either by secret or open ballot.
- The term of each new office is February 4, 2019, through June 30, 2019, or, if necessary, until the election of its successor.
- According to board bylaws, a board member may serve successive terms as an officer without limit.
- A copy of the appropriate section of the bylaws follows this cover memorandum.
- The board is involved in many subcommittees and other assignments.
- A copy of the board's subcommittee/appointment roster follows this memo.

◆ OPTIONS

Select members to be on subcommittees listed.

Seek further information on subcommittees listed.

Elect officers for the remainder of the school year through the 2019 school year.

Take no action.

◆ ADMINISTRATION'S RECOMMENDATION

Elect officers for the remainder of the school year through 2019 school year.

Select members to be on subcommittees listed. Subcommittee assignments do not require a formal motion.

◆ **SUGGESTED MOTIONS**

I move the State Board of Education & Early Development elect _____
as First Vice-Chair to serve from July 1, 2018, to June 30, 2019.

I move the State Board of Education & Early Development elect _____
as Second Vice-Chair to serve from July 1, 2018, to June 30, 2019.

3. Organization and duties of the state board

3.1. Officers

The officers of the state board are the chair, first vice-chair and second vice-chair.

Adopted March 2004

3.2. Election of officers

The officers of the board are elected at the last regular meeting of the board each school year, and serve one year, July 1 to June 30, and after that, if necessary, until the election of their successors. A board member may serve successive terms as an officer without limit.

Adopted March 2004

3.3. Duties of the chair

The board chair shall

3.3.1. Preside at all meetings of the board.

3.3.2. Maintain liaison with other members of the board and with the commissioner when the board is not in session.

3.3.3. Work with the commissioner and persons appointed by the commissioner to develop meeting agendas.

3.3.4. Represent the board when occasion requires, and speak publicly for the board as a whole on positions of the board.

3.3.5. Unless otherwise specifically provided by law or motion, appoint board members to committees and subcommittees, and appoint the members of advisory committees that the board establishes.

3.3.6. Advise the commissioner at times when the board is not in session.

3.4. Duties of the first vice-chair

The first vice-chair shall act in place of the chair in the chair's absence, or in the case of a vacancy in that office.

3.5. Duties of the second vice-chair

If the first vice-chair cannot serve, the second vice-chair shall assume the duties of the first vice-chair.

State Board of Education & Early Development

Sub-Committee Assignments

NAME	Appointment Begin/End	Reappointment Begin/End	District Seat	Board Leadership/Dates	ACPE (1 member) Meets Quarterly	Governor's Council on Disabilities & Special Education (1 member) Quarterly	Public School Trust Fund Advisory Committee (3 members) Meets 1 x yr.	Technical Advisory Committee (Assessment & Accountability - 1 member)	College of Rural & Community Development (1 member)	Education Commission of the States - ECS (1 member) Meets 2-3 x yr.	MEHS Advisory	CTE Committee	Military Compact	Joint Sub-Committee with BOR
Dr. Keith Hamilton	3/1/2015 3/1/2020		Public-At- Large		X					alt 6/5/15				
Lori Van Diest	1/29/2018 3/1/2020		3rd Judicial District						X		X			
James Fields	3/22/2013 3/1/2018	3/1/2018 3/1/2023	REAA				12/6/2013			6/5/2015			6/5/2015	
Bob Griffin	1/15/2019 3/1/2019		Public-At- Large			X	3/13/2014	3/13/2014				6/17/2016		
Sandra Kowalaski	3/01/2014 3/1/2019		2nd Judicial District								3/13/2014			X
Tiffany Scott	3/2/2018 3/1/2019	1/15/2019	4th Judicial District				X				X			
Sally Stockhausen	1/15/2019 3/1/2021		1st Judicial District			X						X		X
LTC Spencer Van Meter	3/1/2018	n/a	Military Advisor											
Tanis Lorring	7/1/2018 6/30/2019	n/a	Student Advisor											

ACPE=Alaska Commission on Postsecondary Education

**To: Members of the State Board of
Education and Early Development**

February 4, 2019

From: Dr. Michael Johnson, Commissioner

Agenda Item: 17

◆ **ISSUE**

The board is being asked to approve its annual report to the legislature.

◆ **BACKGROUND**

- A state statute signed in 2011 requires the State Board of Education and Early Development to provide an annual report to the legislature.
- The statute sets out requirements for a report to the legislature to be made no later than the 30th legislative day of each regular session and it must be presented in person.
- The statute further set out that the report must describe efforts of the board to develop, maintain, and continuously improve a comprehensive quality public education system, as provided for under the bylaws of the board.
- The legislature later added intent language that requested inclusion of the most recent National Assessment of Educational Progress (NAEP) data in the written report.
- The first presentation to the legislature took place in January 2012.
- Behind this cover memo is the final report, which includes the statute language on page 1.

◆ **OPTIONS**

Approve the report.
Amend the report and approve the amended report.
Seek additional information.

◆ **ADMINISTRATION'S RECOMMENDATION**

Approve the report as presented.

◆ **SUGGESTED MOTION**

I move the State Board of Education and Early Development approve the report to the legislature.

State Board of Education and Early Development
Report to the Alaska State Legislature

January 2019



State Board of Education and Early Development

James Fields, Chair

Barbara Thompson, First Vice-Chair

Rebecca Himschoot, Second Vice-Chair

Dr. Keith Hamilton

Sandra Kowalski

Tiffany Scott

Lorri Van Diest

Tanis Lorrington, student advisor

LTC Spencer Van Meter, military advisor

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Alaska State Constitution education clause

Section 7.1 - Public Education.

The legislature shall by general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.

AS 14.07.168. Report to the legislature

Not later than the 30th legislative day of each regular session of the legislature, the board shall prepare and present in person to the legislative committees having jurisdiction over education an annual report that describes the efforts of the board to develop, maintain, and continuously improve a comprehensive quality public education system, as provided for under the bylaws of the board. The report must include:

- (1) a summary of the resolves and rationales provided in support of policy decisions made under AS 14.03.015;
- (2) program and curriculum changes made, discussed, or recommended in meetings held under AS 14.07.125;
- (3) additional information relevant to efforts made to improve and maintain the public education system.

Mission Statement for Public Education in Alaska

An excellent education for every student every day.

Vision Statement for Public Education in Alaska (AS 14.03.015)

All students will succeed in their education and work, shape worthwhile and satisfying lives for themselves, exemplify the best values of society, and be effective in improving the character and quality of the world about them.

Strategic Priorities of the State Board of Education and Early Development

- Amplify student learning
- Inspire tribal and community ownership of educational excellence
- Modernize the education system
- Ensure excellent educators
- Promote safety and well-being

Shared Commitments

Alaska's Education Challenge brought Alaskans together to think deeply about the education system. Through their recommendations and the development of Alaska's ESSA state plan, three shared commitments to Alaska's students emerged. The mission, vision, and priorities will guide the board and the department's actions as we remain committed to the Alaska's Education Challenge vision of (1) increasing student success, (2) cultivating safety and well-being, and (3) supporting responsible and reflective learners.



REGULATIONS AND OTHER BOARD ACTIONS

In January, the State Board and Commissioner Johnson held a press availability event in Juneau to discuss progress on Alaska's Education Challenge. They were joined by Governor Bill Walker, Lieutenant Governor Byron Mallott, and representatives from the Alaska's Education Challenge committees and partner organizations.

In March, the State Board approved a regulation to create a world language expert limited teacher certificate and amended regulations regarding the Uniform Chart of Accounts for school districts.

The creation of a world language expert limited teacher certificate helps fulfill a need for increased staffing in the growing number of language immersion classrooms across the state. Districts would only be allowed to employ individuals holding this certificate to teach in the subject areas that the individual has earned an endorsement. An individual holding this certificate would only be allowed to provide instruction in the language of expertise.

The approved amendments to regulations regarding the Uniform Chart of Accounts clarify how to report technology related activities and expenditures for consistency among districts. The amendments also bring the account codes and definitions into conformity with Governmental Accounting Standards Board (GASB) statements.

In May, the State Board adopted regulations implementing Alaska's Every Student Succeeds Act (ESSA) plan and approved five measurable goals for Alaska's Education Challenge.

The adopted regulations were required to implement accountability and school support and improvement systems for schools and districts in Alaska, as specified in ESSA and Alaska's state plan. The U.S. Department of Education approved Alaska's ESSA plan on May 16, 2018.

The five measurable goals for Alaska's Education Challenge were developed by DEED in partnership with key education association leaders. The five measurable goals are:

- 1) Support ALL students to read at grade level by the end of 3rd grade;
- 2) Increase career, technical, and culturally relevant education to meet student and workforce needs;
- 3) Close the achievement gap by ensuring equitable educational rigor and resources;
- 4) Prepare, attract, and retain effective education professionals;
- 5) Improve the safety and well-being of students through school partnerships with families, communities, and tribes.

In July, the State Board adopted regulations amending the assessment achievement level scores on the Performance Evaluation for Alaska's Schools (PEAKS) test in grade 9 mathematics. Revised score ranges on the achievement levels for grade 9 mathematics were needed as the test was revised to emphasize Algebra 1 concepts.

In September, the State Board adopted regulations by inserting the AdvancED published document AdvancED Performance Standard in place of the outdated document which was adopted by reference.

New Officers, Members, and Staff

In March, three new board members and Chair Fields were sworn into office. Governor Bill Walker appointed to the State Board Lorri Van Diest of Palmer, Sandy Kowalski of Fairbanks, and Tiffany Scott of Kotzebue, and reappointed James Fields of Glennallen.

Ms. Van Diest was appointed January 29 to fill the seat for the Third Judicial District, replacing John Harmon, who resigned. Ms. Van Diest's term expires March 1, 2020. Ms. Van Diest is a licensed professional counselor and retired educator and school counselor from the Matanuska-Susitna Borough School District. She holds a Master of Science degree in guidance and counseling from Oregon State University and a Bachelor of Science degree in mathematics from Seattle Pacific University.

Ms. Kowalski was appointed March 1 to fill the seat for the Fourth Judicial District, replacing Sue Hull, whose term expired. Ms. Kowalski's term expires March 1, 2023. Ms. Kowalski currently serves as the Director of Indigenous Programs for the Office of Rural Native and Community Education at the University of Alaska Fairbanks. She holds a Master of Science degree in educational leadership from National University, and a Bachelor of Arts degree in Iñupiaq language and a Bachelor of Arts degree in English from the University of Alaska Fairbanks. She previously served as the Assistant Superintendent for Elementary Education in the Fairbanks North Star Borough School District.

Ms. Scott was appointed March 2 to fill the seat for the Second Judicial District, replacing Kenneth Gallahorn, who resigned. Ms. Scott's term expires March 1, 2019. Ms. Scott is employed by the Maniilaq Health Center as a registered nurse in the emergency department. She holds an associate of applied science degree in nursing from the University of Alaska Anchorage and a bachelor of liberal arts degree in extension studies from Harvard University. Ms. Scott is a former member of the Matanuska-Susitna Borough School Board.

Mr. Fields was reappointed March 1, 2018 to fill the seat for the regional educational attendance areas, the school districts in the unorganized borough. Mr. Field's term expires March 1, 2023. Mr. Fields owns The Hub of Alaska and Copper Valley IGA as well as other buildings in the Glennallen area, and serves as the head high school boys basketball coach and is a member of the Copper River School Board.

In May, State Board members elected James Fields as Chair, Barbara Thompson as First Vice-Chair, and Rebecca Himschoot as Second Vice-Chair.

In July, Tanis Lorrington of Soldotna High School began her one-year term as student advisor. The board chooses the student advisor from several students nominated by the Alaska Association of Student Governments.

SIGNIFICANT STEPS

Assessments

Alaska successfully administered the statewide English language arts, math, and science assessments during the 2017-18 school year.

Performance Evaluation for Alaska's Schools (PEAKS) is Alaska's statewide summative assessment, and was administered to students in grades three through nine during the 2017-18 school year. The Alaska Science Assessment is Alaska's statewide summative assessment for Science and was administered to grades 4, 8 and 10. In spring 2018, approximately 78,635 students participated in the second administration of PEAKS and the Alaska Science Assessment. Nearly three quarters of all students taking these assessments took the computer-based version.

In July 2017, the State Board adopted regulations that allow the state flexibility to assess students annually in English language arts and mathematics in grades three through eight and in one or more years, as determined by the commissioner, in grades nine through twelve. PEAKS was administered to students in grades three through nine in spring 2018. In July of 2018, new cut scores for the grade 9 assessment were adopted by the SBOE.

PEAKS is not a pass/fail assessment. Students score on a scale that is divided into four levels of achievement: advanced, proficient, below proficient, and far below proficient.

Statewide, results varied from grade to grade. In English language arts, approximately 33 percent to 47 percent of students were proficient on PEAKS. In mathematics, approximately 22 percent to 48 percent of students were proficient on PEAKS. In science, approximately 44 percent to 53 percent of students were proficient on the Alaska Science Assessment. Overall 42 percent of students were proficient in English language arts, 37 percent of students were proficient in mathematics, and 47 percent were proficient in science.

Neither PEAKS nor Alaska Science Assessment are high-stakes assessments for students. Results do not affect classroom grades, grade advancement, or graduation. Each of the statewide assessments are just one important piece of a balanced assessment system.

The assessment provides important information to parents, educators, policy makers, communities, and businesses about how Alaska's schools and districts are performing. Statewide, district, school, and subgroup level results from the PEAKS assessment and the

Alaska Science Assessment are available online at [2018 PEAKS Assessment Results](#). Resources to help the public understand PEAKS are available at [PEAKS Assessment Resources](#).

Looking Ahead

The assessment team will focus efforts on assessment literacy. This work will support districts, schools, and educators understand the variety of state and local assessments administered each year. Coordinated efforts with school improvement and the accountability teams will provide a variety of perspectives that will support work with standards and instruction.

Alaska's Education Challenge

In September 2016, the State Board established five strategic priorities aimed at improving public education for all students in Alaska. Following the State Board's initial actions, Governor Walker, in his 2017 State of the State address, spoke of the need to improve public education in Alaska. The Governor's comments launched the current effort to craft changes in our education system that will address student achievement gaps and increase graduation rates by making sure that every student across the state has equitable opportunity to learn and succeed.

Following the Governor's address, DEED released a public survey in February 2017 asking Alaskans to share their priorities for public education reform. Nearly 1,400 Alaskans in 109 communities submitted over 18,000 ideas for topics to be considered during Alaska's Education Challenge. From April to October 2017, [DEED gathered nearly 100 Alaskans from all corners of the state](#) representing diverse backgrounds, interests, and experiences to work collaboratively and focus their efforts on developing up to three recommendations for each of the five strategic priorities set by the State Board. The State Board reviewed and accepted all 13 committee recommendations. Governor Walker subsequently accepted the recommendations, and a [final report](#) was submitted to the Alaska Legislature in January 2018.

In January 2018, the State Board, Commissioner Johnson, Governor Walker, Lt. Governor Mallott, commissioners, legislators, and representatives from the five committees and partner organizations held a [press availability event](#) and provided an overview of the work completed to date and shared next steps.

Since then, DEED has continued working with partner organizations to develop a strategic plan to meet Alaska's educational challenges by focusing the work around three components and establishing specific goals that are most likely to improve student outcomes.

The three components are:

1. A call to action: Shared Commitments
 - Increase Student Success
 - Support Responsible & Reflective Learners
 - Cultivate Safety & Well-Being
2. A focus of efforts: Measurable Goals
 - Support all students to read at grade level by the end of 3rd grade;
 - Increase career, technical, and culturally relevant education to meet student and workforce needs;
 - Close the achievement gap by ensuring equitable educational rigor and resources;
 - Prepare, attract, and retain effective education professionals;
 - Improve the safety and well-being of students through school partnerships with families, communities, and tribes.
3. A prioritization of change: Targeted Strategies
 - 13 committee recommendations
 - Additional strategies in Alaska's Every Student Succeeds Act plan

In May 2018, Commissioner Johnson presented DEED's progress to the State Board, specifically highlighting the five measurable goals. The State Board subsequently voted to approve the goals. See Appendix B to read the full strategic plan.

School Safety Program

Unfortunately, 2018 has been a year marked by a series of acts of school violence, including school shootings that resulted in the loss of life. These tragic events have served as a national catalyst to examine efforts that strengthen both school crisis preparedness and other school safety programming that bolster safety like positive school climate efforts, increased provision of school based-mental and physical health services, and enhanced social emotion learning. In Alaska, DEED has been methodically improving its school safety supports to districts for years through a series of federal grants it secured to provide state of the art school crisis response planning training to all interested districts in Alaska and to expand student mental health supports. It also established Cultivating School Safety and Well-Being as one of its three foundational educational commitments within Alaska's Education Challenge, which will overlay and inform all of DEED's work for years to come. Despite these broad based efforts, DEED was compelled to revisit its school safety program this year, and to develop an action plan to further strengthen school safety. These efforts were driven by the understanding that the only expectation parents have for public education that is greater than that it provide every student with an excellent education every day is that it keep their children safe at school each and every day.

Highlights of Action Steps from DEED's School Safety Action Plan

- School Safety and Well-Being Summit

DEED hosted its first dedicated statewide School Safety & Well-Being Summit in more than 20 years in Anchorage on September 18th and 19th, 2018. This summit brought school safety leadership from every district as well as key educational stakeholders from other agencies together to acquire new best practices and to share effective existing school safety practices with an emphasis on restorative disciplinary practices, positive school climate, school crisis preparedness, and trauma informed schools.

- School Safety Gap Analysis

DEED has conducted a second statewide School Safety Gap Analysis of school safety strengths and needs. This analysis replicates a school safety gap analysis initially conducted by the department in 2013. The gap analysis captures information specific to districts':

- 1) ability to establish and maintain a single point of entry and exit at each school as well as the capacity to control and monitor access in and out through that single point.
- 2) school safety hardware needs (such as Public Announcement Systems, phone systems, handheld radios, classroom door locks, buzz-in systems, centralized door lock systems, security cameras, blinds for classroom windows)
- 3) quality of both the current school crisis response plans in place as well as the adequacy of the staff training on the plans
- 4) current level of training on programs/practices/policies that promote positive school climate and support students who may have emergent mental health issues

The results of the gap analysis provide vital information to DEED that inform its school safety programming in the coming years and also provide essential information for other educational stakeholders to determine the most practical and needed measures to strengthen school safety.

- Alaska's Education Challenge

Alaska's Education Challenge established three priority strategies to advance its commitment to "Cultivate Safety and Well-Being". They include increasing the implementation of trauma-engaged practices in schools, increasing positive school climate, and increasing direct access to school-based nursing and counseling services for all students. DEED has partnered with Council of Chief State School Officers and Education Northwest's Comprehensive Center to create formal goals and action steps to implement these priority strategies between now and 2025. These steps are all essential components of comprehensive school safety and create a call to action for all Alaskans to assume an important role in creating and maintaining safe schools.

- Trauma Engaged Schools Framework

DEED has led an interagency cooperative to develop *Transforming Schools: A Framework for Trauma-Engaged Practice in Alaska*. This innovative framework is a tool to use to deepen understanding of trauma, trauma’s impact on development, behavior, and learning, social and emotional supports, trauma-informed school environments, and key roles for adults in creating supportive educational environments for students. The tool aims to help schools and communities translate this understanding into action through policies and practices that support the whole child. This tool was created for all Alaskans—educators, parents, and community members who want to be involved in leading their schools to trauma-engaged change. It is anticipated the framework will be available for release this winter.

- ACEs/Trauma Informed Schools eLearning Courses

DEED continued its development of distance-delivered trainings to assist districts with becoming trauma informed. DEED provides these trainings to districts at no cost and now serves more than 21,000 school district employees. The most heavily trafficked courses DEED offers are on school health and safety topics. DEED’s trauma informed schools course offerings presently include two courses:

- *Overcoming ACEs in Alaska Schools*. This first course defines adverse childhood experiences and explains how they affect children’s brains, learning, and behavior.
- *Trauma Sensitive Schools*: The second course provides insight into the paradigm shift schools undergo as they become better equipped to support students’ responses to traumatic experiences and the impact they may have on learning and behavior.

In addition to these introductory course, DEED has three more trauma informed focused courses planned for production. *Trauma Engaged and Practicing Schools*, is a course that builds on the first two courses and provides a roadmap to assist districts seeking a broader scale implementation of trauma informed practices. This course will highlight the steps necessary to become trauma-engaged on a school-wide or even a district-wide basis. The course is slated for release later this fall.

Finally, DEED intends to create two additional courses *Trauma Engaged Educators Tools and Techniques* and *Trauma Engaged Counselors Tools and Techniques* in 2019. These courses will provide educators and counselors with hands on tools and techniques for use in the classroom and other school settings.

Implementing the Every Student Succeeds Act (ESSA)

In December 2015, the president signed into law the Every Student Succeeds Act (ESSA), which is authorized for four years. ESSA replaces the No Child Left Behind Act of 2002 (NCLB) and the Obama administration's waiver program under NCLB.

ESSA maintained some provisions of NCLB, but intentionally provided more flexibility and authority to the states. No longer is a school required to be designated for improvement simply by missing one academic achievement target for one subgroup of students in a single year. ESSA requires states to develop plans that address standards, assessments, school and district accountability, and support for struggling schools, giving states more flexibility in the process of how to hold schools accountable and how to provide support to schools in the greatest need of support.

On December 15, 2017, the U.S. Department of Education (U.S. ED) provided feedback based on its initial review of Alaska's plan that was submitted by DEED on September 18, 2017.

On February 28, 2018, DEED submitted revisions to U.S. ED that addressed the details requested and clarified the state's plan and proposed accountability system.

On May 16, 2018, Alaska's plan to implement ESSA was approved by U.S. Education Secretary Betsy DeVos. Approval of the state plan was required for Alaska to continue to receive approximately \$80 million annually in funding from the federal government to support the state's public schools.

Highlights of Alaska's ESSA plan include:

- Setting goals for each school and district to reduce the number of non-proficient students by half in ten years, for all student groups.
- Providing flexibility for the State and districts to target strategies for school improvement based on the unique needs of each school.
- Measuring and rewarding both academic performance and growth for all students.
- Reporting rates of chronic student absenteeism to encourage statewide discussions about its impacts on student learning.
- Reporting per-pupil spending at the school and district level to increase financial transparency.

Comments:

Commissioner Dr. Michael Johnson: "ESSA has provided a chance for Alaska to build on our ongoing commitment to increasing student success, supporting responsible and reflective learners, and cultivating safety and wellbeing. Alaska's plan includes new accountability components and establishes a more well-rounded education system – this includes prioritizing the importance of reading proficiently. We know students who read on grade level by the end of third grade are much more likely to have success in school and graduate."

Alaska's ESSA plan went through a number of revisions as DEED staff worked with federal reviewers to clarify how the plan met ESSA's statutory requirements.

Alaska's approved plan and approval letter by U.S. Education Secretary Betsy DeVos are available on DEED's [ESSA webpage](#).

On May 31, 2018, the State Board adopted regulations implementing Alaska's Every Student Succeeds Act (ESSA) plan. The adopted regulations were required to implement accountability and school support and improvement systems for schools and districts in Alaska, as specified in ESSA and Alaska's state plan.

OTHER DEPARTMENT FUNCTIONS

Mt. Edgecumbe High School (MEHS)

[Mt. Edgecumbe](#) is the state-operated residential school in Sitka. The State Board serves as the MEHS board. Parents and others participate on an advisory board. In fall 2018, 442 students were accepted at MEHS. 75 percent of accepted students were from home high schools of 150 students or less. 43 percent of accepted students were from home high schools of 50 students or less. Alaska Native/American Indian students compose 90 percent of the student population. 73 percent of the students meet federal guidelines for free and reduced-price lunches. See Appendix C for a recent report on MEHS.

In September, the State Board held their quarterly meeting on the campus at Mt. Edgecumbe High School (MEHS) where they enjoyed a presentation and a tour of MEHS led by students, which was a nice way to engage with students in their school setting.

Alaska State Council on the Arts

The [Alaska State Council on the Arts](#) supports educators, artists, community-based organizations, and statewide partners in delivery of arts education in schools and communities. The council awards funding to Alaskan schools, districts, educators, and organizations in several categories. Other grants to communities also serve students through school outreach and education programs provided by Alaskan arts and culture organizations.

The Division of Libraries, Archives, and Museums (LAM)

The [Division of Libraries, Archives, and Museums](#) offers library and information services to state agencies and the Legislature, provides for the orderly management of current state records, preserves non-current public records of permanent value for study and research, and operates the state museums.

Additionally, LAM provides a range of services that benefit lifelong learners and K-12 and postsecondary students. Examples are:

- [Hands-on Loan Program](#): As part of LAM's outreach to students in rural areas across the state, the Sheldon Jackson Museum maintains a collection loan program for schools, libraries, and museums in Alaska.
- [Live Homework Help](#) provides live tutoring for students in grades four to early college, seven days a week, from noon to 2 a.m. Use has grown exponentially in the past several years.
- [Alaska's Digital Archives](#) shares historical Alaskan videos, photographs, and documents with students and researchers.

- [Alaska's SLED Databases](#) and [Digital Library](#) contain hundreds of full-text online books, magazines, newspapers, and other research resources targeted to elementary, middle school, high school, and college students' academic needs.
- Through [OWL \(Online with Libraries\)](#), nearly 100 rural libraries have high-speed Internet access, including videoconferencing.

Professional Teaching Practices Commission (PTPC)

The [Alaska Professional Teaching Practices Commission](#) governs educators' ethical and professional standards and their compliance with state law and contractual obligations. It is funded by certificate holders. The commission reports by fiscal year. In fiscal year 2018, it accepted 60 cases. 18 educators were sanctioned. Sanctions vary from warnings to suspensions and revocations of certificates. One of the final orders were related to sexual harassment of staff, two sexual misconduct with students, two for fraudulent certificates/applications, seven to contract violations, and six to professional misconduct. View the FY2018 Annual Report at [2018 PTPC Annual Report](#).

SCHOOL AND STUDENT DATA

Graduation and Dropout Rates

All states report a four-year graduation rate for cohorts of students. Alaska has reported this data since the 2010-2011 school year. A student who entered 9th grade in the 2014-2015 school year would be a member of the 2018 cohort. Cohort groups include students who transfer into an Alaska public school.

The graduation rate is calculated as the number of graduates in the cohort who receive a regular diploma by June 30, divided by the number of all students assigned to the cohort.

Year	4-yr. graduation rate	Graduate count*
2011	68.0%	8,064
2012	69.4%	7,987
2013	71.8%	7,795
2014	71.2%	7,672
2015	75.6%	8,251
2016	76.1%	8,108
2017	78.2%	8,385
2018 [^]	78.5%	8,454

*Graduate count is the number of students who graduated with a regular diploma during the school year (July 1-June 30). This count includes all students who graduate during the school year, regardless of cohort year.

In 2018, the preliminary five-year graduation rate was 82.9%. This compares to a five-year rate of 81.3% in 2017. This rate refers to a cohort of students who were 9th-graders five school years previously. Many of the students graduated in four years, but others needed all or part of a fifth year.

Dropout rates are calculated by taking the total number of students in grades 7-12 who drop out of public school during the school year and dividing by the October 1 enrollment count for all students in grades 7-12.

Preliminary information for the 2017-2018 school year shows a grade 7-12 dropout rate of 3.1% compared to 3.5% in 2016-2017. The dropout rate has gradually declined from 6.0% in 2004-2005 to its current level.

National Assessment of Educational Progress (NAEP)

Every two years the U.S. Department of Education, through the National Assessment of Educational Progress (NAEP), tests large samples of 4th-graders and 8th-graders in each state (plus the District of Columbia and Department of Defense schools) in reading and mathematics. The most recent NAEP results were released in 2017.

NAEP's state and nationwide results are presented as average scores on a scale of 000 to 500. The scale scores fall into four categories of achievement as defined by NAEP: advanced, proficient, basic, and below basic. Thus, NAEP also reports the percentage of students who fall within those achievement categories.

NAEP's definition of proficiency is rigorous. In NAEP, *basic* refers to partial mastery of the subject. *Proficient* refers to competency in challenging material, including knowledge, application, and analytical skills. *Advanced* is superior performance.

- In the highest-scoring state, 51% of its students scored proficient or advanced in 4th-grade reading;
- In the highest-scoring state, 49% of its students scored proficient or advanced in 8th-grade reading;
- In the highest-scoring state, 53% of its students scored proficient or advanced in 4th-grade math; and
- In the highest-scoring state, 50% of its students scored proficient or advanced in 8th-grade math.

NAEP summarizes a state's results by the number of states (plus D.C. and Department of Defense schools) it has scored *lower than*, *statistically the same as*, and *higher than*.

- In 4th grade math, Alaska scored lower than 44 states, statistically the same as 7 states, and higher than 1 state.
- In 8th grade math, Alaska scored lower than 33 states, statistically the same as 11 states, and higher than 8 states.
- In 4th grade reading, Alaska scored lower than 50 states, statistically the same as 1 states, and higher than 1 state.
- In 8th grade reading, Alaska scored lower than 41 states, statistically the same as 9 states, and higher than 1 state.

The following data, comparing Alaska results to the national average, are from results released in 2017. Alaska's performance on the NAEP is poor. It is similar to the national average because that also is poor. Some states perform notably better than Alaska and the national average. The department has cited Alaska's performance on NAEP as one indication of the need to implement higher standards in English language arts and math.

Math

Alaska 4th grade: 71% basic or above; 31% proficient or above; 5% advanced.
Nation 4th grade: 79% basic or above; 40% proficient or above; 8% advanced.
Alaska's average scale score is 230. The national average is 239.

Alaska 8th grade: 66% basic or above; 29% proficient or above; 8% advanced.
Nation 8th grade: 69% basic or above; 34% proficient or above; 10% advanced.
Alaska's average scale score is 277. The national average is 282.

Reading

Alaska 4th grade: 56% basic or above; 28% proficient or above; 6% advanced.
Nation 4th grade: 67% basic or above; 36% proficient or above; 9% advanced.
Alaska's average scale score is 207. The national average is 221.

Alaska 8th grade: 70% basic or above; 26% proficient or above; 1% advanced.
Nation 8th grade: 74% basic or above; 35% proficient or above; 4% advanced.
Alaska's average scale score is 258. The national average is 265.

For more information, see <https://www.nationsreportcard.gov/> and

[Alaska 2017 NAEP Results - 4th Grade Mathematics](#)

[Alaska 2017 NAEP Results - 8th Grade Mathematics](#)

[Alaska 2017 NAEP Results - 4th Grade Reading](#)

[Alaska 2017 NAEP Results - 8th Grade Reading](#)

APPENDIX A

Mt. Edgecumbe High School

Explore your Talents • Discover your Dreams • Learn to Lead

Mt. Edgecumbe High School serves all students of Alaska with a priority of providing a quality comprehensive high school program to students from small rural schools.

Mission:

To provide a challenging, unique education in a residential setting that values rich cultural diversities and traditions, inspiring Alaskan students to become successful, responsible, global citizens

Targets:

As part of a strategic plan, MEHS has come up with five goal areas.
MEHS students will demonstrate accelerated or appropriate academic growth
MEHS students will demonstrate proficiency (grade or post-secondary readiness)
MEHS students will have a clear postsecondary plan and be prepared to pursue it
MEHS students will demonstrate readiness for their postsecondary plan
MEHS students will participate in activities that build healthy life skills

A look at the 2018 Graduates:

Class of 2018

100 Graduates

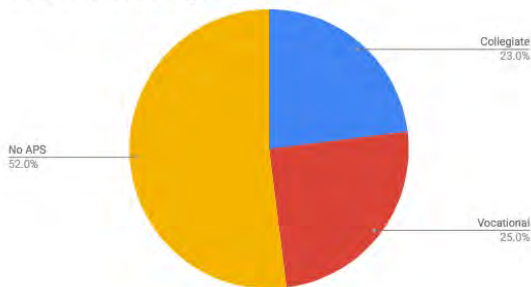
48 Graduates eligible for Alaska Performance Scholarship
23 eligible for collegiate APS

63 Graduated with college credit
20 Graduated with college credit in a core Math&/or English course

63 of Class of 2017 attended college fall 2017



Class of 2018 APS Eligibility



Students

The students of MEHS come from every corner in the state. The current student body represents 129 different communities.

90% Alaska Native
73% Economically Disadvantaged

About 75% of students come from schools with 150 or less high school students and

43% come from 50 student or less high schools. Nearly 15% of students are from large home schools. Every region is represented, however nearly half of the students come from Southwest Alaska, which is home to a large number of small high schools.

Applications:

Each year MEHS receives more applications than capacity. This summer 358 students submitted applications, of those 229 were completed with necessary transcripts, test

scores, and educator assessments. A full review process is used and 173 new students were accepted, 120 Freshman and 53 upper classman.

MEHS has improved retention of students and reached a fall to spring retention rate of 91%. Only 14 did not return after summer, resulting in an 88% retention rate fall to fall.

Focus on Growth

MEHS places a focus on accelerated growth. Through a school improvement process, adjustments have been made in tutoring and several intervention courses. Using the Measure of Academic Progress (MAP) results, Fall 2017 to Spring 2018 average growth levels in Math and Reading place MEHS in the top 10% of schools nationally.

Growth Indicators

It is typical for students attending Mt. Edgecumbe High School to demonstrate above average growth in a year's time compared to peers across the country (NWEA MAP).

Percent of students making more-than-average growth in 2017-18:

81% of 9th grade students in math

84% of 10th grade students in math

62% of 9th grade students in reading

68% of 10th grade students in reading

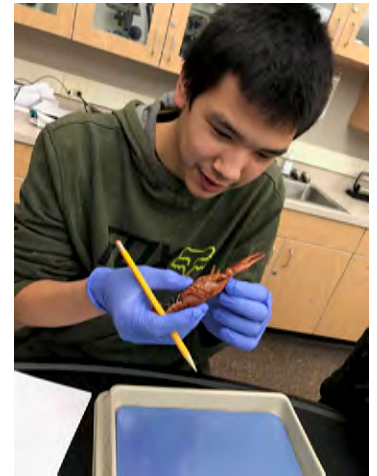
86% of 9th grade students in language usage

76% of 10th grade students in language usage



College Going Culture

MEHS strives to give students the opportunity to choose whatever post-secondary path interests them the most. Students at MEHS take courses designed to help them be college-ready. Nearly ½ of the students are eligible for the Alaska Performance Scholarship, about 20% leave high school with college credit, and 63% of the class of



2017 enrolled in a 2 or 4 year university in the fall of 2017.

Dorm Life

405 students live in the dorms. Dorm students participate in study time Sunday-Thursday each night and enjoy a variety of activities to participate in throughout their non-school hours. Recreational aides provide opportunities for hiking, sewing, kayaking, open gym, and a variety of other fun events.

Key School Improvement measures

MEHS is committed to a cycle of continuous improvement, here are some of the targeted initiatives for the 2018-19 school year:

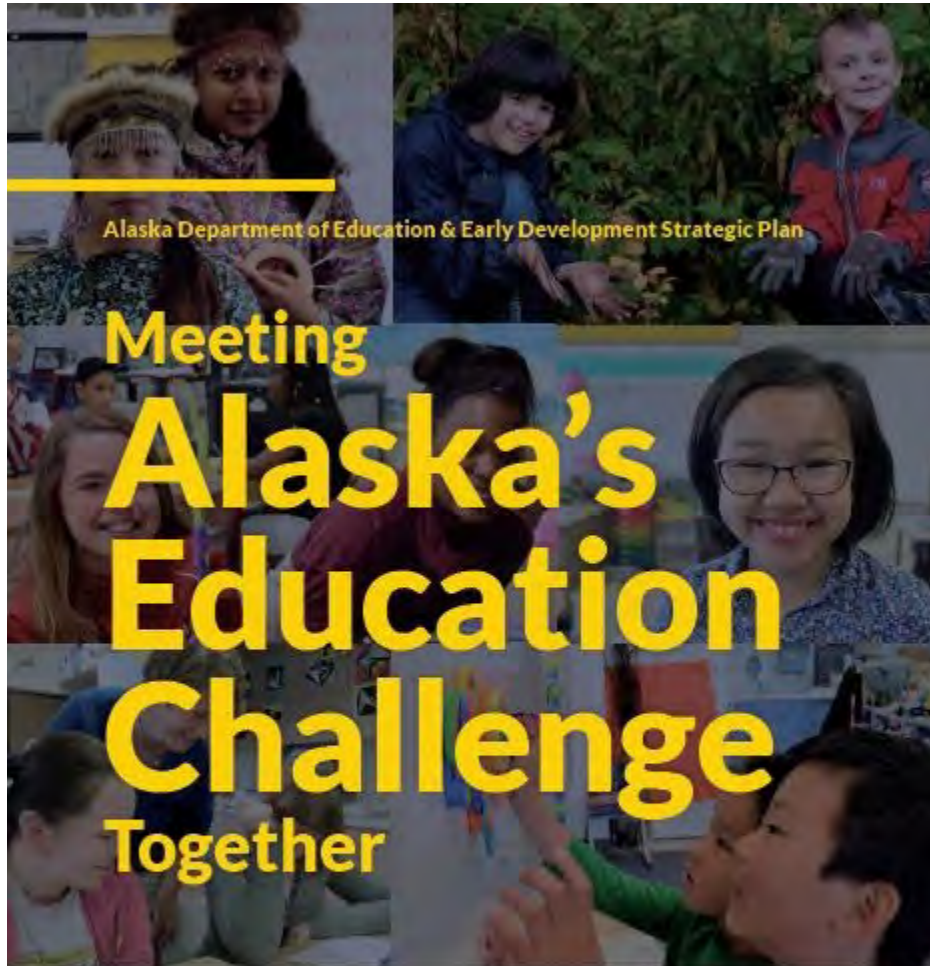
Partnership with UAS and Sitka School District to pilot a Dual Credit program

School-wide upper level reading development in 11th and 12th grade

Building College Persistent skills

APPENDIX B

Placeholder for
DEED Strategic Plan:
Meeting Alaska's Education Challenge Together



*Together, we will meet Alaska's education challenge
by honoring our heritage, innovating for the future,
and prioritizing for today's fiscal challenges.*

