

HOUSE JOINT RESOLUTION NO. 39

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES MILLER, Gardner, Kawasaki, Gara, Petersen, Holmes, Guttenberg, Kerttula, Tuck

Introduced: 2/22/12

Referred: Education

A RESOLUTION

1 **Urging the Governor to direct the Department of Education and Early Development to**
2 **prepare and submit a request for flexibility under the federal Elementary and**
3 **Secondary Education Act of 1965 to obtain a waiver of select requirements of the No**
4 **Child Left Behind Act of 2001 and to direct the commissioner of education and early**
5 **development to provide a comprehensive improvement plan that will guarantee that**
6 **students in the state will be adequately prepared for academic and vocational success.**

7 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 **WHEREAS** the No Child Left Behind Act of 2001 (20 U.S.C. 6319), as incorporated
9 into the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 - 7941), does not
10 take into account the geographic challenges that impose conditions and circumstances that
11 routinely influence the education systems throughout the state; and

12 **WHEREAS** the No Child Left Behind Act does not effectively take into consideration
13 the economic difficulties and constraints faced by rural educators in the state and the resulting
14 adverse effects on child educational development in rural areas of the state; and

1 **WHEREAS** an overwhelming number of educators and administrators agree that the
2 No Child Left Behind Act has proven to be vastly inadequate and unsuitable to meet the needs
3 of the state's students and teachers and has imposed unreasonable standards of evaluation of
4 student academic performance and progress; and

5 **WHEREAS** after more than a decade in effect, the No Child Left Behind Act has
6 given schools more ways to fail than succeed; and

7 **WHEREAS** the federal Elementary and Secondary Education Act flexibility option
8 allows states to opt out of the No Child Left Behind Act regulatory burden with waivers; and

9 **WHEREAS** opting out of the No Child Left Behind Act will allow the state to set its
10 own path toward improving education in the state by adopting its own standards, identifying
11 struggling schools, and developing measures to evaluate teacher and administrative
12 performance; and

13 **WHEREAS** the obligations of the state as outlined in Moore et al. v. State No. 3AN-
14 04-9756 CI, are closely aligned with requirements for opting out of the No Child Left Behind
15 Act; and

16 **WHEREAS** developing an improved, state-specific educational plan to meet the
17 requirements of the waiver request will allow the state to develop rigorous but relevant state
18 standards; and

19 **WHEREAS** developing an improved state-specific education plan will provide a
20 framework for implementing effective early intervention methods to address academic
21 deficits; and

22 **WHEREAS** an improved education plan will increase resources for, and the
23 development of, distance education technology to foster rural educational systems and
24 advancements that will benefit rural and Alaska Native communities; and

25 **WHEREAS** the state is one of five states that has not adopted the standards endorsed
26 by the National Governors Association and the Council of Chief State School Officers; and

27 **WHEREAS** 11 states have applied for and 10 states have received waivers for the
28 first round of submissions, and 28 additional states already filed their intent to apply in the
29 second round;

30 **BE IT RESOLVED** that the Alaska State Legislature urges the Governor to direct the
31 commissioner of education and early development to develop a comprehensive improvement

1 plan that will guarantee that students will be adequately prepared for academic and vocational
2 success and that will qualify the state to opt out of the No Child Left Behind Act; and

3 **BE IT FURTHER RESOLVED** that the Alaska State Legislature urges the Governor
4 to direct the Department of Education and Early Development to prepare and submit a request
5 for flexibility under the federal Elementary and Secondary Education Act of 1965 to obtain a
6 waiver of select requirements of the No Child Left Behind Act to be submitted before the
7 September 6, 2012, deadline established by the United States Department of Education.

8 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
9 the United States; the Honorable Arne Duncan, United States Secretary of Education; and the
10 Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the
11 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.