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CS FOR HOUSE BILL NO. 256()**IN THE LEGISLATURE OF THE STATE OF ALASKA****TWENTY-SEVENTH LEGISLATURE - SECOND SESSION****BY****Offered:****Referred:****Sponsor(s): REPRESENTATIVES DICK, Herron****A BILL****FOR AN ACT ENTITLED**

1 **"An Act relating to the power and duties of the Department of Education and Early**
2 **Development to improve instructional practices."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 14.03.123(d) is amended to read:

5 (d) A public school or district that receives a low performance designation
6 under this section shall, with the assistance of the department, prepare and submit to
7 the department a school or district improvement plan, as applicable, in accordance
8 with regulations adopted by the board. The improvement plan must be prepared with
9 the maximum feasible public participation of the community including, as appropriate,
10 interested individuals, teachers, parents, parent organizations, students, tribal
11 organizations, local government representatives, and other community groups.

12 *** Sec. 2.** AS 14.07.020(a) is amended to read:

13 (a) The department shall

14 (1) exercise general supervision over the public schools of the state

except the University of Alaska;

(2) after providing notice and an opportunity for public school and district administrators to participate, study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools; the regulations must

(A) include an analysis of the exposure of all students to content and performance standards adopted by the board;

(B) provide for regular reviews of and guidelines for alignment of curriculum with statewide standards-based assessments and content and performance standards;

(C) include appropriate cultural standards;

(D) require appropriate cultural standards adopted by the board to be included in instructional practices in districts in which 50 percent or more of the student population is of Alaska Native heritage;

(E) describe intensive early learning opportunities for each district in the state;

(F) require an analysis of community involvement in the district and methods for improving community involvement;

(G) address teaching capacity, retention, and development and provide for technical assistance to teachers;

(H) establish routine evaluations and assistance to ensure that districts develop and maintain elective and career and technical courses;

(I) establish standards and timelines for intervention that prohibit state intervention without first notifying a district of a low performance designation, offering technical assistance with predictable and research-based strategies to improve performance, and complying with the requirements of AS 14.07.030(14);

(3) employ qualified personnel who shall provide advisory and consultative services to all public school governing bodies and personnel; the services

1 may not include intervention in a school district except as provided in
2 AS 14.07.030(14);

3 (4) prescribe by regulation a minimum course of study for the public
4 schools that includes elective and career and vocational courses in addition to
5 core curricula; the regulations must provide that, if a course in American Sign
6 Language is given, the course shall be given credit as a course in a foreign language;

7 (5) establish, in coordination with the Department of Health and Social
8 Services, a program for the continuing education of children who are held in detention
9 facilities in the state during the period of detention;

10 (6) accredit those public schools that meet accreditation standards
11 prescribed by regulation by the department; these regulations shall be adopted by the
12 department and presented to the legislature during the first 10 days of any regular
13 session, and become effective 45 days after presentation or at the end of the session,
14 whichever is earlier, unless disapproved by a resolution concurred in by a majority of
15 the members of each house;

16 (7) prescribe by regulation, after consultation with the state fire
17 marshal and the state sanitarian, standards that will assure healthful and safe
18 conditions in the public and private schools of the state, including a requirement of
19 physical examinations and immunizations in pre-elementary schools; the standards for
20 private schools may not be more stringent than those for public schools;

21 (8) exercise general supervision over pre-elementary schools that
22 receive direct state or federal funding;

23 (9) exercise general supervision over elementary and secondary
24 correspondence study programs offered by municipal school districts or regional
25 educational attendance areas; the department may also offer and make available to any
26 Alaskan through a centralized office a correspondence study program;

27 (10) accredit private schools that request accreditation and that meet
28 accreditation standards prescribed by regulation by the department; nothing in this
29 paragraph authorizes the department to require religious or other private schools to be
30 licensed;

31 (11) review plans for construction of new public elementary and

1 secondary schools and for additions to and major rehabilitation of existing public
2 elementary and secondary schools and, in accordance with regulations adopted by the
3 department, determine and approve the extent of eligibility for state aid of a school
4 construction or major maintenance project; for the purposes of this paragraph, "plans"
5 include educational specifications, schematic designs, projected energy consumption
6 and costs, and final contract documents;

7 (12) provide educational opportunities in the areas of vocational
8 education and training, and basic education to individuals over 16 years of age who
9 are no longer attending school;

10 (13) administer the grants awarded under AS 14.11;

11 (14) establish, in coordination with the Department of Public Safety, a
12 school bus driver training course;

13 (15) require the reporting of information relating to school disciplinary
14 and safety programs under AS 14.33.120 and of incidents of disruptive or violent
15 behavior;

16 (16) establish by regulation criteria, based on low student performance,
17 under which the department may intervene in a school district to improve instructional
18 practices, as described in AS 14.07.030(14) [OR (15)]; the regulations must include

19 (A) a notice provision that alerts the district to the deficiencies
20 and the instructional practice changes proposed by the department;

21 (B) an end date for departmental intervention, as described in
22 AS 14.07.030(14)(A) and (B) [AND (15)], after the district demonstrates three
23 consecutive years of improvement consisting of not less than two percent
24 increases in student proficiency on standards-based assessments in
25 mathematics, reading, and writing as provided in AS 14.03.123(f)(2)(A); and

26 (C) a process for districts to petition the department for
27 continuing or discontinuing the department's intervention;

28 (17) notify the legislative committees having jurisdiction over
29 education before intervening in a school district under AS 14.07.030(14) [OR
30 REDIRECTING PUBLIC SCHOOL FUNDING UNDER AS 14.07.030(15)];

31 (18) assist the Department of Natural Resources in developing and

1 implementing the farm-to-school program established under AS 03.20.100.

2 * Sec. 3. AS 14.07.030(14) is amended to read:

3 (14) notwithstanding any other provision of this title, notify the
4 legislature of its intention to intervene in a school district to improve instructional
5 practices under standards established by the department in regulation; the regulations
6 must be consistent with federal and state law and the superior court's findings,
7 dated February 4, 2009, in Moore et al v. State of Alaska, No. 3AN-04-9756 CI,
8 including providing for [DIRECTING THE]

9 (A) qualified employees identified by the department to
10 exercise supervisory authority for instructional practices in the district or in a
11 specified school;

12 (B) use of appropriations under this title for distribution to a
13 district;

14 (C) training and technical support to a low-performing
15 school or district as necessary to implement the school or district
16 improvement plan submitted under AS 14.03.123(d);

17 (D) regular monitoring, evaluation, and modification of
18 improvement efforts that are tailored to the strengths and weaknesses of
19 the school or district;

20 (E) the availability of courses and remedial programs
21 necessary for all students attending a low-performing school to meet state
22 standards for graduation from secondary school in the expected time
23 frame. [;]

24 * Sec. 4. AS 14.07.030(15) is repealed.