

HOUSE BILL NO. 156

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KELLER

Introduced: 3/20/15

Referred: Education

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to compliance with federal education laws; relating to public school**
2 **accountability; and providing for an effective date."**

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

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

5 (c) The state board shall adopt regulations implementing this section,
6 providing for a statewide student assessment system, and providing for the process of
7 assigning a designation under (a) of this section, including

8 (1) the methodology used to assign the performance designation,
9 including the measures used and their relative weights;

10 (2) high performance and low performance designations that are based
11 on the accountability system under this section;

12 (3) a procedure for appealing a designation that may be used by the
13 principal of a public school or by the superintendent of a public school district;

14 (4) additional measures that may be progressively implemented by the

1 commissioner to assist schools or districts to improve performance in accordance with
 2 this section; [AND WITH FEDERAL LAW; TO THE EXTENT NECESSARY TO
 3 CONFORM TO FEDERAL LAW,] the additional measures may be unique to a
 4 certain school or district if that school or district receives federal funding that is not
 5 available to all schools or districts in the state;

6 **(5) the methodology used to assign the state public school system a**
 7 **performance designation that compares the state public school system to public**
 8 **school systems in other states and countries.**

9 * **Sec. 2.** AS 14.03.123(d) is amended to read:

10 (d) A public school or district that receives a low performance designation
 11 under this section shall prepare and submit to the department a school or district
 12 improvement plan, as applicable, in accordance with regulations adopted by the board.
 13 The improvement plan must be prepared with the maximum feasible public
 14 participation of the community including, as appropriate, interested individuals,
 15 teachers, parents, parent organizations, students, tribal organizations, local government
 16 representatives, and other community groups. **The improvement plan must give**
 17 **preference to measures that increase local control of education and parental**
 18 **choice and that do not require a direct increase in state or federal funding for the**
 19 **school or district.**

20 * **Sec. 3.** AS 14.03.123(e) is amended to read:

21 (e) The department shall establish a program of special recognition for those
 22 public schools that receive a high performance designation, **based on the**
 23 **accountability system under (f) of this section, that demonstrates an**
 24 **improvement over the school's performance designation for the previous year.**

25 * **Sec. 4.** AS 14.03.123(f) is amended to read:

26 (f) In the accountability system for schools and districts required by this
 27 section, the department shall

28 (1) [IMPLEMENT 20 U.S.C. 6301 - 7941 (ELEMENTARY AND
 29 SECONDARY EDUCATION ACT OF 1965), AS AMENDED;

30 (2)] implement state criteria and priorities for accountability including
 31 the use of

1 (A) measures of student performance on standards-based
2 assessments in language arts and mathematics;

3 (B) measures of student improvement; and

4 (C) other measures identified that are indicators of student
5 success and achievement; and

6 (2) [(3)] to the extent practicable, minimize the administrative burden
7 on districts.

8 * **Sec. 5.** AS 14.03.123 is amended by adding a new subsection to read:

9 (h) The department shall, by regulation, develop procedures to

10 (1) allow the parent or guardian of a student or a student who is
11 emancipated or is 18 years of age or older to opt out of any student assessment used to
12 implement the accountability system under this section; and

13 (2) ensure that individually identifiable data pertaining to a student
14 collected under this section is stored securely and is only accessible to the student, the
15 student's parents or guardian, the student's teacher, and other individuals in the state
16 with a legitimate need for the information to perform the duties described under this
17 section.

18 * **Sec. 6.** AS 14.07.020(a) is amended to read:

19 (a) The department shall

20 (1) exercise general supervision over the public schools of the state
21 except the University of Alaska;

22 (2) study the conditions and needs of the public schools of the state,
23 adopt or recommend plans, administer and evaluate grants to improve school
24 performance awarded under AS 14.03.125, and adopt regulations for the improvement
25 of the public schools;

26 (3) provide advisory and consultative services to all public school
27 governing bodies and personnel;

28 (4) prescribe by regulation a minimum course of study for the public
29 schools; the regulations must provide that, if a course in American Sign Language is
30 given, the course shall be given credit as a course in a foreign language;

31 (5) establish, in coordination with the Department of Health and Social

1 Services, a program for the continuing education of children who are held in detention
2 facilities in the state during the period of detention;

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

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

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

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

20 (10) accredit private schools that request accreditation and that meet
21 accreditation standards prescribed by regulation by the department; nothing in this
22 paragraph authorizes the department to require religious or other private schools to be
23 licensed;

24 (11) review plans for construction of new public elementary and
25 secondary schools and for additions to and major rehabilitation of existing public
26 elementary and secondary schools and, in accordance with regulations adopted by the
27 department, determine and approve the extent of eligibility for state aid of a school
28 construction or major maintenance project; for the purposes of this paragraph, "plans"
29 include educational specifications, schematic designs, projected energy consumption
30 and costs, and final contract documents;

31 (12) provide educational opportunities in the areas of vocational

1 education and training, and basic education to individuals over 16 years of age who
2 are no longer attending school;

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

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

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

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

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

14 (B) an end date for departmental intervention, as described in
15 AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three
16 consecutive years of improvement consisting of not less than two percent
17 increases in student proficiency on standards-based assessments in language
18 arts and mathematics, as provided in AS 14.03.123(f)(1)(A)
19 [AS 14.03.123(f)(2)(A)]; and

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

22 (17) notify the legislative committees having jurisdiction over
23 education before intervening in a school district under AS 14.07.030(14) or redirecting
24 public school funding under AS 14.07.030(15).

25 [(18) REPEALED]

26 * **Sec. 7.** This Act takes effect January 1, 2016.