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Glover  
3/28/15

**CS FOR HOUSE BILL NO. 156(EDC)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-NINTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE EDUCATION COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVE KELLER**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to compliance with federal education laws; relating to public school**  
2 **accountability; relating to standards-based assessments and teacher performance**  
3 **standards; and providing for an effective date."**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 (2)] implement state criteria and priorities for accountability including

1 the use of

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

4 (B) measures of student improvement; and

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

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

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

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

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

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

19 \* **Sec. 6.** AS 14.03 is amended by adding a new section to read:

20 **Sec. 14.03.124. Approval of standards-based assessments and teacher**  
21 **performance standards.** (a) The department shall establish, by regulation, a process  
22 for submitting standards-based assessments and teacher performance standards to  
23 school districts and the legislature for approval. The process must include

24 (1) school district involvement in developing, revising, and selecting  
25 standards-based assessments and teacher performance standards;

26 (2) an opportunity for school districts to review and recommend  
27 approval or disapproval of the standards-based assessments and teacher performance  
28 standards;

29 (3) submission of the standards-based assessments and teacher  
30 performance standards to the legislature for approval if a majority of school districts  
31 recommend approval of the standards-based assessments and teacher performance

1 standards;

2 (4) procedures for revising standards-based assessments and teacher  
3 performance standards that the legislature disapproves under this section.

4 (b) If the legislature fails to take action on the standards-based assessments or  
5 teacher performance standards before the end of the legislative session in which the  
6 standards-based assessments or teacher performance standards are submitted to the  
7 legislature, or, if submitted during the interim between legislative sessions, the session  
8 immediately following that interim, the standards-based assessments or teacher  
9 performance standards on which the legislature failed to act are approved.

10 \* **Sec. 7.** AS 14.07.020(a) is amended to read:

11 (a) The department shall

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

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

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

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

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

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

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

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

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

12 (10) accredit private schools that request accreditation and that meet  
13 accreditation standards prescribed by regulation by the department; nothing in this  
14 paragraph authorizes the department to require religious or other private schools to be  
15 licensed;

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

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

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

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

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

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

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

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

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

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

[(18) REPEALED]

\* **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE REVIEW OF STANDARDS-BASED ASSESSMENTS AND TEACHER EVALUATIONS. The Department of Education and Early Development shall submit the current standards-based assessments and teacher performance standards to the school districts and the legislature for approval under sec. 6 of this Act not later than five years after the effective date of this Act.

\* **Sec. 9.** This Act takes effect January 1, 2016.