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CS FOR SENATE BILL NO. 79(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR HUGHES

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to course credit for students; relating to annual reports regarding
2 school district performance and school district employees; relating to cooperative
3 arrangements between school districts; relating to school operating fund reserves;
4 relating to competency examinations for teacher certificates; relating to the duties and
5 powers of the Department of Education and Early Development; relating to the
6 Professional Teaching Practices Commission; relating to a virtual education
7 consortium; establishing a reading intervention program for students in grades
8 kindergarten through three; and providing for an effective date."

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

10 * **Section 1.** AS 14.03.073(a) is amended to read:

11 (a) A school district shall provide the opportunity for students enrolled in
12 grades nine through 12 in the district to challenge one or more courses provided by the

district by demonstrating mastery in mathematics, language arts, science, social studies, and world languages at the level of the course challenged. A school district shall give full credit for a course to a student who successfully challenges that course as provided under **(b) of** this section.

* **Sec. 2.** AS 14.03.073(b) is amended to read:

(b) A school district shall establish, within a reasonable time, an assessment tool and a standard for demonstrating mastery in courses provided for students in grades nine through 12 by the district under **(a) of** this section. This section does not require a school district to establish an assessment tool for every course in mathematics, language arts, science, social studies, and world languages that is offered to students in grades nine through 12 by the district.

* **Sec. 3.** AS 14.03.073 is amended by adding a new subsection to read:

(e) In addition to providing the opportunity for a student to challenge a course under (a) - (c) of this section, a school district shall allow a student enrolled in grades nine through 12 to receive course credit in career and technical education, physical education, music, or art if the student participates in an activity, including a cultural activity, outside of school hours that the school district determines meets the educational or physical activity requirements of the course. A school district may adopt standards for awarding course credit for an activity under this subsection.

* **Sec. 4.** AS 14.03.078(a) is amended to read:

(a) The department shall provide to the legislature **and school districts** by February 15 of each year by electronic means an annual report regarding the progress of each school and school district toward high academic performance by all students. The report required under this section must include

(1) information described under AS 14.03.120(d);

(2) progress of the department

(A) toward implementing the school accountability provisions of AS 14.03.123; and

(B) in assisting high schools to become accredited;

(3) a description of the resources provided to each school and school district for coordinated school improvement activities and staff training in each school

and school district;

(4) each school district's and each school's progress in aligning curriculum with state education performance standards;

(5) a description of the efforts by the department to assist a public school or district that receives a low performance designation under AS 14.03.123;

(6) a description of intervention efforts by each school district and school for students who are not meeting state performance standards; [AND]

(7) the number and percentage of turnover in certificated personnel and superintendents; **and**

(8) a summary of the categories of certificated administrative employees employed by each school district that includes the ratio of

(A) the number of certificated administrative employees in each category employed by each school district compared to the number of students enrolled in the school district on October 1 of the previous year;

(B) the total number of certificated administrative employees employed by each school district compared to the total number of classroom teachers employed by the school district on October 1 of the previous year; and

(C) the total number of classroom teachers employed by each school district compared to the total number of students enrolled in the school district on October 1 of the previous year.

* **Sec. 5.** AS 14.03.078 is amended by adding new subsections to read:

(c) Each school district shall make available to the public the portion of the report under (a)(8) of this section that pertains to the school district by posting the information in a prominent location on the school district's or local community's Internet website or by another easily accessible method.

(d) In this section,

(1) "administrative employee" means an employee who does not provide direct classroom instruction for students as a regular part of the employee's job;

(2) "classroom teacher" means a person who holds a teacher certificate under AS 14.20.010 and instructs students in activities designed to promote intellectual, social, and physical growth, prepares outlines for courses of study, assigns and corrects assignments and tests, records learning processes, maintains order in the classroom, and discusses with parents a student's progress.

* **Sec. 6.** AS 14.14.115(a) is amended to read:

(a) To encourage cooperative arrangements between school districts and between school districts and businesses, nonprofit organizations, and state or local government agencies to provide more efficient or economical administrative or educational services, a school district may receive a one-time cooperative arrangement grant from the department of up to \$200,000 if the school district demonstrates that the arrangement will result in a cost savings to the district [\$100,000].

* **Sec. 7.** AS 14.14.115 is amended by adding new subsections to read:

(d) To be eligible for a cooperative arrangement grant between school districts under this section, other than a cooperative arrangement grant for assistance with the costs of transferring a health insurance policy under (e) of this section, a district must either be a rural school district or enter into a cooperative arrangement with a rural school district.

(e) The department may award a one-time cooperative arrangement grant under this section to a school district to assist the school district in paying for the costs of transferring school district employees from a health insurance policy provided by the school district to a policy of group health insurance under AS 39.30.090. The department may not award a cooperative arrangement grant to a school district to pay the school district's contributions to the costs of the health insurance policy.

(f) During the first three fiscal years after a cooperative arrangement grant is awarded under this section, a district awarded a grant may accumulate in its school operating fund, in addition to the unreserved portion allowed under AS 14.17.505(a), an amount equal to the savings resulting from the cooperative arrangement.

(g) In this section, "rural school district" means a regional educational attendance area or a small municipal school district as that term is defined in AS 14.11.025(c).

* **Sec. 8.** AS 14.17.505(a) is amended to read:

(a) **Except as provided under AS 14.14.115(f), a** [A] district may not accumulate in a fiscal year an unreserved portion of its year-end fund balance in its school operating fund, as defined by department regulations, that is greater than **15** [10] percent of its expenditures for that fiscal year.

* **Sec. 9.** AS 14.20.020(i) is amended to read:

(i) **A** [BEGINNING ON JULY 1, 1998, A] person is not eligible for an initial regular teacher certificate unless the person has taken and successfully completed a competency examination or examinations designated, at the time the person took the test, by the board. The board shall review nationally recognized examinations that are designed to test the competency of new teachers and shall designate those examinations that it finds adequately test the skills and abilities of new teachers. For each examination designated under this subsection, the board shall establish the minimum acceptable level of performance, **including a passing score. The board shall reevaluate the passing score of a competency examination at least once every five years and shall review all examinations designated by the board at least once every three years. The board shall prioritize the review of those examinations for which the minimum passing score deviates the greatest from the mean of passing scores adopted by other jurisdictions. When reevaluating a passing score, the board shall consider the historical effect of the established passing score, the potential effect of changing the passing score, and the passing scores currently used by other jurisdictions. The board shall adopt regulations to implement this subsection. A regulation that changes the minimum acceptable level of performance on a competency examination may not take effect earlier than one year after the date the board adopts the regulation. The board may allow a teacher who passed a comparable competency examination required by another jurisdiction to satisfy the competency examination requirements under this subsection. In this subsection, "competency examination" includes basic competency examinations with sub-examinations in the areas of reading, writing, and mathematics and subject area examinations that are specific to the subject area the teacher will be teaching.**

* **Sec. 10.** AS 14.20.380 is amended by adding a new subsection to read:

(b) The department shall provide administrative support services to the commission.

* **Sec. 11.** AS 14.20.460 is amended to read:

Sec. 14.20.460. Duties of commission. The commission shall

(1) establish procedures [,] and adopt regulations to implement the purposes of AS 14.20.370 - 14.20.510;

(2) conduct investigations and hearings on alleged violations of ethical or professional teaching performance, contractual obligations, and professional teaching misconduct;

(3) review the regulations of the department as they relate to teacher certification and recommend necessary changes;

(4) review the decisions of the department regarding the issuance or denial of certificates and, in the [ITS] discretion of the commission, recommend reversal of decisions;

(5) reduce the commission's administrative costs by using administrative support services provided by the department.

* **Sec. 12.** AS 14.30 is amended by adding a new section to read:

Article 15. Virtual Education.

Sec. 14.30.760. Virtual education consortium. (a) The department shall, in cooperation with school districts, establish a virtual education consortium for the purpose of making virtual education and professional development resources available to students and teachers in the state. The consortium shall create and maintain a database of virtual education courses for students, training in virtual instruction for teachers, and professional development courses for teachers of students in any grade throughout the state if the coursework curriculum is aligned with state standards established by the department. The database must be accessible to all school districts.

(b) For teachers delivering or facilitating virtual coursework to students in the consortium, the consortium shall provide training and professional development on virtual instruction methods and the differences between virtual instruction and instruction offered in a classroom. A teacher may not provide instruction through a

course for students that is in the database unless

(1) the teacher has completed the training or professional development provided by the consortium; or

(2) the consortium determines that the teacher's previous experience has prepared the teacher to provide virtual instruction and the teacher demonstrates the skills necessary to provide virtual instruction.

(c) The department may require a school district that participates in the consortium to pay a fee to the consortium. If the department requires a fee, the department shall establish the fee in regulations, based on a recommendation made by the consortium, and may adjust the fee annually as necessary. The fees must approximately equal the consortium's prorated administrative costs related to reviewing and approving courses and maintaining the database.

(d) The consortium may require, as a condition of participation, that school districts that provide courses or have students participating in courses included in the database under (b) of this section adopt the same school term and class schedule for all or part of a school day. The school term must meet the requirements of AS 14.03.030.

(e) In this section, "virtual education" or "virtual instruction" means instruction delivered through telecommunications or another digital or electronic method.

* **Sec. 13.** AS 14.30 is amended by adding a new section to read:

Article 16. District Reading Intervention Program.

Sec. 14.30.775. District reading intervention program. (a) Each district shall establish a reading intervention program for students in grades kindergarten through three to ensure that students who struggle with reading can read at or above grade level by the end of grade three. A district shall provide the reading intervention program in addition to core reading instruction that is provided to all students in the general education classroom. In implementing the reading intervention program, a district shall

(1) as part of a comprehensive assessment system, administer a state universal screening tool for reading approved by the department to all students in grades kindergarten through three, once in the fall, once in the winter, and once in the

spring; the assessment must include

(A) for students in kindergarten, phonemic awareness, letter naming fluency, letter sound fluency, and letter word sound fluency;

(B) for students in grade one, letter word sound fluency and oral reading fluency; and

(C) for students in grades two and three, vocabulary and oral reading fluency;

(2) establish a plan based on an articulated Response to Intervention or Multi-Tiered System of Support model that includes

(A) a universal screening and benchmark assessment process;

(B) a data review process that includes the teacher, parents, and other appropriate staff that assists with interventions for students who struggle with reading;

(C) use of identified intervention procedures for students who struggle with reading; and

(D) a process for monitoring the progress and addressing the needs of students who continue to struggle with reading;

(3) implement the program during regular school hours and through any available method, which may include using online teachers or coaches that use explicit and systematic instruction.

(b) Not later than 15 days after a student in grades kindergarten through three is identified by the state determined universal screening tool to be struggling in a specific area, the district shall notify the parent of the student in writing. The written notice must

(1) advise that the student has been identified as a struggling reader;

(2) indicate whether a plan based on a Response to Intervention or Multi-Tiered System Support model has been implemented for the student;

(3) include a description of the intervention program that will be provided to the student, including the research and evidence-based reading interventions and supplemental instructional services and support that will be provided to the student for the purpose of addressing the areas in which the student struggles;

(4) inform the parent that the parent will be notified in writing at least once every two weeks of the student's progress toward reading at grade level; and

(5) provide strategies that the parent can use at home to help the student succeed in reading.

(c) Each district shall provide intensive reading intervention services to support areas of need for students identified as struggling readers based on the state determined universal screening test. The reading intervention services must include effective instructional strategies to accelerate student progress. Each school district shall conduct a review of plans based on Response to Intervention or Multi-Tiered System Support models implemented for students identified as struggling readers. The review must address additional support and services needed to remedy the identified needs of students consistent with this subsection. The intensive reading intervention services must include

(1) instruction, either in person or online, from a highly effective reading teacher, as determined by student reading performance data and teacher performance evaluations;

(2) use of reading instruction and intervention methods based on scientific research;

(3) use of reading strategies and programs based on scientific research that have proven results in accelerating student reading achievement within a single school year;

(4) daily targeted small group reading instruction based on student needs, either in person or online;

(5) instruction, either in person or online, with detailed explanations, extensive opportunities for guided practice, and opportunities for error correction and feedback; and

(6) throughout the school year, frequent monitoring of adjustments to instruction according to a student's progress in reading.

(d) Each district shall establish an intensive acceleration class to support students that need additional support in reading instruction as determined by instructors providing intensive reading intervention services under (c) of this section.

1 The intensive acceleration class must provide

2 (1) a reduced teacher-to-student ratio; and

3 (2) for a period of reading instruction and interventions that accounts
4 for most of the student contact time each day.

5 (e) On or before September 1 of each year, each district shall provide to the
6 department a report describing for the previous school year

7 (1) the district school board's policies and procedures on student
8 retention and promotion;

9 (2) by grade, the number and percentage of students in grades
10 kindergarten through three performing below the designated threshold on the state
11 determined universal screening tool; and

12 (3) the number and percentage of students in grade three demonstrating
13 reading skills sufficient for that grade level based on the state determined universal
14 screening tool.

15 (f) The department shall approve a universal screening tool for reading and
16 establish a uniform format for the school districts to report on reading progress as
17 required under (e) of this section using existing data collection methods. For the
18 information received under (e) of this section, the department shall annually

19 (1) compile, validate, and approve the information;

20 (2) create a state-level summary report of the information; and

21 (3) providing a copy of the report to the board and the governor,
22 publish the report on the board's Internet website, and notify the legislature that the
23 report is available by October 1 of each year.

24 * **Sec. 14.** The uncoded law of the State of Alaska is amended by adding a new section to
25 read:

26 VIRTUAL EDUCATION CONSORTIUM TASK FORCE. The Department of
27 Education and Early Development shall develop a virtual education consortium task force led
28 by the commissioner of education and early development and made up of leaders in
29 technology in education in the state. The task force shall begin developing the virtual
30 education consortium one year prior to the effective date of sec. 12 of this Act. In developing
31 the virtual education consortium, the task force shall finish defining the structure of the

1 consortium, including its functionality within school districts, whether teacher training
2 requirements are necessary, and possible fee structures.

3 * **Sec. 15.** Sections 4 - 11 and 14 of this Act take effect immediately under AS 01.10.070(c).

4 * **Sec. 16.** Except as provided in sec. 15 of this Act, this Act takes effect July 1, 2020.