

LEGAL SERVICES

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MEMORANDUM

April 16, 2016

SUBJECT: Sectional summary
(SCS CSHB 156(FIN); Work Order No. 29-LS0566\Q)

TO: Senator Mike Dunleavy
Chair of the Senate Education Committee
Attn: Christa McDonald

FROM: Kate S. Glover *KG*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1. Requires local school boards to adopt policies allowing parents to withdraw their children from any activity, class, program, or standards-based assessment required by the state to which the parent objects.

Section 2. Exempts curricula and materials for sexual abuse and sexual assault awareness and prevention training and for dating violence and abuse awareness and prevention training from the definition of "human reproduction or sexual matters."

Section 3. Requires the Department of Education and Early Development (the department) to include a performance designation for the state public school system in its annual report entitled "Alaska's Public Schools: A Report Card to the Public."

Section 4. Requires the department to inform each school district of the performance designation assigned to the state public school system.

Section 5. Requires the process for assigning performance designations to include a comparison of the state public school system to public schools in other states. Section 5 also removes the department's obligation to implement measures necessary to conform to federal law in providing for the student assessment system and process for assigning performance designations under AS 14.03.123.

Section 6. Requires improvement plans for schools with low performance designations to include measures that increase local control of education and parental choice and that do not require a direct increase in state or federal funding for the school or district.

Section 7. Modifies the criteria for recognizing schools that receive a high performance designation to require that the school demonstrate an improvement over the school's performance designation for the previous year.

Section 8. Removes the requirement for the department to implement 20 U.S.C. 6301 - 7941 (Elementary and Secondary Education Act of 1965, as amended) in the accountability system for schools and districts required under AS 14.03.123(f). Section 8 also requires the department to select student assessments with the input of teachers and school administrators.

Section 9. Authorizes the department to consult with the University of Alaska to develop secondary education requirements to improve student achievement in college preparatory courses. Also authorizes the department to consult with businesses and labor unions to develop a program to prepare students for apprenticeships or internships.

Section 10. Subsection (a) prohibits the department from requiring a school district or school to administer a statewide standards-based assessment after July 1, 2017, and before July 1, 2019, unless required under (d). Subsection (b) requires the department to create a plan for developing or selecting statewide assessments that are approved by school districts for administration no later than the school year beginning in 2020. Requires the department to submit a report to the legislature on or before January 1, 2018, describing the assessment plan and making recommendations for changes in education laws or regulations that would allow school districts greater control over education policy in light of the enactment of the Every Student Succeeds Act, P.L. 114-95. Subsection (d) provides that the department shall require school districts or schools to administer statewide standards-based assessments if the United States Department of Education provides notice of its intention to withdraw federal education funding.

Section 11. Amends AS 14.08.111 to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of regional school boards.

Section 12. Amends AS 14.08.111, as amended by a session law, to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of regional school boards.

Section 13. Amends AS 14.14.090 to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of school boards.

Section 14. Amends AS 14.08.111, as amended by a session law, to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of school boards.

Section 15. Amends AS 14.16.020 to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of regional school boards.

Section 16. Amends AS 14.16.020, as amended by a session law, to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of regional school boards.

Section 17. Allows school districts to require physical examinations of teachers, but provides that school districts are not required to pay for the physical examinations.

Section 18. Adds a new section providing that only a certified teacher or a person supervised by a certified teacher, may teach a class in sex education, and that curriculum and materials for sex education classes must be approved by the school board and available for parents to review. Also provides that before a person who is not a certified teacher may teach a sex education class, the person must be approved by the school board and the person's credentials must be made available for parents to review.

Section 19. Provides that the teacher certification and supervision requirements under AS 14.30.361(a) do not apply to sexual abuse and sexual assault awareness and prevention training on dating violence abuse awareness and prevention training.

Section 20. Amends AS 14.30.362, added by a session law, to provide that suicide awareness and prevention training must be provided to each teacher, administrator, counselor, and specialist who is employed by the district or the department to provide services to students.

Section 21. Amends AS 36.30.850(b) to exempt department contracts for student assessments from the state procurement code.

Section 22. Repeals AS 14.17.520, which relates to minimum expenditure for instruction.

Section 23. Repeals AS 14.07.175, added by sec. 10 of the bill, on July 1, 2020.

Section 24. Repeals sec. 4, ch. 2, SSSLA 2015, which amended AS 14.03.110(a), relating to questionnaires or surveys administered in schools.

Section 25. Allows the department to adopt regulations necessary to implement the Act. The regulations may not take effect before the effective date of the law implemented by the regulations.

Section 26. Provides an immediate effective date for sec. 25 of the bill.

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Section 27. Provides that sections 12, 14, 16, and 19 of the bill take effect on the effective date of sec. 14, ch. 2, SSSLA 2015.

Section 28. Provides that section 20 of the bill takes effective date of sec. 15, ch. 2, SSSLA 2015.

Section 29. Provides that the remainder of the bill takes effect July 1, 2017.

If I may be of further assistance, please advise.

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