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CS FOR HOUSE BILL NO. 156(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVE KELLER

A BILL

FOR AN ACT ENTITLED

"An Act relating to the duties of the Department of Education and Early Development;
relating to public school curriculum and assessments; relating to compliance with
federal education laws; relating to public school accountability; and providing for an
effective date."

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

* **Section 1.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.117. School curriculum; tests. A school shall prepare and submit
to the school district in which the school is located a curriculum overview for each
grade that is offered by the school. The curriculum overview shall

(1) be based on the statewide standards developed under
AS 14.07.020(b);

(2) include the assessments described under AS 14.03.123(f) and
AS 14.07.020(b); and

(3) for grades eight through 12, include formative and summative

assessment plans for language arts, science, history, and mathematics.

* **Sec. 2.** AS 14.03.120(d) is amended to read:

(d) Annually, before the date set by the district under (e) of this section, each public school shall deliver to the department for posting on the department's Internet website and provide, in a public meeting of parents, students, and community members, a report on the school's performance and the performance of the school's students. The report shall be prepared on a form prescribed by the department and must include

- (1) information on accreditation;
- (2) results of norm-referenced achievement tests;
- (3) results of state [STANDARDS-BASED] assessments in language arts and mathematics;
- (4) a description, including quantitative and qualitative measures, of student, parent, community, and business involvement in student learning;
- (5) a description of the school's attendance, retention, dropout, and graduation rates as specified by the state board;
- (6) the annual percent of enrollment change, regardless of reason, and the annual percent of enrollment change due to student transfers into and out of the school district;
- (7) if Native language education is provided, a summary and evaluation of the curriculum described in AS 14.30.420;
- (8) the performance designation assigned the school under AS 14.03.123 and the methodology used to assign the performance designation, including the measures used and their relative weights;
- (9) other information concerning school performance and the performance of the school's students as required by the state board in regulation; and
- (10) information on the number, attendance, and performance of students enrolled in the school whose parents or guardians are on active duty in the armed forces of the United States, the United States Coast Guard, the Alaska National Guard, the Alaska Naval Militia, or the Alaska State Defense Force.

* **Sec. 3.** AS 14.03.120(f) is amended to read:

(f) By January 15 of each year, beginning in 2001, the department shall provide to the governor and make available to the public and the legislature a report on the performance of public schools in this state. The report must be entitled "Alaska's Public Schools: A Report Card to the Public." The report must include

(1) comprehensive information on each public school compiled, collected, and reported under (d) and (e) of this section for the prior school year;

(2) a summary of the information described in (1) of this subsection; the summary must be prepared in a manner that allows school performance to be measured against established state education standards; and

(3) for a report due by or after January 15, 2005, the most recent performance designation under AS 14.03.123 received by each public school **and by the state public school system.**

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

(b) The department shall inform the governing body of each district of the performance designation assigned **to the district and to the state public school system** under (a) of this section.

* **Sec. 5.** AS 14.03.123(c) is amended to read:

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

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

(2) a comparison of the state public school system to public schools in other states and countries;

(3) [(2)] high performance and low performance designations that are based on the accountability system under this section;

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

(5) [(4)] additional measures that may be progressively implemented by the commissioner to assist schools or districts to improve performance in accordance with this section; **[AND WITH FEDERAL LAW; TO THE EXTENT**

NECESSARY TO CONFORM TO FEDERAL LAW,] the additional measures may be unique to a certain school or district if that school or district receives federal funding that is not available to all schools or districts in the state.

* **Sec. 6.** AS 14.03.123(d) is amended to read:

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

* **Sec. 7.** AS 14.03.123(e) is amended to read:

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

* **Sec. 8.** AS 14.03.123(f) is amended to read:

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

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

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

(A) measures of student performance on [STANDARDS-BASED] assessments in language arts and mathematics; **the assessment must be selected with the input of teachers and school administrators and minimize disruption to classroom instruction;**

(B) measures of student improvement **and academic**

1 achievement; and

2 (C) other measures identified that are indicators of student
3 success and achievement; and

4 (2) [(3)] to the extent practicable, minimize the administrative burden
5 on districts.

6 * **Sec. 9.** AS 14.07.020(a) is amended to read:

7 (a) The department shall

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

10 (2) study the conditions and needs of the public schools of the state,
11 adopt or recommend plans, administer and evaluate grants to improve school
12 performance awarded under AS 14.03.125, and adopt regulations for the improvement
13 of the public schools; **the department may consult with the University of Alaska to**
14 **develop secondary education requirements to improve student achievement in**
15 **college preparatory courses;**

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

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

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

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

30 (7) prescribe by regulation, after consultation with the state fire
31 marshal and the state sanitarian, standards that will assure healthful and safe

conditions in the public and private schools of the state, including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;

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

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

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

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

(12) provide educational opportunities in the areas of vocational education and training, and basic education to individuals over 16 years of age who are no longer attending school; **the department may consult with businesses and labor unions to develop a program to prepare students for apprenticeships or internships that will lead to employment opportunities;**

(13) administer the grants awarded under AS 14.11;

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

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

(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. 10.** The uncoded law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Education and Early Development may adopt regulations necessary to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law implemented by the regulations.

*** Sec. 11.** This Act takes effect January 1, 2017.