

SENATE BILL NO. 84

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY SENATOR OLSON, Ellis

Introduced: 3/20/15

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to language immersion charter schools; relating to teacher**
2 **certification; and relating to standards-based assessments in language immersion**
3 **charter schools and language immersion programs."**

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

5 * **Section 1.** AS 14.03.255(c) is amended to read:

6 (c) A charter school shall operate under a contract between the charter school
7 and the local school board. A contract must contain the following provisions:

8 (1) a description of the educational program;

9 (2) specific levels of achievement for the education program;

10 (3) admission policies and procedures;

11 (4) administrative policies;

12 (5) a statement of the charter school's funding allocation from the local
13 school board and costs assignable to the charter school program budget;

14 (6) the method by which the charter school will account for receipts

1 and expenditures;

2 (7) the location and description of the facility;

3 (8) the name of the teacher, or teachers, who, by agreement between
4 the charter school and the teacher, will teach in the charter school;

5 (9) the teacher-to-student ratio;

6 (10) the number of students served;

7 (11) the term of the contract, not to exceed a term of 10 years;

8 (12) a termination clause providing that the contract may be terminated
9 by the local school board for the failure of the charter school to meet educational
10 achievement goals or fiscal management standards, or for other good cause;

11 (13) a statement that the charter school will comply with all state and
12 federal requirements for receipt and use of public money;

13 (14) other requirements or exemptions agreed upon by the charter
14 school and the local school board;

15 **(15) a clause requiring compliance with AS 14.03.257 if the charter**
16 **school is a language immersion charter school.**

17 * **Sec. 2.** AS 14.03 is amended by adding a new section to read:

18 **Sec. 14.03.257. Language immersion charter schools.** (a) A language
19 immersion charter school may be established for the purpose of producing bilingual
20 students, revitalizing endangered languages, or providing an education consistent with
21 one or more indigenous or foreign cultures. Except as provided in (d) of this section, a
22 language immersion charter school shall provide at least 50 percent of the school's
23 instructional hours for each grade level in an indigenous or foreign language. Except
24 as otherwise provided in this section, the requirements of AS 14.03.250 - 14.03.290
25 apply to a language immersion charter school.

26 (b) An application to a local school board under AS 14.03.250 for the
27 establishment of a language immersion charter school must state that it is an
28 application for a language immersion charter school, identify the language or
29 languages in which the school will teach, and describe the percentage of the school's
30 instructional hours for each grade level that will be provided in each language of
31 instruction.

1 (c) The academic policy committee of a language immersion charter school
 2 shall consist of parents of students attending the school, school employees, and
 3 individuals who either are proficient speakers of the language of instruction of the
 4 school or have substantial knowledge of the culture of the people that historically
 5 spoke the language of instruction of the school.

6 (d) If a language immersion charter school does not provide at least 50 percent
 7 of the school's instructional hours for each grade level in an indigenous or foreign
 8 language, the academic policy committee of the language immersion charter school
 9 shall work with the department to develop a plan describing how the school will reach
 10 the goal of providing at least 50 percent of the school's instructional hours for each
 11 grade level in an indigenous or foreign language. The academic policy committee of
 12 the language immersion charter school shall submit the plan to the department for
 13 approval.

14 (e) A teacher at a language immersion charter school shall possess

15 (1) a teacher certificate issued under AS 14.20.015, 14.20.017,
 16 14.20.020, or 14.20.022 and an indigenous or foreign language immersion
 17 endorsement issued under AS 14.20.021;

18 (2) a limited teacher certificate for language teachers issued under
 19 AS 14.20.026; or

20 (3) a teacher certificate issued by an Alaska Native tribe and
 21 recognized by the department under AS 14.20.028.

22 (f) Notwithstanding (e) of this section, a person who possesses a teacher
 23 certificate issued under AS 14.20.015, 14.20.017, AS 14.20.020, or 14.20.022, but
 24 does not possess a language immersion endorsement issued under AS 14.20.021, may
 25 teach classes in English at a language immersion charter school.

26 * **Sec. 3.** AS 14.20 is amended by adding a new section to read:

27 **Sec. 14.20.021. Teachers at language immersion charter schools.** (a) The
 28 department shall issue an indigenous or foreign language immersion endorsement to a
 29 person who

30 (1) applies to the department on a form approved by the department;

31 (2) possesses a teacher certificate under AS 14.20.015, 14.20.017,

1 14.20.020, or 14.20.022;

2 (3) demonstrates the ability to conduct classroom activities entirely in
3 the indigenous or foreign language; and

4 (4) completes a course or program of study in language immersion
5 education; if the course or program of study is provided by an entity other than an
6 institution of higher education, the course or program of study must be approved by
7 the department.

8 * **Sec. 4.** AS 14.20.025 is amended to read:

9 **Sec. 14.20.025. Limited teacher certificates.** Notwithstanding
10 AS 14.20.020(b), a person may be issued a limited certificate, valid only in the area of
11 expertise for which it is issued, to teach Alaska Native [LANGUAGE OR] culture,
12 military science, or a vocational or technical course for which the board determines by
13 regulation that baccalaureate degree training is not sufficiently available. A limited
14 certificate may be issued under this section only if the school board of the district or
15 regional educational attendance area in which the person will be teaching has
16 requested its issuance. A person who applies for a limited certificate shall
17 demonstrate, as required by regulations adopted by the board, instructional skills and
18 subject matter expertise sufficient to **assure** [ENSURE] the public that the person is
19 competent as a teacher. [THE BOARD MAY REQUIRE A PERSON ISSUED A
20 LIMITED CERTIFICATE TO UNDERTAKE ACADEMIC TRAINING AS MAY
21 BE REQUIRED BY THE BOARD BY REGULATION AND MAKE
22 SATISFACTORY PROGRESS IN THE ACADEMIC TRAINING.]

23 * **Sec. 5.** AS 14.20.025 is amended by adding new subsections to read:

24 (b) A limited certificate issued under this section is initially valid for one year.
25 The department may extend a limited certificate issued under this section for an
26 additional four years if the school board of the district or regional educational
27 attendance area that requested the issuance of the limited certificate requests that the
28 certificate be extended and certifies that the person has demonstrated skills in
29 classroom instruction, curriculum development, and student assessment. The
30 certificate may be renewed in accordance with regulations adopted by the department.

31 (c) The board may not require, as a condition for extending or renewing a

1 limited certificate under (b) of this section, that a person complete additional academic
2 training.

3 * **Sec. 6.** AS 14.20 is amended by adding a new section to read:

4 **Sec. 14.20.026. Limited teacher certificates for language teachers.** (a)

5 Notwithstanding AS 14.20.020(b), a person may be issued a limited certificate to teach
6 in a language other than English if the board determines by regulation that there is an
7 insufficient number of certified teachers in the state capable of teaching in that
8 language. A limited certificate issued under this section is valid for teaching any
9 subject in pre-elementary school through grade eight and for teaching the language in
10 which the person demonstrates proficiency under (b)(4) of this section in pre-
11 elementary school through grade 12.

12 (b) The department shall issue a limited teacher certificate to a person under
13 this section if

14 (1) the academic policy committee of a language immersion charter
15 school established under AS 14.03.257 or the school board of the district or regional
16 educational attendance area in which the person will be teaching requests that the
17 department issue the certificate;

18 (2) the person demonstrates, as required by regulations adopted by the
19 board, instructional skills sufficient to assure the public that the person is competent as
20 a teacher;

21 (3) the person demonstrates subject matter expertise as required by
22 regulations adopted by the board if the person is teaching a subject other than the
23 language in which the person demonstrates proficiency and is teaching the subject in
24 grades four through eight; and

25 (4) the person demonstrates proficiency in an indigenous or foreign
26 language; a person meets this requirement if the person demonstrates the ability to
27 conduct classroom activities entirely in the indigenous or foreign language.

28 (c) A person who possesses a limited teacher certificate issued under this
29 section may teach a subject other than the language in which the person demonstrates
30 proficiency under (b)(4) of this section if the person completes a course or program of
31 study in language immersion education. If the course or program of study is provided

1 by an entity other than an institution of higher education, the course or program of
2 study must be approved by the department.

3 (d) A limited certificate issued under this section is initially valid for one year.
4 The department may extend a limited certificate issued under this section for an
5 additional four years if the academic policy committee of the language immersion
6 charter school or the school board of the district or regional educational attendance
7 area that requested the issuance of the limited certificate requests that the certificate be
8 extended and certifies that the person has demonstrated skills in classroom instruction,
9 curriculum development, and student assessment. The certificate may be renewed in
10 accordance with regulations adopted by the department.

11 (e) The board may not require, as a condition for extending or renewing a
12 limited certificate under (d) of this section, that a person complete additional academic
13 training.

14 * **Sec. 7.** AS 14.20 is amended by adding a new section to read:

15 **Sec. 14.20.028. Recognition of teacher certification for Alaska Native**
16 **language immersion teachers by Alaska Native tribes.** (a) Notwithstanding
17 AS 14.20.020, the department may recognize a teacher certificate issued by an Alaska
18 Native tribe under this section if

19 (1) the Alaska Native tribe submits a description of the Alaska Native
20 tribe's certification procedures to the department;

21 (2) the certification procedures include an evaluation by the Alaska
22 Native tribe of the applicant's

23 (A) language proficiency;

24 (B) knowledge of the subject matter the applicant will be
25 teaching;

26 (C) instructional skills, including instructional skills specific to
27 language immersion education;

28 (3) for a teacher certificate described under (b)(2) of this section, the
29 school board of the district or regional educational attendance area in which the public
30 school is located requests that the department recognize teaching certificates issued by
31 the Alaska Native tribe; and

1 (4) the person who possesses the teacher certificate submits
2 fingerprints and fees in accordance with AS 14.20.020(c).

3 (b) A teacher certificate issued by an Alaska Native tribe and recognized
4 under (a) of this section is valid for teaching

5 (1) at a language immersion charter school established under
6 AS 14.03.257 if the language of instruction at the school is the language historically
7 spoken by the Alaska Native tribe; and

8 (2) a class at a public school that is not a language immersion charter
9 school if the language of instruction for the class is the language historically spoken
10 by the Alaska Native tribe.

11 (c) The department may not recognize a teacher certificate issued by an
12 Alaska Native tribe if the person who possesses the teacher certificate has been
13 convicted of a crime, or an attempt, solicitation, or conspiracy to commit a crime
14 involving a minor under AS 11.41.410 - 11.41.460 or a law or ordinance in another
15 jurisdiction with elements similar to an offense described in this subsection.

16 (d) The department may not impose requirements that are not described in (a)
17 of this section on an Alaska Native tribe for issuing teacher certificates.

18 (e) In this section, "Alaska Native tribe" means a tribe that is recognized by
19 the United States Secretary of the Interior to exist as an Indian tribe under 25 U.S.C.
20 479a (Federally Recognized Indian Tribe List Act of 1994).

21 * **Sec. 8.** AS 14.30 is amended by adding a new section to article 9 to read:

22 **Sec. 14.30.430. Testing in language immersion educational programs.** The
23 department shall, to the extent permitted by federal law, allow students enrolled in
24 language immersion charter schools established under AS 14.03.257 or other language
25 immersion programs to take statewide standards-based assessments in the language of
26 instruction of the language immersion charter school or language immersion program.