

# ALASKA STATE LEGISLATURE

## Senate Education Committee

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## **Senate Bill 111**

### ***Early Education, Reading Intervention, and Virtual Education***

#### **Sectional Analysis for version N**

- Sec. 1 Establishes this Act as the Alaska Academic Improvement and Modernization (AIM) Act.
- Sec. 2 AS 14.03.040, relating to day-in-session requirements, is amended to address a gap in the current law. The change makes clear that kindergarten and early education programs are not subject to the requirements. Section 20 clarifies that the state board of education should adopt regulations for those programs.
- Sec. 3 AS 14.03.060(e), relating to the definition of an elementary school, is amended by:
- Changing the term “pre-elementary” to “early education” (defined in sections 14 and 17).
  - Adding the term “approved by” to conform to the addition of AS 14.03.410(a)(2) (added by section 14).
  - Making clearer the relationship between Head Start agencies and DEED.
  - Removing the language regarding ADM count, as it is moved to AS 14.03.410(f) (within section 14) and AS 14.17.500 (section 25).
- Sec. 4 AS 14.03.060(e), relating to the definition of an elementary school, is amended in 2034 to reverse the addition of “approved by” in section 2. This change is required to conform with the repeal of AS 14.03.410 (related to early education funding).

- Sec. 5 Amends AS 14.03.072, related to providing information to K-3 parents, by changing the word “literacy” to “reading,” inserting a requirement that the intervention strategies be culturally responsive, incorporating the reading intervention services added by section 35, and replacing “retention” with “progression.”
- Sec. 6 Removes the reference to reading intervention services after the repeal of AS 14.30.765 in 2034.
- Sec. 7 Amends AS 14.03.078(a), related to DEED reporting requirements, by:
- adding school districts as a recipient of the DEED’s annual report.
  - expanding the reporting requirement to incorporate all reports in AS 14.03.120, including those listed below.
  - adding ratios of administrative employees to students, administrative employees to teachers, and teacher to student ratios to the annual report.
  - adding a progress report of the reading intervention programs established by section 35.
  - Adding a report on the effectiveness and participation of the parents-as-teachers program established by section 14.
- Sec. 8 Repeals the reports on reading intervention and parents-as-teachers when the programs sunset in 2034.
- Sec. 9 Adds two subsections to AS 14.03.078, relating to department reporting requirements, which requires reports to be posted online and defines an administrative employee (as referenced in section 7).
- Sec. 10 Amends AS 14.03.080(c), related to under school age children entering public school, by limiting participation to four- and five-year-old children and clarifying that a child in an early education program does not need to move to kindergarten at age five.
- Sec. 11 Reverses the changes in section 10 in 2034.
- Sec. 12 Reinstates the language from the current AS 14.03.080(d), returning to the current language after the sunset of the early education program takes effect.
- Sec. 13 Adds a subsection to AS 14.03.120, relating to district reporting requirements, which establishes an annual report regarding student performance metrics in kindergarten through third grade.
- Sec. 14 Establishes early education programs and grants under AS 14.03, which includes the following subsections:
- AS 14.03.410(a) directs the DEED to provide training to help districts develop and

approve early education programs.

- AS 14.03.410(b) authorizes DEED to award 3-year early education grants up to \$3M per year.
- AS 14.03.410(c) requires DEED to rank the districts and prioritize lower ranked districts. This subsection also limits eligibility if there is insufficient need in the district due to Head Start or other programs.
- AS 14.03.410(d) authorizes up to two additional years of grant funding if the program is not able to qualify for ADM inclusion at the end of the 3-year grant.
- AS 14.03.410(e) requires DEED approval of quality standards for ADM inclusion.
- AS 14.03.410(f) makes clear that the grants are subject to appropriation.
- AS 14.03.410(g) provides definitions.
- AS 14.03.420 codifies the Parents-as-Teachers program.

Sec. 15 Amends AS 14.07.020(a), relating to duties of the Department of Education and Early Development, by:

- Adding supervision over, and approval of, early education programs.
- Adding the support and intervention requirements relating to reading intervention programs (from section 35).

Sec. 16 Reverses the changes in section 15 in 2034.

Sec. 17 Changes AS 14.07.020(c), relating to the duties of the department, to update the term “pre-elementary school” to “early education program.”

Sec. 18 Alters AS 14.07.050, relating to the selection of textbooks, to incorporate the new sections AS 14.30.765 and 14.30.770, which are added under section 35 of this bill.

Sec. 19 Reverses the changes in section 18 in 2034.

Sec. 20 AS 14.07.165(a), relating to the regulations adopted by the State Board of Education, is amended to establish the standards for early education programs.

Sec. 21 A new paragraph is added to AS 14.07.168, relating to the annual report by the state board of education to the legislature, which requires the inclusion of a review of the effectiveness of the virtual consortium added by section 36 of this bill.

Sec. 22 Reverses the changes in section 21 in 2034.

Sec. 23 Amends AS 14.07.180(a), relating to school districts curricula, by requiring the board to utilize the components of evidence-based reading instruction (Phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension).

- Sec. 24 AS 14.14.115(a), relating to cooperative arrangements, expands the ability of a school district to form agreements with private businesses, non-profits, and government agencies, but prohibits state funds from benefiting private educational institutions.
- Sec. 25 Add new subsections to AS 14.17.500, relating to student count estimates, which allows
- districts to count early education students from approved programs at one-half of a full-time equivalent student.
  - prohibits including early education students that participate in another state or federally funded program.
  - provides a process for limiting the budget increase related to including early education students in the ADM count to \$3M per year.
- Sec. 26 Sunsets the inclusion of early education students in a district's ADM in 2034.
- Sec. 27 Amends AS 14.17.505(a), related to unreserved year-end fund balances, to increase the allowable carryforward balance of school districts from 10% to 25% of a district's expenditures and allows for an approval of additional carryovers.
- Sec. 28 Adds subsection (c) to AS 14.17.505, related to unreserved year-end fund balances, which provides guidance to the department on what a plan for a carryover of greater than 25% should include.
- Sec. 29 AS 14.17.905, relating to defining a school for calculating school size factors, is amended to account for the inclusion of early education students when defining an elementary school in a district with between 101 and 425 students.
- Sec. 30 Reverses the change in section 29 to conform to the sunset in 2034.
- Sec. 31 Amends AS 14.20.015(c), related to preliminary teacher certificates, by adding a requirement that teachers with preliminary certificates complete board required coursework, training, and testing in evidence-based reading instruction.
- Sec. 32 Reverses the change in section 32 in 2034.
- Sec. 33 Amends AS 14.20.020(i), related to teacher certificates, to require the state board of education to periodically reevaluate the acceptable level of demonstrated competency required to issue a teacher certificate.
- Sec. 34 Adds a new subsection AS 14.20.020(l), related to teacher certificates, which requires teachers to complete board required coursework, training, and testing in evidence-based reading instruction.
- Sec. 35 This section adds several new sections of law related to reading intervention:

- AS 14.30.760 directs DEED to establish a statewide reading assessment and screening tool to identify students with reading deficiencies and establishes a timeline in which assessments are conducted.
- AS 14.30.765(a) directs each school district to offer intensive reading intervention services to K-3 students exhibiting a reading deficiency and communicate with parents and guardians.
- AS 14.30.765(b) directs school districts to provide individual reading improvement plans for K-3 students exhibiting a reading deficiency and defines the plan's components.
- AS 14.30.765(c) requires districts to notify a student's parents that their child has demonstrated a reading deficiency along with corresponding information about remedying the deficiency.
- AS 14.30.765(d) requires a parent-teacher conference for K-2 students with a reading deficiency to discuss delayed progression as an intervention.
- AS 14.30.765(e) established a statewide policy to determine if a student is ready for promotion to the fourth grade.
- AS 14.30.765(f) requires a parent-teacher conference for third grade students with a reading deficiency to discuss delayed progression as an intervention and establishes a parental waiver to allow a student to advance to fourth grade without being prepared, which requires an additional 20 hours of summer intervention services.
- AS 14.30.765(g) directs the department to develop a recognition program for improving reading skills.
- AS 14.30.765(h) establishes a good cause exemption from a district's third grade retention policy.
- AS 14.30.765(i) sets forth the process for a parent to request a good cause exemption.
- AS 14.30.765(j) provides an opportunity for a parent that misses the required conference to discussion delaying progress to reschedule that conference.
- AS 14.30.765(k) directs the district to provide additional intervention for students that do not promote or promote with a waiver.

- AS 14.30.765(l) establishes a policy for mid-year promotion of a K-2 student that does not progress to the next grade.
- AS 14.30.765(m) establishes a policy for mid-year promotion of a third-grade student that does not progress to the next grade.
- AS 14.30.765(n) requires that a student promoting mid-year continue the individual reading improvement plan.
- AS 14.30.765(o) limits retention by a superintendent to one year.
- AS 14.30.765(p) provide a definition for reading teacher.
- AS 14.30.770 directs the department to establish a statewide reading program, including five department-funded reading specialists, to assist schools in setting up their intervention services and coach teachers on how to conduct evidence-based reading instruction.
- AS 14.30.775 provides definitions.

Sec. 36 Adds a new section of law, AS 14.30.800, which establishes a virtual education consortium. This consortium allows districts to offer virtual access to student courses and professional development courses through a statewide system hosted by the department of education. This section also creates a reading specialist position to remotely assist districts to improve reading instruction.

Sec. 37 Provides a definition for “culturally responsive.”

Sec. 38 Adds “early education program” to the definition of “organization” in AS 47.17.290, which pertains to the Department of Health and Social Services.

Sec. 39 Repeals AS 14.03.080(d), related to five-year-old students starting kindergarten, to conform to the changes in section 11.

Sec. 40 Repeals the following:

- AS 14.03.120(h) (report of reading improvement statistics added in section 13)
- AS 14.03.410 (early education funding added in section 14).
- AS 14.03.420 (Parents-as-Teachers program added in section 14).
- AS 14.17.500(e) and (f) (limiting funding of early education programs add in 25)

- AS 14.20.020(l) (increased requirements for teaching certificates added in section 35)
- AS 14.30.760 (K-3 reading assessments added in section 35)
- AS 14.30.765 (district reading intervention services add in section 35)
- AS 14.30.770 (department reading specialists)
- AS 14.30.775 (definitions related to reading interventions)
- AS 14.30.800 (virtual education consortium)

- Sec. 41      Sets a deadline for the department of education to complete the set-up of the virtual education consortium by July 1, 2024.
- Sec. 42      Applicability language related to the reading instruction requirement added by section 34 of this bill, which allows teachers with preexisting teaching certificates until July 1, 2024 to meet the new requirements.
- Sec. 43      Requires a report from DEED to the legislature on the effectiveness of programs created by this bill to the thirty-eighth legislature, which allows the legislature to consider extending the programs before they are sunset.
- Sec. 44      Transition language, which directs DEED on how the inclusion of early education students should occur.
- Sec. 45      Transition language, which allows DEED to begin writing regulations before the sections of this bill take effect.
- Sec. 46      Provides an effective date of June 30, 2034 for sections 4, 6, 8, 11, 12, 16, 19, 22, 26, 30, 32, and 40.
- Sec. 47      Provides an effective date of July 1, 2022 for all other sections.

*Please contact the Education Committee Aide, Ed King at 465-4843, with any questions or concerns.*