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Klein
6/18/21

CS FOR HOUSE BILL NO. 164(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES TUCK, Drummond, Story

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the duties of the Department of Education and Early Development;
2 relating to reading; relating to public schools and school districts; relating to early
3 education programs; relating to funding for early education programs; relating to
4 school age eligibility; relating to reports by the Department of Education and Early
5 Development; relating to reports by school districts; relating to certification and
6 competency of teachers; relating to assessing reading deficiencies and providing reading
7 intervention services to public school students enrolled in grades kindergarten through
8 three; relating to textbooks and materials for reading intervention services; establishing
9 a reading program in the Department of Education and Early Development; relating to
10 school operating funds; relating to a virtual education library; and providing for an
11 effective date."

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

1 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
2 to read:

3 **SHORT TITLE.** This Act may be known as the Alaska Reads Act.

4 * **Sec. 2.** The uncoded law of the State of Alaska is amended by adding a new section to
5 read:

6 **LEGISLATIVE INTENT.** The Alaska State Legislature recognizes and affirms the
7 right of students to learn to read in multiple languages and recognizes that locally designed,
8 culturally responsive reading curricula nurture a student's unique cultural strengths to promote
9 academic achievement and a sense of well-being about the student's place in the world.
10 Nothing in this Act limits a school district's ability to offer or focus on literacy education in
11 multiple languages.

12 * **Sec. 3.** AS 14.03.040 is amended to read:

13 **Sec. 14.03.040. Day in session.** Each day within the school term is a day in
14 session except Saturdays, Sundays, and days designated as holidays by or according to
15 AS 14.03.050. A school board may approve Saturdays as a day in session. The day in
16 session in every school shall be at least four hours long, exclusive of intermissions, for
17 the first, second, and third grades and five hours, exclusive of intermissions, for [ALL
18 OTHER] grades four through 12. The commissioner may approve a shorter day in
19 session for any grade. The period of the day in session shall be devoted to the
20 instruction of pupils or to study periods for the pupils.

21 * **Sec. 4.** AS 14.03.060(e) is amended to read:

22 (e) In addition to the grades enumerated in (a) of this section, an elementary
23 school consists of an early education [A PRE-ELEMENTARY] program approved
24 or supervised by the department under AS 14.07.020(a)(8), including a program
25 operated by a head start agency [THE DEPARTMENT] as a head start program
26 under 42 U.S.C. 9831 - 9852c [AS 14.38.010, OR LOCATED IN A PUBLIC
27 SCHOOL FOR FEDERAL FUNDING PURPOSES. EXCEPT FOR A CHILD WITH
28 A DISABILITY WHO IS RECEIVING SPECIAL EDUCATION OR RELATED
29 SERVICES UNDER AS 14.30.180 - 14.30.350, PRE-ELEMENTARY STUDENTS
30 MAY NOT BE COUNTED IN A SCHOOL'S AVERAGE DAILY MEMBERSHIP
31 UNDER AS 14.17].

* Sec. 5. AS 14.03.072(a) is amended to read:

(a) At the first parent-teacher conference of the school year, each [EACH] school district shall [ANNUALLY] provide to parents and guardians of students enrolled in kindergarten through grade three in a public school in the state current information on the importance of [EARLY] literacy and early reading, including

(1) culturally responsive intervention strategies and reading intervention services provided under AS 14.30.765;

(2) home reading [LITERACY] plans;

(3) grade progression [RETENTION] standards and policies for the elementary school attended;

(4) strategies and resources to help children learn to read;

(5) a list of online and geographically accessible resources and organizations that specialize in improving adult literacy;

(6) the role of social and emotional learning in a child's development and lifelong success.

* Sec. 6. AS 14.03.078(a) is amended to read:

(a) The department shall employ a data analyst and 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 [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

1 school or district that receives a low performance designation under AS 14.03.123;

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

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

6 (8) the progress made to implement the reading intervention
7 program provided under AS 14.30.760 - 14.30.785, including data on how school
8 districts are using in-service training days for culturally responsive professional
9 development in reading instruction; and

10 (9) the effectiveness and participation rates of the parents as
11 teachers program established under AS 14.03.420.

12 * Sec. 7. AS 14.03.080(c) is amended to read:

13 (c) A child under school age may be admitted to a public school and a child
14 who is at least four years of age at the beginning of the school year may be
15 admitted to an early education program in the school district of which the child is a
16 resident at the discretion of the governing body of the school district if the child meets
17 minimum standards prescribed by the board evidencing that the child has the mental,
18 physical, and emotional capacity to perform satisfactorily for the educational program
19 being offered. A district's educational program must prescribe that, except for
20 students in an early education program, under school age students advance through
21 the curriculum or grade level by the following school year. A governing body may
22 delegate the authority granted under this subsection to the chief school administrator
23 of the school district.

24 * Sec. 8. AS 14.03.120 is amended by adding a new subsection to read:

25 (h) To the extent allowable under state and federal privacy laws, each district
26 shall annually report to the department information from the previous school year
27 regarding

28 (1) the number of students and teaching staff assigned to each
29 classroom in grades kindergarten through three;

30 (2) the number and percentage of students

31 (A) in grades kindergarten through three who demonstrated

improvement on expected grade-level skills on the statewide screening or assessment tool;

(B) in grades kindergarten through three who performed below expected grade-level skills on the statewide screening or assessment tool, by grade;

(C) in grades kindergarten through three who did not progress to the next grade and the reasons the students did not progress;

(D) in grade three who demonstrated sufficient reading skills to progress to grade four based on the statewide screening or assessment tool;

(E) in grade three who demonstrated sufficient reading skills to progress to grade four based on an alternative standardized reading screening or assessment;

(F) in grade three who demonstrated sufficient reading skills to progress to grade four based on a student reading portfolio;

(3) the performance on the statewide screening or assessment tool of students in a grade above grade three who did not progress to grade four or who progressed to grade four based on a parent's or guardian's decision under AS 14.30.765(d).

* Sec. 9. AS 14.03 is amended by adding new sections to read:

Article 4. Early Education.

Sec. 14.03.410. Early education programs; grants. (a) The department shall provide training and assistance to develop and improve district-wide early education programs that comply with standards adopted by the board under AS 14.07.165(a)(5). The department shall assess district-wide early education programs and approve programs that comply with the standards adopted by the board under AS 14.07.165(a)(5). The department may review an approved program at any time and may revoke approval of a program if the program is not in compliance with the standards adopted by the board under AS 14.07.165(a)(5).

(b) The department may award a grant to provide funding for a three-year period for the development or improvement of a district-wide early education program to a district that has not received a grant under this section, applies in a format

1 prescribed by the department, and is eligible for a grant as specified under (c) of this
2 section. Unless the legislature appropriates another amount, total grant funding
3 awarded to districts under this subsection may not exceed \$3,000,000 in a fiscal year.

4 (c) The department shall rank the performance of each district in the state in
5 accordance with the accountability system and performance designations required
6 under AS 14.03.123. When approving grants under (b) of this section, the department
7 shall prioritize eligible districts with lower performance, based on the department's
8 ranking of districts under this subsection. A district is eligible for a grant if the
9 department determines an insufficient number of children in the district attend high
10 quality child care programs, including head start programs, early education programs
11 provided by a local government, and early education programs provided by child
12 development agencies, that

13 (1) meet or exceed the standards adopted by the board under
14 AS 14.07.165(a)(5); and

15 (2) would continue operating after development of a district early
16 education program.

17 (d) If the department does not approve, as provided in (a) of this section, the
18 early education program of a district awarded a grant under (b) of this section by the
19 end of the district's three-year grant period, the department may provide a one-year
20 remediation grant to allow the district one additional fiscal year to meet the early
21 education program standards adopted by the board under AS 14.07.165(a)(5). If the
22 district is unable to meet the early education program standards at the end of that fiscal
23 year, the department may, in the discretion of the commissioner, provide an additional
24 remediation grant to allow the district not more than one additional fiscal year to meet
25 the standards. Nothing in this section prohibits a district from using its own funds to
26 continue the remediation process.

27 (e) A student in an early education program may not be counted in a district's
28 ADM under AS 14.17.500 unless the department has approved the district's program
29 under (a) of this section.

30 (f) A grant under this section is subject to appropriation, but may not supplant
31 other early education funding available to districts.

(g) In this section,

(1) "ADM" has the meaning given in AS 14.17.990;

(2) "district" has the meaning given in AS 14.17.990;

(3) "early education program" means a program, the primary function of which is educational, for children who are four and five years of age and who have not attended a public school kindergarten.

Sec. 14.03.420. Parents as teachers program. (a) The department shall design and implement a statewide parents as teachers program for the benefit of children who are under five years of age. The program must provide a system of early childhood education that

(1) is evidence-based;

(2) involves parents or guardians;

(3) is consistent with available research and best practices for high quality early childhood education;

(4) incorporates guidelines adopted by the department for early learning that

(A) enhance school readiness;

(B) increase parent or guardian understanding of child development and developmental milestones;

(C) reduce the incidence of child abuse and neglect;

(D) increase identification of health problems and developmental delays through regular screenings;

(E) improve child health indicators, including immunization rates; and

(F) increase parental or guardian involvement; and

(5) provides for effective and efficient coordination with or expansion of early education programs operating in the state, to the extent permitted by law.

(b) A school district shall, to the extent space is needed and available, provide for the use of a room in a school at no charge to support the program established under this section.

(c) The department shall develop and enter into local partnerships to

1 implement the program established under this section.

2 (d) In this section, "parent" includes a natural, adoptive, and foster parent,
3 stepparent, legal guardian, relative, and other adult person with whom a student has
4 resided and who has acted as a parent in providing for the student or has been
5 responsible for the student's welfare for a continuous period.

6 * Sec. 10. 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 college
15 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 ensure healthful and safe

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

4 (8) exercise general supervision over early education programs
5 [PRE-ELEMENTARY SCHOOLS] that receive direct state or federal funding,
6 including early education programs provided by a school district for students
7 four and five years of age, and approve early education programs provided by a
8 school district under AS 14.03.410(a);

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

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

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

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

29 (13) administer the grants awarded under AS 14.11;

30 (14) establish, in coordination with the Department of Public Safety, a
31 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(a)(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(a)(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); 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(a)(14) or redirecting public school funding under AS 14.07.030(a)(15);

(18) establish a reading program to provide direct support for and intervention in the reading intervention services of participating schools as described in AS 14.30.765 and 14.30.770.

* Sec. 11. AS 14.07.020(c) is amended to read:

(c) In this section, **"early education program"** ["PRE-ELEMENTARY SCHOOL"] means a **program** [SCHOOL] for children ages three through five years if the **program's** [SCHOOL'S] primary function is educational; **"early education program" does not include a program operated as a head start program under 42 U.S.C. 9831 - 9852c.**

* Sec. 12. AS 14.07.050 is amended to read:

Sec. 14.07.050. Selection of textbooks. Textbooks for use in the public schools of the state, including a district offered statewide correspondence study program, shall be selected by district boards for district schools. Nothing in this

section precludes

(1) a correspondence study student, or the parent or guardian of a correspondence study student, from privately obtaining or using textbooks or curriculum material not provided by the school district;

(2) the department, in consultation with tribes and school districts to ensure textbooks are culturally relevant, from selecting and purchasing supplementary reading textbooks and materials for school districts to support reading intervention services provided under AS 14.30.765 and 14.30.770.

* Sec. 13. AS 14.07.165(a) is amended to read:

(a) The board shall adopt

(1) statewide goals and require each governing body to adopt written goals that are consistent with local needs;

(2) regulations regarding the application for and award of grants under AS 14.03.125;

(3) regulations implementing provisions of AS 14.11.014(b);

(4) regulations requiring approval by the board before a charter school, state boarding school, or a public school may provide domiciliary services;

(5) regulations establishing standards for an early education program provided by a school district for children who are four and five years of age; the regulations must include

(A) standards for a locally designed, evidence-based program that meets Head Start Program Performance Standards and other federal standards required for early education programs to receive federal funding;

(B) a requirement that a teacher in charge of a program hold a valid teacher certificate issued under AS 14.20 and

(i) have satisfactorily completed a minimum of six credit hours in early childhood education or completes the minimum credit hours within two years of the date the teacher's employment with the early education program begins; or

(ii) have two or more years of experience teaching

kindergarten or another early education program and have completed additional coursework related to reading instruction, as required by the department;

(C) developmentally appropriate objectives for children four and five years of age rather than academic standards appropriate for older children; the objectives must allow school districts to adapt the content of an early education program to be culturally responsive to local communities;

(D) accommodations for the needs of all early education children and their families regardless of socioeconomic circumstances; and

(E) standards for day in session requirements appropriate for children four and five years of age;

(6) regulations establishing standards for day in session requirements appropriate for kindergarten students [REPEALED].

* Sec. 14. AS 14.07.168 is amended to read:

Sec. 14.07.168. Report to the legislature. Not later than the 30th legislative day of each regular session of the legislature, the board shall prepare and present in person to the legislative committees having jurisdiction over education an annual report that describes the efforts of the board to develop, maintain, and continuously improve a comprehensive quality public education system, as provided for under the bylaws of the board. The report must include

(1) a summary of the resolves and rationales provided in support of policy decisions made under AS 14.03.015;

(2) program and curriculum changes made, discussed, or recommended in meetings held under AS 14.07.125;

(3) additional information relevant to efforts made to improve and maintain the public education system;

(4) a summary of implementation and utilization of the library established under AS 14.30.800, including a review of library effectiveness and the participation rates of districts, teachers, and students.

1 * **Sec. 15.** AS 14.07.180(a) is amended to read:

2 (a) Notwithstanding any other provision of law, the board shall establish
3 standards and a procedure for the review, ranking, and approval of mathematics and
4 English and language arts curricula for school districts to use in each grade level as
5 provided in this section. The board may include curricula delivered through virtual
6 education in the standards and procedure established under this subsection. Standards
7 established for the review, ranking, and approval of language arts curricula for
8 early education programs and grades kindergarten through three must be based
9 on phonemic awareness, phonics, vocabulary development, reading fluency, oral
10 language skills, and reading comprehension.

11 * **Sec. 16.** AS 14.17.500 is amended by adding new subsections to read:

12 (d) Except as provided in (e) and (f) of this section, a student in a district-wide
13 early education program provided by a school district and approved by the department
14 under AS 14.07.020(a)(8) is counted as one-half of a full-time equivalent student.

15 (e) A school district may not include in a school's ADM students who are four
16 and five years of age if the students are enrolled in an early education program that
17 receives state or federal funding other than funding under this chapter.

18 (f) A school district may not include in a school's ADM students who are four
19 and five years of age if inclusion of the students would result in an increase of total
20 state aid attributable to district-wide early education programs approved under
21 AS 14.03.410 of more than \$3,000,000 from the previous fiscal year. The department
22 shall prioritize the funding of district-wide early education programs, giving priority to
23 school districts with lower performance, based on the department's ranking of districts
24 under AS 14.03.410(c). When the number of students in a district-wide early
25 education program will result in an increase of total state aid attributable to district-
26 wide early education programs approved under AS 14.03.410 of more than \$3,000,000
27 from the previous fiscal year, the department may identify the amount, up to
28 \$3,000,000, available for the district's district-wide early education program.

29 * **Sec. 17.** AS 14.17.505 is amended to read:

30 **Sec. 14.17.505. Fund balance in school operating fund.** (a) A district may
31 not accumulate in a fiscal year an unreserved portion of its year-end fund balance in its

1 school operating fund, as defined by department regulations, that is greater than 25
2 [10] percent of its expenditures for that fiscal year, unless the department approves
3 a district plan to use the fund balance that is greater than 25 percent of its
4 expenditures for that fiscal year.

5 (b) The department shall review each district's annual audit under
6 AS 14.14.050 for the preceding fiscal year to ascertain its year-end operating fund
7 balance. The amount by which the unreserved portion of that balance exceeds the
8 amount permitted in (a) of this section, or the amount approved under (c) of this
9 section if the district is eligible, shall be deducted from the state aid that would
10 otherwise be paid to the district in the current fiscal year.

11 * Sec. 18. AS 14.17.505 is amended by adding a new subsection to read:

12 (c) The department may approve a plan to allow a district to accumulate funds
13 greater than 25 percent of the district's expenditures for that fiscal year if

14 (1) the excess funds are not the result of reduced direct instruction
15 costs;

16 (2) the department determines that the district has requested a
17 reasonable period of time to use the excess funds; and

18 (3) the department determines that the proposed use of the excess
19 funds will cause meaningful improvement to student education outcomes.

20 * Sec. 19. AS 14.17.905(a) is amended to read:

21 (a) For purposes of this chapter, the determination of the number of schools in
22 a district is subject to the following:

23 (1) a community with an ADM of at least 10, but not more than 100,
24 shall be counted as one school;

25 (2) a community with an ADM of at least 101, but not more than 425,
26 shall be counted as

27 (A) one elementary school, which includes those students in
28 grades kindergarten through six and, except as provided in AS 14.17.500, in
29 an early education program provided by a school district and approved by
30 the department under AS 14.07.020(a)(8); and

31 (B) one secondary school, which includes students in grades

seven through 12;

(3) in a community with an ADM of greater than 425, each facility that is administered as a separate school shall be counted as one school, except that each alternative school with an ADM of less than 175 shall be counted as a part of the school in the district with the highest ADM.

* Sec. 20. AS 14.20.015(c) is amended to read:

(c) The preliminary teacher certificate issued under this section must contain the same endorsements as those on the current valid teacher certificate issued by the other state. However, before teaching students in grades kindergarten through three, a teacher certificated under this section must complete coursework, training, or testing requirements, and demonstrate proficiency as determined by the department, in phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension approved by the board in regulation. A teacher may apply coursework, training, or testing requirements completed under this subsection toward continuing education requirements established by the board in regulation. A teacher certificated under this section shall complete training in racial equity, conscious and unconscious bias, teaching through an Alaska Native lens and using Alaska Native cultural standards, and trauma-informed and culturally relevant education.

* Sec. 21. AS 14.20.020 is amended by adding new subsections to read:

(l) Before teaching students in grades kindergarten through three, a teacher certificated under this section must complete coursework, training, or testing requirements in phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension approved by the board in regulation. A teacher may apply coursework, training, or testing requirements completed under this subsection toward continuing education requirements established by the board in regulation.

(m) A teacher certificated under this section shall complete training in racial equity, conscious and unconscious bias, teaching through an Alaska Native lens and using Alaska Native cultural standards, and trauma-informed and culturally relevant education.

1 * **Sec. 22.** AS 14.30 is amended by adding a new section to article 10 to read:

2 **Sec. 14.30.430. Alaska Native language immersion programs.** The
3 department may collaborate with a school district to develop an Alaska Native
4 language immersion program for students in grade kindergarten through grade three.
5 The department may provide financial and technical support for a program. The
6 department and district operating a program shall evaluate the program's success in
7 increasing student literacy in both the Alaska Native language and English.

8 * **Sec. 23.** AS 14.30 is amended by adding new sections to read:

9 **Article 15. Reading Intervention.**

10 **Sec. 14.30.760. Statewide assessment and support.** (a) To implement the
11 district reading intervention services established under AS 14.30.765, the department
12 shall

13 (1) adopt a statewide screening or assessment tool to administer to
14 students in grades kindergarten through three to identify students with reading
15 deficiencies, including students with characteristics of dyslexia; the screening or
16 assessment tool must evaluate

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

19 (B) letter word sound fluency and oral reading fluency of
20 students in grade one;

21 (C) vocabulary and oral reading fluency of students in grades
22 two and three;

23 (2) support teachers of grades kindergarten through three by

24 (A) administering the statewide screening or assessment tool
25 three times each school year, once in the fall, once in the winter, and once in
26 the spring, to all students in grades kindergarten through three, with the
27 exception of students who demonstrate sufficient reading skills on the first
28 screening or assessment of the school year;

29 (B) providing methods to monitor student progress;

30 (C) providing targeted instruction based on student needs as
31 determined by the results of the screening or assessment tool; and

(D) providing additional assistance as determined by the department;

(3) provide training to school district staff related to using the results of the statewide screening or assessment tool and understanding evidence-based reading interventions, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension;

(4) require that districts identify the early education programs attended by students and report to the department the average score on each performance assessment by students in grades kindergarten through three who

(A) attended a state-approved early education program;

(B) attended a Head Start program;

(C) attended a private early education program;

(D) did not attend an early education program;

(5) establish a process that allows the commissioner to waive, upon request, use of the statewide screening or assessment tool required under this subsection by a school district if the school district has adopted an evidence-based reading screening or assessment tool and the screening or assessment tool is approved by the department;

(6) review and approve alternative standardized reading screenings or assessments for use by school districts.

(b) In adopting a statewide screening or assessment tool under (a)(1) of this section, the department shall consider the following factors:

(1) the amount of time needed to administer the screening or assessment, with the intention of minimizing effects on instructional time;

(2) the time frame for reporting screening or assessment results to teachers, administrators, and parents or guardians;

(3) the integration of the screening or assessment with student instruction and department support;

(4) recommendations from a task force, working group, or committee created by law and charged with studying issues related to reading proficiency and

1 reading deficiencies; and

2 (5) whether the screening or assessment is culturally responsive and
3 meets local needs.

4 **Sec. 14.30.765. Reading intervention services and strategies; progression.**

5 (a) Each school district may offer intensive reading intervention services to students in
6 grades kindergarten through three who exhibit a reading deficiency to assist the
7 students in achieving reading proficiency at or above grade level by the end of grade
8 three. The district may provide the intensive reading intervention services in addition
9 to the core reading instruction that is provided to all students in the general education
10 classroom. If the district elects to provide intensive reading intervention services, the
11 services must, to the extent practicable,

12 (1) be provided by a district reading teacher, or paraprofessional under
13 the supervision of a reading teacher, to all students in grades kindergarten through
14 three who are determined to have a reading deficiency based on the statewide
15 screening or assessment tool adopted under AS 14.30.760(a)(1);

16 (2) provide explicit and systematic instruction in phonemic awareness,
17 phonics, vocabulary development, reading fluency, oral language skills, and reading
18 comprehension, as necessary;

19 (3) use evidence-based reading intervention methods that have shown
20 proven results in accelerating student reading achievement within a single school year;

21 (4) include instruction with detailed explanations, extensive
22 opportunities for guided practice, and opportunities for error correction and feedback;

23 (5) incorporate daily targeted small group reading instruction based on
24 student needs, either in person or online;

25 (6) monitor the reading progress of each student's reading skills
26 throughout the school year and adjust instruction according to student needs;

27 (7) be implemented during regular school hours through any available
28 method, including in person or through online delivery by teachers or specialty
29 reading coaches;

30 (8) be implemented outside of regular school hours, as directed in the
31 student's individual reading improvement plan under (b) of this section, for a student

1 who scores at the lowest achievement level on the statewide screening or assessment
2 tool;

3 (9) be reviewed based on a department-approved response to
4 intervention or multi-tiered system support models, addressing additional support and
5 services needed to remedy identified needs; and

6 (10) support reading intervention at home by parents or guardians by
7 offering a list of adult literacy resources and organizations, providing opportunities for
8 parent or guardian participation in training workshops, and encouraging regular parent
9 or guardian-guided home reading activities.

10 (b) In addition to the reading intervention services provided under (a) of this
11 section, a school district shall provide an individual reading improvement plan for
12 each student in grades kindergarten through three who is determined to have a reading
13 deficiency based on the statewide screening or assessment tool. An individual reading
14 improvement plan developed under this section must

15 (1) be implemented not later than 30 days after identification of the
16 reading deficiency;

17 (2) be created by the student's reading teacher in consultation with the
18 school principal, the student's parent or guardian, and other pertinent district staff;

19 (3) describe the evidence-based reading intervention services the
20 student will receive to achieve and demonstrate sufficient reading skills;

21 (4) provide reading intervention services, to the extent practicable,
22 outside of regular school hours for a student who scores at the lowest achievement
23 level on the statewide screening or assessment tool consistent with (a)(8) of this
24 section;

25 (5) include a process for monitoring progress and adjusting the plan
26 based on student needs;

27 (6) provide to the student's parent or guardian at least 10 reading
28 progress updates each school year;

29 (7) be culturally responsive; and

30 (8) support the student reading at home with a parent or guardian by
31 offering a list of adult literacy resources and organizations, providing opportunities for

parent or guardian participation in training workshops, and encouraging regular parent or guardian-guided home reading activities.

(c) If, during the school year, a student in grades kindergarten through three demonstrates a reading deficiency, the district or school shall notify the student's parent or guardian. The initial notification must

(1) be provided to the student's parent or guardian not later than 15 days after identification of the reading deficiency;

(2) state that the district identified the student as having a reading deficiency and that a reading improvement plan will be developed under (b) of this section;

(3) describe current services that the district is providing to the student;

(4) describe the proposed evidence-based reading intervention and supplemental instructional services and supports that the district will provide to the student to improve the identified area of reading deficiency;

(5) explain that the district or school will inform the parent or guardian orally or in writing, as selected by the parent or guardian, of the student's progress toward grade level reading as outlined in the student's individual reading improvement plan;

(6) identify strategies for the parent or guardian to use at home to help the student succeed in reading;

(7) explain that if the student has a reading deficiency at the end of the school year, the parent or guardian may consider delaying the student's progression; and

(8) identify mid-year progression as an option for students who do not progress to the next grade.

(d) If it is determined, based on a screening or assessment administered in the spring, that a student has a reading deficiency, the student's teacher and other pertinent district staff shall notify and attempt to meet with the student's parent or guardian as many times as practicable to explain that the student will not be able to maintain adequate academic progress at the next grade level. School staff shall work with the parent or guardian to schedule a date, time, and place for the meeting, to be held not

1 later than 45 days before the end of the school year. Following that meeting, the parent
2 or guardian shall determine whether the student will progress to the next grade.

3 (e) A student in grade three should demonstrate sufficient reading skills to
4 progress to grade four. A student demonstrates sufficient reading skills to progress to
5 grade four by

6 (1) scoring at grade level or higher on the statewide screening or
7 assessment tool or on the statewide summative assessment;

8 (2) achieving an acceptable score on an alternative standardized
9 reading screening or assessment as determined and approved by the department; or

10 (3) demonstrating mastery of reading standards through a student
11 reading portfolio based on criteria established by the department.

12 (f) If no parent or guardian attends the meeting under (d) of this section, the
13 student will progress to the next grade. The district or school in which the student is
14 enrolled shall immediately provide oral and written notification to the student's parent
15 or guardian explaining that the parent or guardian may reschedule the meeting
16 provided under (d) of this section. At a rescheduled meeting, the parent or guardian
17 may decide to progress or retain the student.

18 (g) For a student who does not progress to the next grade, the district in which
19 the student is enrolled shall

20 (1) review the student's individual reading improvement plan;

21 (2) provide intensive reading intervention services to improve the area
22 of reading deficiency using effective instructional strategies to accelerate student
23 progress;

24 (3) provide additional services and support to improve the student's
25 identified area of reading deficiency, including

26 (A) a transitional instructional setting that is designed to
27 produce learning gains;

28 (B) supplemental tutoring offered by a person with specialized
29 reading training;

30 (C) increased time dedicated to the reading instruction methods
31 described in (a)(3) - (5) of this section, including more extensive opportunities

1 for guided practice, and error correction and feedback;

2 (4) develop a plan for reading at home outlined in an agreement with
3 the student's parent or guardian, including parent or guardian participation in training
4 workshops and regular parent or guardian-guided home reading activities;

5 (5) upon request by the student's parent or guardian, develop a plan for
6 the student's mid-year progression.

7 (h) A district shall, for the remainder of the academic year, and, if necessary,
8 for additional school years, continue to implement an individual reading improvement
9 plan for a student promoted mid-year under (g)(5) of this section.

10 (i) In this section, "reading teacher" means a teacher who

11 (1) holds a valid teacher certificate under AS 14.20;

12 (2) has demonstrated effectiveness in instructing students to read at or
13 above grade level as measured by student reading performance data and in teacher
14 performance evaluations; and

15 (3) meets the requirements established by the state Board of Education
16 and Early Development in regulation.

17 **Sec. 14.30.770. Department reading program.** (a) The department shall
18 establish a reading program to provide direct support for and intervention in intensive
19 reading intervention services in the lowest-performing schools serving students in
20 grades kindergarten through three as determined under AS 14.03.123. A school may
21 opt out of the reading program. If a school opts out of the reading program, the next
22 lowest-performing school may participate in the program. State funding provided to
23 participating schools for implementation of the reading program is in addition to the
24 amount of funding provided under AS 14.17. In conducting the program, the
25 department shall

26 (1) use the accountability system established in AS 14.03.123 to
27 identify low-performing schools;

28 (2) provide the program to the 10 lowest-performing schools that have
29 not opted out;

30 (3) employ and assign a reading specialist for a period of not less than
31 one year, or until every student requiring intervention has progressed beyond the

1 student's individual reading plan, for each participating school to direct the
2 implementation of the intensive reading intervention services provided under
3 AS 14.30.765 by

4 (A) working directly with teachers and students to implement
5 individual reading plans;

6 (B) modeling effective instructional strategies for teachers by
7 working regularly with students as a class, in small groups, or individually;

8 (C) coaching and mentoring teachers and staff in reading
9 instruction with an emphasis on prioritizing time in a manner that has the
10 greatest positive effects on student achievement;

11 (D) training teachers in data analysis and using data to
12 differentiate instruction;

13 (E) leading and supporting reading leadership teams; and

14 (F) reporting on school and student performance to the
15 department;

16 (4) employ and assign an additional reading intervention specialist at a
17 school for every four classes in which at least 25 percent of students require reading
18 intervention services;

19 (5) establish a reporting process for each reading specialist to submit
20 updates to the department on implementation of the program;

21 (6) work with reading specialists to create specific improvement goals
22 for each participating school, including measures of interim progress;

23 (7) select and purchase additional optional reading material for each
24 participating school to supplement the intensive reading intervention services;

25 (8) pay travel and associated costs for a reading specialist to attend
26 relevant training sessions identified by or hosted by the department;

27 (9) periodically review staff development programs for their
28 effectiveness in developing reading skills and, after consultation with school districts
29 and experts, recommend to the board for approval staff development programs that

30 (A) have been proven to assess and accelerate student progress
31 toward reaching reading competency;

(B) provide explicit and systematic skill development in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension;

(C) are evidence-based and reliable;

(D) provide initial and ongoing analysis of student progress toward reaching reading competency; and

(E) include texts on core academic content to assist students in maintaining or meeting grade-appropriate proficiency in academic subjects in addition to reading;

(10) annually convene, either in person or electronically, a panel to review and provide commentary on the effectiveness of the reading intervention services provided under AS 14.30.760 - 14.30.785; the panel must include teachers of grades kindergarten through three, school administrators, and parents of students in grades kindergarten through three, who collectively represent the regions of the state and include stakeholders from indigenous language immersion programs, representatives from early education stakeholder groups, and researchers of best practices for improving literacy performance of indigenous students and students whose first language is not English.

(b) A school participating in the reading program established under this section shall

(1) ensure that a reading specialist assigned to the school is not required to perform functions that divert from the duties the department has assigned to the reading specialist;

(2) coordinate with the reading specialist or specialists to redesign the school's daily schedule to dedicate time to reading program activities, including intensive reading intervention services identified in a written agreement between the school and the department;

(3) present on the reading program established under this section and the intensive reading intervention services provided under AS 14.30.765 at a public meeting; the presentation must include

(A) the data the department used to identify the school as

1 eligible for the reading program;

2 (B) a detailed overview of the reading program and intensive
3 reading intervention services;

4 (C) a timeline for implementing the intensive reading
5 intervention services and meeting reading improvement goals; and

6 (D) the implications of the program for students, families, and
7 educators;

8 (4) provide notice of the public meeting required under (3) of this
9 subsection to the parent or guardian of each student at least seven days before the date
10 of the meeting;

11 (5) present an annual update on the school's implementation of the
12 reading program and intensive reading intervention services at a public meeting with
13 notice provided to the parent or guardian of each student at least seven days before the
14 date of the meeting;

15 (6) create partnerships between the school, the families of students,
16 and the community that focus on promoting reading and increasing the amount of time
17 that students spend reading.

18 (c) The department shall publish on the department's Internet website and
19 make available to the public the reading program and intensive reading intervention
20 services implemented by each participating school.

21 (d) The department may employ a person as a reading specialist under this
22 section if the person

23 (1) holds a valid teacher certificate issued under AS 14.20;

24 (2) has completed an approved graduate program for the preparation of
25 reading specialists at an approved institution of higher education and

26 (A) has completed a supervised practicum or internship as a
27 reading specialist; or

28 (B) has at least three years of full-time, demonstrated
29 classroom teaching experience where reading instruction was a primary
30 responsibility;

31 (3) is knowledgeable about and demonstrates competency in reading

1 instruction, including

2 (A) an understanding of phonemic awareness, phonics,
3 vocabulary development, reading fluency, oral language skills, and reading
4 comprehension;

5 (B) knowledge of and experience in implementing effective
6 reading instruction strategies and intervention methods;

7 (C) experience in designing and implementing a school-wide
8 response to intervention program or multi-tiered system support model;

9 (D) an understanding of and experience in reading screenings
10 or assessments and data analyses that inform instruction;

11 (E) knowledge of dyslexia and other learning disorders that
12 affect reading achievement;

13 (F) knowledge of and an ability to effectively articulate the
14 methods, issues, and resources involved in support of student instruction to a
15 wide variety of audiences, including staff, parents, and students whose primary
16 language is other than English; and

17 (4) meets other reading instruction coursework requirements
18 established by the department in regulation.

19 **Sec. 14.30.775. Support for reading improvement plans.** The state shall
20 provide to a school district, for each student in grades kindergarten through three who
21 is determined to have a reading deficiency based on an approved screening or
22 assessment tool, \$1,000 to provide the support, intervention, and services the student
23 needs for the student's reading improvement plan, including teacher and
24 paraprofessional career development.

25 **Sec. 14.30.780. Nonapplication.** The provisions of AS 14.30.760 - 14.30.785
26 do not apply to an Alaska Native language immersion program offered by a district or
27 school or a student participating in an Alaska Native language immersion program;
28 however, the department may adopt regulations and collaborate with Alaska Native
29 language immersion programs to assist development of program strategies to improve
30 reading proficiency for students in grades kindergarten through three. In this section,
31 "Alaska Native language immersion program" means an educational program that is

1 taught in an Alaska Native language for at least four hours each school day.

2 **Sec. 14.30.785. Definitions.** In AS 14.30.760 - 14.30.785,

3 (1) "district" has the meaning given in AS 14.17.990;

4 (2) "evidence-based reading intervention" means an intervention based
5 on reliable, trustworthy, and valid evidence that has a demonstrated record of success
6 in adequately increasing a student's reading competency in the areas of phonemic
7 awareness, phonics, vocabulary development, reading fluency, oral language skills,
8 and reading comprehension;

9 (3) "parent" or "guardian" includes a natural, adoptive, and foster
10 parent, stepparent, legal guardian, relative, and other adult person with whom a
11 student has resided and who has acted as a parent in providing for the student or has
12 been responsible for the student's welfare for a continuous period.

13 * **Sec. 24.** AS 14.30 is amended by adding a new section to read:

14 **Article 16. Virtual Education.**

15 **Sec. 14.30.800. Virtual education library.** (a) The department shall, in
16 cooperation with school districts, establish a virtual education library for the purpose
17 of making virtual education and professional development resources available to
18 students and teachers in the state. The department shall establish standards for library
19 resources. The department shall establish and maintain a library created by teachers,
20 educators, education professionals, and school districts, the University of Alaska, and
21 other education resources, including virtual education courses for students, training in
22 virtual instruction for teachers, and professional development courses for teachers of
23 students throughout the state if the coursework curriculum meets the state standards
24 established by the department. The library database must be accessible to all school
25 districts, teachers, and recognized correspondence programs in the state.

26 (b) For teachers delivering or facilitating virtual coursework to students
27 through the library database, the department shall provide training and professional
28 development on virtual instruction methods and the differences between virtual
29 instruction and instruction offered in a classroom.

30 (c) The department shall make reading specialists available to school districts
31 to provide virtual intensive reading intervention services. The duties of a reading

specialist include

(1) modeling effective instructional strategies for teachers by working regularly with students as a class, in small groups, or individually;

(2) coaching and mentoring teachers and staff in reading instruction with an emphasis on prioritizing time in a manner that has the greatest positive effects on student achievement;

(3) training teachers in data analysis and using data to differentiate instruction;

(4) leading and supporting reading leadership teams consisting of school staff who volunteer to participate; and

(5) reporting on school and student performance to the department.

(d) A school district that provides a course included in the library database may charge a fee to the school district in which a student who takes the course is enrolled. The department shall establish the fee in regulation.

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

* Sec. 25. AS 14.60.010 is amended by adding a new paragraph to read:

(9) "culturally responsive" means showing respect for and recognition of the traditions, beliefs, languages, values, and practices of the local culture that has historically been present in the geographic area being served.

* Sec. 26. AS 47.17.290(12) is amended to read:

(12) "organization" means a group or entity that provides care and supervision for compensation to a child not related to the caregiver, and includes a child care facility, pre-elementary school, early education program, head start center, child foster home, residential child care facility, recreation program, children's camp, and children's club;

* Sec. 27. The uncodified law of the State of Alaska is amended by adding a new section to read:

VIRTUAL EDUCATION AVAILABILITY DEADLINE. The Department of Education and Early Development shall make available virtual education courses and

professional development resources under AS 14.30.800, added by sec. 24 of this Act, on or before July 1, 2024.

* Sec. 28. The uncoded law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. AS 14.20.020(l), added by sec. 21 of this Act, applies,

(1) on the effective date of sec. 21 of this Act, to teachers who begin teaching students in grades kindergarten through three on and after the effective date of sec. 21 of this Act;

(2) on July 1, 2024, to teachers who began teaching students in grades kindergarten through three before the effective date of sec. 21 of this Act.

* Sec. 29. The uncoded law of the State of Alaska is amended by adding a new section to read:

REPORT TO THE LEGISLATURE. Not later than the thirtieth day of the First Regular Session of the Thirty-Eighth Alaska State Legislature, the Department of Education and Early Development shall prepare and present to the legislative committees having jurisdiction over education a report evaluating the virtual education library established under AS 14.30.800 and the following programs established under this Act: the early education program, the parents as teachers program, the reading intervention services, and the department reading program. The report must include

(1) data analysis conducted by an independent contractor evaluating the success of each program, including

(A) statistics measuring the effectiveness of each program in accomplishing the program mission;

(B) the cost-effectiveness of each program;

(C) trends in reading assessment scores by each group of students listed in AS 14.30.760(a)(4) as the students progress through grade eight;

(2) recommendations from the panels convened under AS 14.30.770(a)(10); and

(3) recommendations from the Department of Education and Early Development addressing whether to extend, expand, contract, or repeal each program.

* Sec. 30. The uncoded law of the State of Alaska is amended by adding a new section to

1 read:

2 TRANSITION. The number of district-wide early education programs that the
3 department approves under AS 14.03.410 in the fiscal year beginning July 1, 2022, may not
4 result in more than \$3,000,000 of total state aid attributable to early education programs. In
5 the fiscal year beginning July 1, 2023, the number of district-wide early education programs
6 that the department approves may not result in an increase from the prior fiscal year of more
7 than \$3,000,000 of total state aid attributable to early education programs.

8 * Sec. 31. The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 TRANSITION: REGULATIONS. The Department of Education and Early
11 Development and the state Board of Education and Early Development may adopt regulations
12 necessary to implement the changes made by this Act. The regulations take effect under
13 AS 44.62 (Administrative Procedure Act), but a regulation may not take effect before the
14 effective date of the relevant provision of this Act implemented by the regulation.

15 * Sec. 32. This Act takes effect July 1, 2022.