

**HOUSE BILL NO. 165**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON WAYS AND MEANS

Introduced: 4/19/23

Referred: House Special Committee on Ways and Means, Education, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to charter schools; relating to correspondence study programs; and**  
2   **providing for an effective date."**

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

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

5           **Sec. 14.03.251. Charter schools established by the board.** (a) The board may  
6           establish a charter school in a school district under procedures established by the board  
7           in regulation. The procedures must include provisions for establishment of an  
8           academic policy committee consisting of parents of students attending the school,  
9           teachers, and school employees.

10           (b) A local school board shall operate a charter school established by the  
11           board under this section as provided in AS 14.03.255 - 14.03.290.

12    \* **Sec. 2.** AS 14.03.310(a) is amended to read:

13           (a) Except as provided in (e) of this section, the department or a district that  
14           provides a correspondence study program shall [MAY] provide an annual student

allotment to a parent or guardian of a student enrolled in the correspondence study program for the purpose of meeting instructional expenses for the student enrolled in the program as provided in this section.

\* **Sec. 3.** AS 14.03.310 is amended by adding new subsections to read:

(f) If a student enrolled in a correspondence study program is not a correspondence intensive student, the annual student allotment is equal to the amount calculated by

(1) multiplying the number obtained for the correspondence program under AS 14.17.430(a)(1) by the base student allocation set out in AS 14.17.470; and

(2) dividing the number obtained under (1) of this subsection by the ADM of the correspondence study program.

(g) If a student enrolled in a correspondence study program is a correspondence intensive student, the annual student allotment is equal to the amount calculated by multiplying the number obtained for the correspondence program under (f) of this section by 11.

(h) In this section, "correspondence intensive student" has the meaning given in AS 14.17.430(b).

\* **Sec. 4.** AS 14.07.020(a), as amended by sec. 15, ch. 40, SLA 2022, is amended to read:

(a) The department shall

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

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

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

(4) prescribe by regulation a minimum course of study for the public schools; the regulations must provide that, if a course in American Sign Language is

1 given, the course shall be given credit as a course in a foreign language;

2 (5) establish, in coordination with the Department of Health and Social  
3 Services, a program for the continuing education of children who are held in juvenile  
4 detention facilities or juvenile treatment facilities, as those terms are defined in  
5 AS 47.12.990, in the state during the period of detention or treatment;

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

12 (7) prescribe by regulation, after consultation with the state fire  
13 marshal and the state sanitarian, standards that will ensure healthful and safe  
14 conditions in the public and private schools of the state, including a requirement of  
15 physical examinations and immunizations in pre-elementary schools; the standards for  
16 private schools may not be more stringent than those for public schools;

17 (8) exercise general supervision over early education programs that  
18 receive direct state or federal funding, including early education programs provided by  
19 a school district for students four and five years of age, approve an early education  
20 program provided by a school district that complies with the standards adopted by the  
21 board under AS 14.07.165(a)(5), and revoke approval of an early education program if  
22 the program does not comply with the standards adopted by the board under  
23 AS 14.07.165(a)(5);

24 (9) exercise general supervision over elementary and secondary  
25 correspondence study programs offered by municipal school districts or regional  
26 educational attendance areas; [THE DEPARTMENT MAY ALSO OFFER AND  
27 MAKE AVAILABLE TO ANY ALASKAN THROUGH A CENTRALIZED  
28 OFFICE A CORRESPONDENCE STUDY PROGRAM;]

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

1 licensed;

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

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

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

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

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

20 (16) establish by regulation criteria, based on low student performance,  
21 under which the department may intervene in a school district to improve instructional  
22 practices, as described in AS 14.07.030(a)(14) or (15); the regulations must include

23 (A) a notice provision that alerts the district to the deficiencies  
24 and the instructional practice changes proposed by the department;

25 (B) an end date for departmental intervention, as described in  
26 AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three  
27 consecutive years of improvement consisting of not less than two percent  
28 increases in student proficiency on standards-based assessments in language  
29 arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and

30 (C) a process for districts to petition the department for  
31 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 programs of participating schools as described in AS 14.30.765 and 14.30.770;

(19) annually convene, either in person or electronically, a panel to review and comment on the effectiveness of the programs created by the department and the regulations adopted by the board to implement AS 14.03.410, 14.03.420, AS 14.30.760 - 14.30.770, and 14.30.800; the panel

(A) shall provide recommendations and guidance to the board, the department, and the legislature on how to integrate early education and reading programs created under this title with tribal compacting or programs focused on cultural education within the department;

(B) shall discuss support for reading in Alaska Native languages and other non-English languages;

(C) must collectively represent the regions of the state and include teachers of grades kindergarten through three, school administrators, parents of students in grades kindergarten through three, stakeholders from indigenous language immersion programs, representatives from early education stakeholder groups, and researchers of best practices for improving literacy performance, including best practices for instruction of indigenous students and students whose first language is not English;

**(20) offer and make available to any Alaskan through a centralized office a correspondence study program if required to do so by the board.**

\* **Sec. 5.** AS 14.07.020(a), as amended by sec. 16, ch. 40, SLA 2022, is amended to read:

(a) The department shall

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

(2) study the conditions and needs of the public schools of the state,

1 adopt or recommend plans, administer and evaluate grants to improve school  
2 performance awarded under AS 14.03.125, and adopt regulations for the improvement  
3 of the public schools; the department may consult with the University of Alaska to  
4 develop secondary education requirements to improve student achievement in college  
5 preparatory courses;

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

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

11 (5) establish, in coordination with the Department of Health and Social  
12 Services, a program for the continuing education of children who are held in juvenile  
13 detention facilities or juvenile treatment facilities, as those terms are defined in  
14 AS 47.12.990, in the state during the period of detention or treatment;

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

21 (7) prescribe by regulation, after consultation with the state fire  
22 marshal and the state sanitarian, standards that will ensure healthful and safe  
23 conditions in the public and private schools of the state, including a requirement of  
24 physical examinations and immunizations in pre-elementary schools; the standards for  
25 private schools may not be more stringent than those for public schools;

26 (8) exercise general supervision over early education programs that  
27 receive direct state or federal funding, including early education programs provided by  
28 a school district for students four and five years of age;

29 (9) exercise general supervision over elementary and secondary  
30 correspondence study programs offered by municipal school districts or regional  
31 educational attendance areas; [THE DEPARTMENT MAY ALSO OFFER AND

1 MAKE AVAILABLE TO ANY ALASKAN THROUGH A CENTRALIZED  
2 OFFICE A CORRESPONDENCE STUDY PROGRAM;]

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

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

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

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

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

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

25 (16) establish by regulation criteria, based on low student performance,  
26 under which the department may intervene in a school district to improve instructional  
27 practices, as described in AS 14.07.030(a)(14) or (15); the regulations must include

28 (A) a notice provision that alerts the district to the deficiencies  
29 and the instructional practice changes proposed by the department;

30 (B) an end date for departmental intervention, as described in  
31 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) offer and make available to any Alaskan through a centralized office a correspondence study program if required to do so by the board.**

\* **Sec. 6.** AS 14.07.165(a), as amended by sec. 21, ch. 40, SLA 2022, 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 complete 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;

**(7) regulations regarding establishment of charter schools by the board.**

\* **Sec. 7.** AS 14.17.430 is amended to read:

**Sec. 14.17.430. State funding for correspondence study.** Except as provided in AS 14.17.400(b), funding for the state centralized correspondence study program or a district correspondence program, including a district that offers a statewide correspondence study program, includes an allocation from the public education fund in an amount calculated by

**(1) multiplying the ADM of the correspondence program by 150 [90] percent;**

**(2) multiplying the correspondence intensive student count by 11;**  
**and**

**(3) adding the number obtained under (1) of this section to the number obtained under (2) of this section.**

\* **Sec. 8.** AS 14.17.430 is amended by adding a new subsection to read:

(b) In this section,

1                   (1) "correspondence intensive student" means a special education  
2           student who

3                               (A) needs and receives intensive services; and

4                               (B) is enrolled in the state centralized correspondence study  
5           program or a district correspondence program, including a district that offers a  
6           statewide correspondence study program, on the last day of the student count  
7           period as described in AS 14.17.600;

8                   (2) "intensive services" has the meaning given in AS 14.17.420(c).

9       \* **Sec. 9.** Section 6 of this Act takes effect on the effective date of sec. 16, ch. 40, SLA  
10   2022.

11   \* **Sec. 10.** Except as provided in sec. 9 of this Act, this Act takes effect July 1, 2023.