

CS FOR SENATE BILL NO. 133(HES) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Amended: 3/28/01

Offered: 3/20/01

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a two-year transition for implementation of the public high school**
2 **competency examination and to establishing a secondary student competency**
3 **examination as a high school graduation requirement; and providing for an effective**
4 **date."**

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

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

8 INTENT. It is the intent of this Act

9 (1) to encourage schools and school districts to develop and promote
10 endorsements and awards that document high levels of academic, artistic, or vocational
11 achievement on the part of graduating students;

12 (2) to implement testing procedures that are reasonable, fair, and in the best
13 interest of students who are being tested; and

14 (3) that the secondary school student competency examination focus on skills

1 in the areas of reading, English, and mathematics that the general community would expect a
2 student to have or know in order to function in our society.

3 * **Sec. 2.** AS 14.03.075, added by sec. 1, ch. 58, SLA 1997, is amended to read:

4 **Sec. 14.03.075. Secondary student [PUPIL] competency examination**
5 **[TESTING].** (a) A **student** [PUPIL] may not be issued a secondary school diploma
6 unless the **student** [PUPIL] passes a **high school student** competency examination in
7 the areas of reading, English, and mathematics **or receives a waiver from the**
8 **governing body. A governing body may not grant a waiver to a student before**
9 **the student's final semester of attendance.** The department shall determine the form
10 and contents of the examination and shall score completed examinations. [A PUPIL
11 WHO FAILS TO PASS THE EXAMINATION REQUIRED UNDER THIS
12 SUBSECTION AND WHO IS NO LONGER IN ATTENDANCE SHALL RECEIVE
13 A CERTIFICATE OF ATTENDANCE FROM THE SCHOOL DISTRICT
14 INDICATING THE YEARS OF ATTENDANCE AND THAT THE PUPIL HAS
15 NOT PASSED A COMPETENCY EXAMINATION OR RECEIVED A DIPLOMA.]

16 (b) A **student** [PUPIL] who fails the examination required under this section
17 may be reexamined **under procedures established by the department.** A
18 reexamination may not be offered more often than once every three months [AND
19 MUST OCCUR WITHIN THREE YEARS AFTER THE DATE THE PUPIL IS NO
20 LONGER IN ATTENDANCE. A PUPIL WHO PASSES THE REEXAMINATION
21 AND WHO MEETS ANY OTHER GRADUATION REQUIREMENTS SHALL
22 RECEIVE A DIPLOMA FROM THE SCHOOL DISTRICT].

23 * **Sec. 3.** AS 14.03.075, added by sec. 1, ch. 58, SLA 1997, is amended by adding new
24 subsections to read:

25 (c) A student shall receive an endorsement on the student's diploma and
26 transcript identifying the areas of the examination successfully passed.

27 (d) A student who is a child with a disability and who does not achieve a
28 passing score on the examination required under (a) of this section is eligible to
29 receive a diploma if the student

30 (1) successfully completes an alternative assessment program required
31 by the student's individualized education program or required in the education plan

1 developed for the student under 29 U.S.C. 794; and

2 (2) meets other requirements for graduation imposed by the board.

3 (e) The department shall by regulation establish

4 (1) uniform standards for

5 (A) pre-examination study materials;

6 (B) procedures to be followed during administration of an
7 examination;

8 (C) awarding a waiver under (a) of this section; and

9 (2) procedures for recording examination results on a student's
10 transcripts.

11 (f) In this section,

12 (1) "child with a disability" has the meaning given "children with
13 disabilities" in AS 14.30.350;

14 (2) "individualized education program" means a program described
15 under AS 14.30.278.

16 * **Sec. 4.** AS 14.03.120(d) is amended to read:

17 (d) Annually, before the date set by the district under (e) of this section, each
18 public school shall provide, in a public meeting of parents, students, and community
19 members, a report on the school's performance and the performance of the school's
20 students. The report shall be prepared on a form prescribed by the department and
21 must include

22 (1) information on accreditation;

23 (2) results of norm-referenced achievement tests;

24 (3) results of state standards-based assessments in reading, writing, and
25 mathematics;

26 (4) a description, including quantitative and qualitative measures, of
27 student, parent, community, and business involvement in student learning;

28 (5) a description of the school's attendance, retention, dropout, and
29 graduation rates, **including the number of students who received a diploma under**
30 **a waiver from the competency examination required under AS 14.03.075(a)**, as
31 specified by the state board;

1 (6) the annual percent of enrollment change, regardless of reason, and
 2 the annual percent of enrollment change due to student transfers into and out of the
 3 school district; and

4 (7) if Native language education is provided, a summary and
 5 evaluation of the curriculum described in AS 14.30.420.

6 * **Sec. 5.** AS 14.07.165 is amended to read:

7 **Sec. 14.07.165. Duties.** The board shall adopt

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

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

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

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

15 (5) regulations implementing the secondary school student
 16 competency examination provisions of AS 14.03.075, including the criteria and
 17 procedure under which a governing body uses a waiver to grant a diploma to a
 18 student; criteria regarding granting a waiver must include provisions requiring
 19 that a student satisfy the performance standards developed under
 20 AS 14.07.020(b) to the maximum extent possible.

21 * **Sec. 6.** Section 3, ch. 58, SLA 1997, is amended to read:

22 Sec. 3. This Act takes effect **February 1, 2004** [JANUARY 1, 2002].

23 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
 24 read:

25 **APPLICABILITY.** The academic standards and requirements required by
 26 AS 14.03.075, as amended by secs. 2 and 3 of this Act, apply to students who graduate on or
 27 after February 1, 2004.

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

30 **TRANSITION: ACADEMIC STANDARDS FOR PUBLIC HIGH SCHOOL**
 31 **GRADUATION.** (a) Beginning February 1, 2002, and ending January 31, 2004, before

1 graduating from public high school, each student is required to

2 (1) take a competency examination or an alternative assessment approved by
3 the student's individualized education program in the areas of reading, English, and
4 mathematics; and

5 (2) meet academic requirements established by the state and the school board
6 of the borough or city school district or regional educational attendance area in which the
7 student is enrolled.

8 (b) The Department of Education and Early Development shall determine the form
9 and contents of the competency examination and shall score completed examinations.

10 (c) A student shall receive an endorsement on the student's diploma and transcript
11 identifying the areas of the examination successfully passed.

12 (d) In this section, "individualized education program" means a program described
13 under AS 14.30.278.

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

16 TRANSITION: REGULATIONS. The Department of Education and Early
17 Development may immediately proceed to adopt regulations necessary to implement the
18 changes made by this Act, including the adoption of uniform standards for awarding an
19 endorsement required under sec. 8(c) of this Act. The regulations take effect under AS 44.62
20 (Administrative Procedure Act), but not before the effective date of the applicable statutory
21 change.

22 * **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to
23 read:

24 REPORT. The Department of Education and Early Development shall, by
25 February 15, 2002, deliver a report to the Alaska State Legislature that describes the proposed
26 criteria and procedure under which a school district could use a waiver to grant a diploma to a
27 student and that recommends statutory changes to the competency examination waiver
28 requirements that the department determines are necessary to maintain the school
29 accountability provisions of AS 14.03.123.

30 * **Sec. 11.** Sections 2 - 5 of this Act take effect February 1, 2004.

31 * **Sec. 12.** Sections 6 and 9 of this Act take effect immediately under AS 01.10.070(c).

1 * **Sec. 13.** Except as provided in secs. 11 and 12 of this Act, this Act takes effect
2 February 1, 2002.