

HOUSE CS FOR CS FOR SENATE BILL NO. 133(EDU)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON EDUCATION

Offered: 4/5/01

Referred: Health, Education and Social Services, Finance

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; relating to certain reports**
4 **regarding academic performance of schools; and providing for an effective 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 PURPOSE AND INTENT. (a) As part of the state's quality schools initiative, the
9 purpose of this Act is to maximize the opportunity for the success of all public school students
10 by (1) continuing to measure student performance through appropriate testing based on
11 specific standards; (2) allowing the Department of Education and Early Development to
12 continue to develop and perfect the competency examination to allow measurement of
13 minimum competency and to perfect the testing method; (3) ensuring that school districts and
14 families receive performance data from standards-based assessments of students; and (4)

1 encouraging schools and school districts to develop and promote endorsements and awards
 2 that document high levels of academic, artistic, and vocational achievement by graduating
 3 students. The performance data is to be used to better determine appropriate academic
 4 intervention and support for students.

5 (b) The purpose of the change of date made by sec. 7 of this Act is to

6 (1) allow for specific high standards to be set and maintained for public
 7 schools in the state; and

8 (2) ensure maximum opportunity for all students to learn and for school
 9 districts to improve.

10 (c) It is the intent of sec. 2 of this Act to establish a secondary student competency
 11 examination that focuses on the minimum competencies in the areas of reading, English, and
 12 mathematics that a student should have to know in order to function in our society.

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

14 **Sec. 14.03.075. Secondary student [PUPIL] competency testing.** (a) A
 15 **student** [PUPIL] may not be issued a secondary school diploma unless the **student**
 16 [PUPIL] passes a competency examination in the areas of reading, English, and
 17 mathematics **or receives a waiver from the governing body. A governing body**
 18 **may not grant a waiver to a student before the student's final semester of**
 19 **attendance.** The department shall determine the form and contents of the examination
 20 and shall score completed examinations. [A PUPIL WHO FAILS TO PASS THE
 21 EXAMINATION REQUIRED UNDER THIS SUBSECTION AND WHO IS NO
 22 LONGER IN ATTENDANCE SHALL RECEIVE A CERTIFICATE OF
 23 ATTENDANCE FROM THE SCHOOL DISTRICT INDICATING THE YEARS OF
 24 ATTENDANCE AND THAT THE PUPIL HAS NOT PASSED A COMPETENCY
 25 EXAMINATION OR RECEIVED A DIPLOMA.]

26 (b) A **student** [PUPIL] who fails the examination required under this section
 27 **shall be retested at least once during a school year on those portions of the**
 28 **examination that the student has not passed. A student who passes any portion**
 29 **of the test may not retake that portion of the test** [MAY BE REEXAMINED. A
 30 REEXAMINATION MAY NOT BE OFFERED MORE OFTEN THAN ONCE
 31 EVERY THREE MONTHS AND MUST OCCUR WITHIN THREE YEARS AFTER

1 THE DATE THE PUPIL IS NO LONGER IN ATTENDANCE]. A **student** [PUPIL]
 2 who, **when retested**, passes the **portions of the test not previously passed**
 3 [REEXAMINATION] and who meets any other graduation requirements shall receive
 4 a diploma from the school district. **This subsection does not apply to a student who**
 5 **is a child with a disability if the student's individualized education program team**
 6 **recommends that the student not be retested.**

7 * **Sec. 3.** AS 14.03.075, enacted by sec. 1, ch. 58, SLA 1997, is amended by adding new
 8 subsections to read:

9 (c) Notwithstanding (a) of this section,

10 (1) a child with a disability who is receiving educational services
 11 through an individualized educational program under AS 14.30.278 may qualify for
 12 the issuance of a secondary school diploma by

13 (A) passing all portions of the examination described under (a)
 14 of this section;

15 (B) passing all portions of the examination described under (a)
 16 of this section with the accommodations approved by the student's
 17 individualized education program team; or

18 (C) demonstrating, through a portfolio of work, mastery of
 19 state performance standards established by the board; and

20 (2) a student who transfers into a public high school in this state shall
 21 receive a diploma if the student

22 (A) meets graduation requirements imposed by the governing
 23 body and the state; and

24 (B) has passed a competency examination in the state from
 25 which the student transferred.

26 (d) A student who fails to qualify for the issuance of a diploma under (a) of
 27 this section or a retest under (b) of this section by the end of the student's final
 28 semester of attendance, but who has met all other graduation requirements of a
 29 governing body and the state, shall be awarded a certificate of achievement. A
 30 certificate of achievement may include the following information:

31 (1) the portions of the examination described under (a) of this section

1 that were passed;

2 (2) the student's attendance record; and

3 (3) other information indicating the qualifications of the student that
4 the governing body determines appropriate.

5 (e) The department shall by regulation establish uniform standards for

6 (1) pre-examination study materials; and

7 (2) procedures to be followed during administration of an examination.

8 (f) In this section,

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

11 (2) "individualized education program team" has the meaning given in
12 AS 14.30.350.

13 * **Sec. 4.** AS 14.03 is amended by adding a new section to read:

14 **Sec. 14.03.078. Report.** The department shall provide to the legislature by
15 January 15 of each year an annual report regarding the progress of each school and
16 school district toward high academic performance by all students. The report required
17 under this section must include

18 (1) information described under AS 14.03.120(d);

19 (2) the number and percentage of students in each school who pass the
20 examination required under AS 14.03.075, and the number who pass each section of
21 the examination;

22 (3) progress of the department

23 (A) toward implementing the school accountability provisions
24 of AS 14.03.123; and

25 (B) in assisting high schools to become accredited;

26 (4) a description of the resources provided to each school and school
27 district for coordinated school improvement activities and staff training in each school
28 and school district;

29 (5) each school district's and each school's progress in aligning
30 curriculum with state education performance standards;

31 (6) a description of the efforts by the department to assist a public

1 school that receives a designation of deficient or in crisis;

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

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

6 (9) the number of teachers by district and by school who are teaching
7 outside the teacher's area of endorsement but in areas tested by the high school
8 competency examination.

9 * **Sec. 5.** AS 14.03.120(d) is amended to read:

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

15 (1) information on accreditation;

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

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

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

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

25 (6) the annual percent of enrollment change, regardless of reason, and
26 the annual percent of enrollment change due to student transfers into and out of the
27 school district; and

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

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

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

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

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

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

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

8 **(5) regulations implementing the secondary school student**
9 **competency examination provisions of AS 14.03.075, including the criteria and**
10 **procedure under which a governing body uses a waiver to grant a diploma to a**
11 **student; criteria regarding granting a waiver must include provisions that a**
12 **waiver may only be granted for students who enter the system late or have rare**
13 **or unusual circumstances meriting a waiver and must require that a student**
14 **satisfy the performance standards developed under AS 14.07.020(b) to the**
15 **maximum extent possible.**

16 * **Sec. 7.** Section 3, ch. 58, SLA 1997, is amended to read:

17 Sec. 3. Section 1 of this Act takes effect **February 1, 2004** [JANUARY 1,
18 2002].

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

21 INTERIM STUDENT COMPETENCY TESTING. (a) Beginning February 1, 2002,
22 and ending January 31, 2004, and as directed by the state Board of Education and Early
23 Development, the governing body of each school district in the state shall give the
24 competency examination described in sec. 1, ch. 58, SLA 1997, at least twice each school
25 year. The results of the examination of a student under this section shall be reflected (1) in
26 that student's transcript in a manner that indicates which sections of the examination were
27 passed; and (2) as endorsements on the student's diploma that reflect the sections of the
28 examination that were passed, as directed by the state Board of Education and Early
29 Development.

30 (b) A student shall be retested at least once during a school year on those portions of
31 the competency examination described in sec. 1, ch. 58, SLA 1997, that the student has not

1 passed. This subsection does not apply to a student who is a child with a disability if the
 2 student's individualized education program team recommends that the student not be retested.
 3 In this subsection,

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

6 (2) "individualized education program team" has the meaning given in
 7 AS 14.30.350.

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

10 **REQUIRED REPORT.** The Department of Education and Early Development shall,
 11 by January 14, 2002, report back to the Alaska State Legislature with recommendations for

12 (1) a competency examination waiver process for students who enter the
 13 school system late and for other students with rare or unusual circumstances that merit a
 14 waiver;

15 (2) an appeals process for a student who is denied a high school diploma;

16 (3) establishing a process that allows issuance of a high school diploma to a
 17 child with a disability based on a portfolio of work, as described under
 18 AS 14.03.075(c)(1)(C), enacted in sec. 3 of this Act; and

19 (4) evaluating the process described under (3) of this section.

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

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

28 * **Sec. 11.** Section 3 of this Act takes effect on the effective date of sec. 1, ch. 58, SLA
 29 1997, as amended by this Act.

30 * **Sec. 12.** Except as provided in sec. 11 of this Act, this Act takes effect immediately under
 31 AS 01.10.070(c).