

**HOUSE BILL NO. 365**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES CRAWFORD, Gara**

**Introduced: 1/12/04**

**Referred: House Special Committee on Education, Health, Education and Social Services**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to secondary school competency examinations, graduation**  
2 **requirements, and diplomas; and providing for an effective date."**

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

4 **\* Section 1.** AS 14.03.075(a) is repealed and reenacted to read:

5 (a) A school district shall implement a secondary school competency  
6 examination in the areas of reading, English, and mathematics for all students. The  
7 department shall determine the form and content of the examination and shall score  
8 completed examinations. The district may require a student to pass all or a portion of  
9 the secondary school competency examination to graduate.

10 **\* Sec. 2.** AS 14.03.075(b) is amended to read:

11 (b) A student who fails the examination required under this section shall be  
12 retested at least once during a school year on those portions of the examination that the  
13 student has not passed. A student who passes any portion of the test may not retake  
14 that portion of the test. [A STUDENT WHO, WHEN RETESTED, PASSES THE

1 PORTIONS OF THE TEST NOT PREVIOUSLY PASSED AND WHO MEETS  
 2 ANY OTHER GRADUATION REQUIREMENTS SHALL RECEIVE A DIPLOMA  
 3 FROM THE SCHOOL DISTRICT.] This subsection does not apply to a student who  
 4 is a child with a disability if the student's individualized education program team  
 5 recommends that the student not be retested.

6 \* **Sec. 3.** AS 14.03.075(c) is repealed and reenacted to read:

7 (c) Notwithstanding (a) of this section, to the extent allowed by federal law,

8 (1) a student who is a child with a disability may complete an  
 9 alternative assessment program if one is required by the student's individualized  
 10 education program or required in the education plan developed for the student under  
 11 29 U.S.C. 794 and if the student

12 (A) does not achieve a proficiency score or above on the  
 13 examination required under (a) of this section, with or without  
 14 accommodation;

15 (B) has a severe cognitive disability as defined by the  
 16 department and has not taken the examination under (a) of this section; or

17 (C) is otherwise found to be ineligible to take the examination  
 18 under (a) of this section by the student's individualized education program  
 19 team; and

20 (2) an alternative assessment program under (1) of this subsection  
 21 must, to the maximum extent possible, conform to state performance standards and  
 22 scores established for the competency examination required under (a) of this section,  
 23 must be approved for the student by the department, and may include adjusted  
 24 proficiency scores on the examination required under (a) of this section.

25 \* **Sec. 4.** AS 14.03.075(d) is repealed and reenacted to read:

26 (d) A district shall record in a student's permanent record an indication of pass  
 27 or fail for each portion of the secondary school competency examination under (a) of  
 28 this section, or the alternative assessment under (c) of this section, that the student  
 29 passes or fails; a district shall record a passing grade if a student receives a proficiency  
 30 score or above. The department shall determine the portion of a student's permanent  
 31 record in which the district must record a student's passing or failing grade under this

1 subsection.

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

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

8 (1) information on accreditation;

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

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

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

14 (5) a description of the school's attendance, retention, dropout, and  
15 graduation rates [], INCLUDING THE NUMBER AND PERCENTAGE OF  
16 STUDENTS WHO RECEIVED A DIPLOMA UNDER A WAIVER FROM THE  
17 COMPETENCY EXAMINATION REQUIRED UNDER AS 14.03.075(a), AS  
18 SPECIFIED BY THE STATE BOARD];

19 (6) the annual percent of enrollment change, regardless of reason, and  
20 the annual percent of enrollment change due to student transfers into and out of the  
21 school district;

22 (7) if Native language education is provided, a summary and  
23 evaluation of the curriculum described in AS 14.30.420; and

24 (8) the number and percentage of students in each school who take and  
25 who successfully complete an alternative assessment program in reading, English, or  
26 mathematics; and the number and percentage of pupils in each school who  
27 successfully complete the alternative assessment program but who do not reach the  
28 state performance standards at the competency exam level in reading, English, or  
29 mathematics; a school may not report results under this paragraph unless the school  
30 complies with the family educational rights and privacy requirements of 34 C.F.R. 99.

31 \* **Sec. 6.** AS 14.07.165 is amended to read:

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

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

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

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

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

9                   (5) regulations implementing the secondary school student competency  
10 examination provisions of AS 14.03.075 [ , INCLUDING THE CRITERIA AND  
11 PROCEDURE UNDER WHICH A GOVERNING BODY USES A WAIVER TO  
12 GRANT A DIPLOMA TO A STUDENT; CRITERIA REGARDING GRANTING A  
13 WAIVER MUST INCLUDE PROVISIONS THAT A WAIVER MAY ONLY BE  
14 GRANTED FOR STUDENTS WHO ENTER THE SYSTEM LATE OR HAVE  
15 RARE OR UNUSUAL CIRCUMSTANCES MERITING A WAIVER].

16       \* **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c) or on February 1, 2004,  
17 whichever date is later.