

HOUSE BILL NO. 371

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

BY REPRESENTATIVES GARA, Kapsner

Introduced: 1/12/04

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

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring a diploma endorsement for students who pass the secondary school**
2 **competency examination; removing the secondary school competency examination as a**
3 **graduation requirement; relating to secondary school competency examinations and**
4 **diplomas; and providing for an effective date."**

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

6 *** Section 1.** AS 14.03.075(a) is repealed and reenacted to read:

7 (a) A school district shall implement a secondary school competency
8 examination in the areas of reading, English, and mathematics for all students and
9 shall record the results of each student's examination in that student's transcript. The
10 department shall determine the form and content of the examination and shall score
11 completed examinations. A student who passes all of the examination and who meets
12 all other graduation requirements shall receive an endorsed diploma under (d) of this
13 section.

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

1 (b) A student who fails the examination required **for an endorsement** under
 2 this section shall be retested at least once during a school year on those portions of the
 3 examination that the student has not passed. A student who passes any portion of the
 4 test may not retake that portion of the test. A student who, when retested, passes the
 5 portions of the test not previously passed and who meets any other graduation
 6 requirements shall receive **an endorsed** [A] diploma from the school district. This
 7 subsection does not apply to a student who is a child with a disability if the student's
 8 individualized education program team recommends that the student not be retested.

9 * **Sec. 3.** AS 14.03.075(c) is amended to read:

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

11 (1) **to the extent required by federal law,** a student who is a child
 12 with a disability and who does not achieve a passing score on the examination
 13 required under (a) of this section, with or without accommodation, is eligible to
 14 receive **an endorsed** [A] diploma if the student **meets all other graduation**
 15 **requirements and** successfully completes an alternative assessment program required
 16 by the student's individualized education program or required in the education plan
 17 developed for the student under 29 U.S.C. 794; an alternative assessment program
 18 must, to the maximum extent possible, conform to state performance standards
 19 established for the competency examination required under (a) of this section; this
 20 paragraph does not apply to a student unless the department determines that the
 21 student has taken and failed to pass the competency examination with or without
 22 accommodations and the department approves the student's alternative assessment
 23 program described under this paragraph; and

24 (2) a student who transfers into a public high school in this state shall
 25 receive **an endorsed** [A] diploma if the student

26 (A) meets graduation requirements imposed by the governing
 27 body and the state; and

28 (B) has passed a competency examination in **either** the state
 29 from which the student transferred **or in this state.**

30 * **Sec. 4.** AS 14.03.075(d) is amended to read:

31 (d) A student who fails to qualify for the issuance of **an endorsed** [A]

1 diploma under (a), **(b), or (c)** of this section [OR A RETEST UNDER (b) OF THIS
 2 SECTION] by the end of the student's final semester of attendance, but who has met
 3 all other graduation requirements of a governing body and the state, shall be awarded a
 4 **regular diploma. A student who qualifies for the issuance of an endorsed**
 5 **diploma under (a), (b), or (c) of this section shall be awarded an endorsed**
 6 **diploma. The department shall determine the form and content of the**
 7 **endorsement and of each student's transcript, which must indicate the results of**
 8 **the examination** [CERTIFICATE OF ACHIEVEMENT. A CERTIFICATE OF
 9 ACHIEVEMENT MAY INCLUDE THE FOLLOWING INFORMATION:

- 10 (1) THE PORTIONS OF THE EXAMINATION DESCRIBED
 11 UNDER (a) OF THIS SECTION THAT WERE PASSED;
 12 (2) THE STUDENT'S ATTENDANCE RECORD; AND
 13 (3) OTHER INFORMATION INDICATING THE
 14 QUALIFICATIONS OF THE STUDENT THAT THE GOVERNING BODY
 15 DETERMINES APPROPRIATE].

16 * **Sec. 5.** 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 AND PERCENTAGE OF
 30 STUDENTS WHO RECEIVED A DIPLOMA UNDER A WAIVER FROM THE
 31 COMPETENCY EXAMINATION REQUIRED UNDER AS 14.03.075(a), AS

1 SPECIFIED BY THE STATE BOARD];

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

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

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

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

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

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

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

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

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

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

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