

**HOUSE BILL NO. 457**

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

**BY REPRESENTATIVES WILSON, Gara, Harris**

**Introduced: 2/16/04**

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

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act providing for differentiated secondary school diplomas; and providing for an**  
2 **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4 **\* Section 1.** AS 14.03.075(a) is repealed and reenacted to read: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) Each secondary school student shall be given the opportunity to take a  
6 competency examination in the areas of reading, English, and mathematics. The  
7 department shall determine the form and contents of the examination and shall score  
8 completed examinations. The department shall adopt regulations providing for the  
9 issuance of differentiated secondary school diplomas as follows:

10 (1) a student may be issued an advanced secondary school diploma if  
11 the student

12 (A) passes the competency examination;

13 (B) meets additional course and grade point average  
14 requirements established by the department that are consistent with academic

1 and technical college entrance standards; and

2 (C) otherwise meets basic graduation requirements imposed by  
3 the governing body and the state;

4 (2) a student may be issued an enhanced secondary school diploma if  
5 the student

6 (A) passes the competency examination; and

7 (B) otherwise meets basic graduation requirements imposed by  
8 the governing body and the state but does not meet the additional course and  
9 grade point average requirements described in (1)(B) of this subsection;

10 (3) a student may be issued a basic secondary school diploma if the  
11 student fails all or a portion of the competency examination but otherwise meets basic  
12 graduation requirements imposed by the governing body and the state;

13 (4) a student may not be issued a secondary school diploma if the  
14 student fails to meet basic graduation requirements imposed by the governing body  
15 and the state, whether or not the student passes all portions of the competency  
16 examination or meets the requirements of (1)(B) of this subsection.

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

18 (b) A student who fails the **competency** examination [REQUIRED UNDER  
19 THIS SECTION] shall be retested at least once during a school year on those portions  
20 of the examination that the student has not passed. A student who passes any portion  
21 of the **competency examination** [TEST] may not retake that portion of the  
22 **examination** [TEST]. A student who, when retested, passes the portions of the  
23 **competency examination** [TEST] not previously passed and who meets any other  
24 graduation requirements shall receive a diploma **under (a)(1) or (2) of this section**  
25 from the school district. This subsection does not apply to a student who is a child  
26 with a disability if the student's individualized education program team recommends  
27 that the student not be retested.

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

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

30 (1) a student who is a child with a disability and who does not achieve  
31 a passing score on the **competency** examination [REQUIRED UNDER (a) OF THIS

SECTION], with or without accommodation, is eligible to receive a diploma **under (a)(1) or (2) of this section** if the student **otherwise meets the requirements of (a)(1) or (2) of this section and** successfully completes an alternative assessment program **in place of the competency examination; an alternative assessment program must be** required by the student's individualized education program or required in the education plan developed for the student under 29 U.S.C. 794; an alternative assessment program must, to the maximum extent possible, conform to state performance standards established for the competency examination [REQUIRED UNDER (a) OF THIS SECTION]; this paragraph does not apply to a student unless the department determines that the student has taken and failed to pass the competency examination with or without accommodations and the department approves the student's alternative assessment program described under this paragraph; and

(2) a student who transfers into a public high school in this state shall receive a diploma **under (a)(1) or (2) of this section** if the student

(A) meets graduation requirements imposed by the governing body and the state; [AND]

(B) has passed a competency examination in the state from which the student transferred **in lieu of the competency examination in this state; and**

(C) **otherwise meets the requirements of (a)(1) or (2) of this section, as applicable.**

\* **Sec. 4.** AS 14.03.075(g) is amended by adding a new paragraph to read:

(3) "competency examination" or "examination" mean the examination that must be offered under (a) of this section.

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

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

(1) information on accreditation;

- 1 (2) results of norm-referenced achievement tests;
- 2 (3) results of state standards-based assessments in reading, writing, and  
3 mathematics;
- 4 (4) a description, including quantitative and qualitative measures, of  
5 student, parent, community, and business involvement in student learning;
- 6 (5) a description of the school's attendance, retention, dropout, and  
7 graduation rates [ , INCLUDING THE NUMBER AND PERCENTAGE OF  
8 STUDENTS WHO RECEIVED A DIPLOMA UNDER A WAIVER FROM THE  
9 COMPETENCY EXAMINATION REQUIRED UNDER AS 14.03.075(a), AS  
10 SPECIFIED BY THE STATE BOARD];
- 11 (6) the annual percent of enrollment change, regardless of reason, and  
12 the annual percent of enrollment change due to student transfers into and out of the  
13 school district;
- 14 (7) if Native language education is provided, a summary and  
15 evaluation of the curriculum described in AS 14.30.420; and
- 16 (8) the number and percentage of students in each school who take and  
17 who successfully complete an alternative assessment program in reading, English, or  
18 mathematics; and the number and percentage of pupils in each school who  
19 successfully complete the alternative assessment program but who do not reach the  
20 state performance standards at the competency exam level in reading, English, or  
21 mathematics; a school may not report results under this paragraph unless the school  
22 complies with the family educational rights and privacy requirements of 34 C.F.R. 99.

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

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

- 25 (1) statewide goals and require each governing body to adopt written  
26 goals that are consistent with local needs;
- 27 (2) regulations regarding the application for and award of grants under  
28 AS 14.03.125;
- 29 (3) regulations implementing provisions of AS 14.11.014(b);
- 30 (4) regulations requiring approval by the board before a charter school,  
31 state boarding school, or a public school may provide domiciliary services;

1                   (5) regulations implementing the secondary school student **diploma**  
2                   **and the** competency examination provisions of AS 14.03.075 [, INCLUDING THE  
3                   CRITERIA AND PROCEDURE UNDER WHICH A GOVERNING BODY USES A  
4                   WAIVER TO GRANT A DIPLOMA TO A STUDENT; CRITERIA REGARDING  
5                   GRANTING A WAIVER MUST INCLUDE PROVISIONS THAT A WAIVER  
6                   MAY ONLY BE GRANTED FOR STUDENTS WHO ENTER THE SYSTEM LATE  
7                   OR HAVE RARE OR UNUSUAL CIRCUMSTANCES MERITING A WAIVER].

8                   \* **Sec. 7.** AS 14.03.075(d) is repealed.

9                   \* **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).