

**SENATE BILL NO. 372**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 3/19/04

Referred: Health, Education and Social Services, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to secondary school assessments for students with disabilities; and**  
2 **providing for an effective date."**

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

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

6 INTENT. It is the intent of the legislature that the amendments to AS 14.03.075,  
7 enacted in secs. 2 and 3 of this Act, authorize regulations pertaining to an individualized  
8 assessment program only to the extent that the regulations do not limit the individualized  
9 assessment program under AS 14.03.075(c) to a modified version of the secondary school  
10 competency examination.

11 \* **Sec. 2.** AS 14.03.075(c) is amended to read:

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

13 (1) a student who is a child with a disability who is not eligible for the  
14 alternate assessment under (3) of this subsection, and who does not achieve a

1 passing score on the examination required under (a) of this section, with or without  
 2 accommodation, is eligible to receive a diploma if the student successfully completes  
 3 an **individualized** [ALTERNATIVE] assessment program required by the student's  
 4 individualized education program or required in the education plan developed for the  
 5 student under 29 U.S.C. 794; an **individualized** [ALTERNATIVE] assessment  
 6 program must **assess the student's proficiency on the** [, TO THE MAXIMUM  
 7 EXTENT POSSIBLE, CONFORM TO STATE] performance standards established  
 8 for **the student under the student's individualized education program or the**  
 9 **education plan developed for the student under 29 U.S.C. 794** [THE  
 10 COMPETENCY EXAMINATION REQUIRED UNDER (a) OF THIS SECTION];  
 11 this paragraph does not apply to a student unless the department determines that the  
 12 student has taken and failed to pass the competency examination with or without  
 13 accommodations [AND THE DEPARTMENT APPROVES THE STUDENT'S  
 14 ALTERNATIVE ASSESSMENT PROGRAM DESCRIBED UNDER THIS  
 15 PARAGRAPH]; and

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

18 (A) meets graduation requirements imposed by the governing  
 19 body and the state; and

20 (B) has passed a competency examination in the state from  
 21 which the student transferred; **and**

22 **(3) a student with a severe cognitive disability who is eligible under**  
 23 **regulations adopted by the board to participate in an alternate assessment based**  
 24 **on alternate academic achievement standards, as described in 34 CFR 200.1,**  
 25 **shall receive a diploma without taking the examination required under (a) of this**  
 26 **section if the student**

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

29 **(B) successfully completes the alternate assessment**  
 30 **authorized by the board for grade 10.**

31 \* Sec. 3. AS 14.03.075(f) is amended to read:

1 (f) The department shall by regulation establish uniform standards for **the**  
 2 **individualized** [AN ALTERNATIVE] assessment program **and the alternate**  
 3 **assessment** required under **(c)** [(c)(1)] of this section. [THE ALTERNATIVE  
 4 ASSESSMENT PROGRAM REQUIRED UNDER (c)(1) OF THIS SECTION  
 5 APPLICABLE TO AN INDIVIDUAL STUDENT MAY NOT BE CHANGED  
 6 AFTER FEBRUARY 1 OF THE STUDENT'S JUNIOR YEAR OF STUDY.]

7 \* **Sec. 4.** 14.03.075(f) is amended to read:

8 (f) The department shall by regulation establish uniform standards for the  
 9 individualized assessment program and the alternate assessment required under (c) of  
 10 this section. **The assessment program required under (c)(1) of this section**  
 11 **applicable to an individual student may not be changed after February 1 of the**  
 12 **student's junior year of study.**

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

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

- 19 (1) information on accreditation;
- 20 (2) results of norm-referenced achievement tests;
- 21 (3) results of state standards-based assessments in reading, writing, and  
 22 mathematics;
- 23 (4) a description, including quantitative and qualitative measures, of  
 24 student, parent, community, and business involvement in student learning;
- 25 (5) a description of the school's attendance, retention, dropout, and  
 26 graduation rates, including the number and percentage of students who received a  
 27 diploma under a waiver from the competency examination required under  
 28 AS 14.03.075(a), as specified by the state board;
- 29 (6) the annual percent of enrollment change, regardless of reason, and  
 30 the annual percent of enrollment change due to student transfers into and out of the  
 31 school district;

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

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

11   \* **Sec. 6.** Section 4 of this Act takes effect July 1, 2005.

12   \* **Sec. 7.** Except as provided in sec. 6 of this Act, this Act takes effect immediately under  
13 AS 01.10.070(c).