

HOUSE BILL NO. 256

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES DICK, Herron

Introduced: 1/17/12

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act repealing provisions relating to the power and duties of the Department of**
2 **Education and Early Development to intervene in a school district to improve**
3 **instructional practices."**

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

5 *** Section 1.** AS 14.07.020(a) is amended to read:

6 (a) The department shall

7 (1) exercise general supervision over the public schools of the state
8 except the University of Alaska;

9 (2) study the conditions and needs of the public schools of the state,
10 adopt or recommend plans, administer and evaluate grants to improve school
11 performance awarded under AS 14.03.125, and adopt regulations for the improvement
12 of the public schools;

13 (3) provide advisory and consultative services to all public school
14 governing bodies and personnel;

1 (4) prescribe by regulation a minimum course of study for the public
2 schools; the regulations must provide that, if a course in American Sign Language is
3 given, the course shall be given credit as a course in a foreign language;

4 (5) establish, in coordination with the Department of Health and Social
5 Services, a program for the continuing education of children who are held in detention
6 facilities in the state during the period of detention;

7 (6) accredit those public schools that meet accreditation standards
8 prescribed by regulation by the department; these regulations shall be adopted by the
9 department and presented to the legislature during the first 10 days of any regular
10 session, and become effective 45 days after presentation or at the end of the session,
11 whichever is earlier, unless disapproved by a resolution concurred in by a majority of
12 the members of each house;

13 (7) prescribe by regulation, after consultation with the state fire
14 marshal and the state sanitarian, standards that will ensure [ASSURE] healthful and
15 safe conditions in the public and private schools of the state, including a requirement
16 of physical examinations and immunizations in pre-elementary schools; the standards
17 for private schools may not be more stringent than those for public schools;

18 (8) exercise general supervision over pre-elementary schools that
19 receive direct state or federal funding;

20 (9) exercise general supervision over elementary and secondary
21 correspondence study programs offered by municipal school districts or regional
22 educational attendance areas; the department may also offer and make available to any
23 Alaskan through a centralized office a correspondence study program;

24 (10) accredit private schools that request accreditation and that meet
25 accreditation standards prescribed by regulation by the department; nothing in this
26 paragraph authorizes the department to require religious or other private schools to be
27 licensed;

28 (11) review plans for construction of new public elementary and
29 secondary schools and for additions to and major rehabilitation of existing public
30 elementary and secondary schools and, in accordance with regulations adopted by the
31 department, determine and approve the extent of eligibility for state aid of a school

1 construction or major maintenance project; for the purposes of this paragraph, "plans"
2 include educational specifications, schematic designs, projected energy consumption
3 and costs, and final contract documents;

4 (12) provide educational opportunities in the areas of vocational
5 education and training, and basic education to individuals over 16 years of age who
6 are no longer attending school;

7 (13) administer the grants awarded under AS 14.11;

8 (14) establish, in coordination with the Department of Public Safety, a
9 school bus driver training course;

10 (15) require the reporting of information relating to school disciplinary
11 and safety programs under AS 14.33.120 and of incidents of disruptive or violent
12 behavior;

13 (16) [ESTABLISH BY REGULATION CRITERIA, BASED ON
14 LOW STUDENT PERFORMANCE, UNDER WHICH THE DEPARTMENT MAY
15 INTERVENE IN A SCHOOL DISTRICT TO IMPROVE INSTRUCTIONAL
16 PRACTICES, AS DESCRIBED IN AS 14.07.030(14) OR (15); THE
17 REGULATIONS MUST INCLUDE

18 (A) A NOTICE PROVISION THAT ALERTS THE
19 DISTRICT TO THE DEFICIENCIES AND THE INSTRUCTIONAL
20 PRACTICE CHANGES PROPOSED BY THE DEPARTMENT;

21 (B) AN END DATE FOR DEPARTMENTAL
22 INTERVENTION, AS DESCRIBED IN AS 14.07.030(14)(A) AND (B) AND
23 (15), AFTER THE DISTRICT DEMONSTRATES THREE CONSECUTIVE
24 YEARS OF IMPROVEMENT CONSISTING OF NOT LESS THAN TWO
25 PERCENT INCREASES IN STUDENT PROFICIENCY ON STANDARDS-
26 BASED ASSESSMENTS IN MATHEMATICS, READING, AND WRITING
27 AS PROVIDED IN AS 14.03.123(f)(2)(A); AND

28 (C) A PROCESS FOR DISTRICTS TO PETITION THE
29 DEPARTMENT FOR CONTINUING OR DISCONTINUING THE
30 DEPARTMENT'S INTERVENTION;

31 (17) NOTIFY THE LEGISLATIVE COMMITTEES HAVING

1 JURISDICTION OVER EDUCATION BEFORE INTERVENING IN A SCHOOL
2 DISTRICT UNDER AS 14.07.030(14) OR REDIRECTING PUBLIC SCHOOL
3 FUNDING UNDER AS 14.07.030(15);

4 (18)] assist the Department of Natural Resources in developing and
5 implementing the farm-to-school program established under AS 03.20.100.

6 * **Sec. 2.** AS 14.07.030(14), 14.07.030(15), and 14.07.32 are repealed.