

HOUSE BILL NO. 232

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

BY REPRESENTATIVE COLVER

Introduced: 1/19/16

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Department of Education and Early Development;**
2 **relating to student assessments; and prohibiting the Department of Education and Early**
3 **Development from administering the Alaska Measures of Progress student**
4 **assessments."**

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

6 *** Section 1.** AS 14.03.120(d) is amended to read:

7 (d) Annually, before the date set by the district under (e) of this section, each
8 public school shall deliver to the department for posting on the department's Internet
9 website and provide, in a public meeting of parents, students, and community
10 members, a report on the school's performance and the performance of the school's
11 students. The report shall be prepared on a form prescribed by the department and
12 must include

- 13 (1) information on accreditation;
14 (2) results of norm-referenced achievement tests;

1 (3) results of **student** [STATE STANDARDS-BASED] assessments in
2 language arts and mathematics;

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

5 (5) a description of the school's attendance, retention, dropout, and
6 graduation rates as specified by the state board;

7 (6) the annual percent of enrollment change, regardless of reason, and
8 the annual percent of enrollment change due to student transfers into and out of the
9 school district;

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

12 (8) the performance designation assigned the school under
13 AS 14.03.123 and the methodology used to assign the performance designation,
14 including the measures used and their relative weights;

15 (9) other information concerning school performance and the
16 performance of the school's students as required by the state board in regulation; and

17 (10) information on the number, attendance, and performance of
18 students enrolled in the school whose parents or guardians are on active duty in the
19 armed forces of the United States, the United States Coast Guard, the Alaska National
20 Guard, the Alaska Naval Militia, or the Alaska State Defense Force.

21 * **Sec. 2.** AS 14.03.123(f) is amended to read:

22 (f) In the accountability system for schools and districts required by this
23 section, the department shall

24 (1) implement 20 U.S.C. 6301 - 7941 (Elementary and Secondary
25 Education Act of 1965), as amended;

26 (2) implement state criteria and priorities for accountability including
27 the use of

28 (A) measures of student performance on **student**
29 [STANDARDS-BASED] assessments in language arts and mathematics
30 **selected by the department under AS 14.07.020(d)**;

31 (B) measures of student improvement; and

1 (C) other measures identified that are indicators of student
2 success and achievement; and

3 (3) to the extent practicable, minimize the administrative burden on
4 districts.

5 * **Sec. 3.** 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;

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

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

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

27 (7) prescribe by regulation, after consultation with the state fire
28 marshal and the state sanitarian, standards that will assure healthful and safe
29 conditions in the public and private schools of the state, including a requirement of
30 physical examinations and immunizations in pre-elementary schools; the standards for
31 private schools may not be more stringent than those for public schools;

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

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

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

11 (11) review plans for construction of new public elementary and
12 secondary schools and for additions to and major rehabilitation of existing public
13 elementary and secondary schools and, in accordance with regulations adopted by the
14 department, determine and approve the extent of eligibility for state aid of a school
15 construction or major maintenance project; for the purposes of this paragraph, "plans"
16 include educational specifications, schematic designs, projected energy consumption
17 and costs, and final contract documents;

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

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

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

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

27 (16) establish by regulation criteria, based on low student performance,
28 under which the department may intervene in a school district to improve instructional
29 practices, as described in AS 14.07.030(14) or (15); the regulations must include

30 (A) a notice provision that alerts the district to the deficiencies
31 and the instructional practice changes proposed by the department;

1 (B) an end date for departmental intervention, as described in
 2 AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three
 3 consecutive years of improvement consisting of not less than two percent
 4 increases in student proficiency on student [STANDARDS-BASED]
 5 assessments in language arts and mathematics, as provided in
 6 AS 14.03.123(f)(2)(A); and

7 (C) a process for districts to petition the department for
 8 continuing or discontinuing the department's intervention;

9 (17) notify the legislative committees having jurisdiction over
 10 education before intervening in a school district under AS 14.07.030(14) or redirecting
 11 public school funding under AS 14.07.030(15).

12 (18) [REPEALED].

13 * **Sec. 4.** AS 14.07.020(b) is amended to read:

14 (b) In implementing its duties under (a)(2) of this section, the department may
 15 not expend any money to implement the set of educational curriculum standards for
 16 grades kindergarten through 12 established by the Common Core Standards Initiative
 17 and shall develop

18 [(1)] performance standards in language arts and mathematics to be
 19 met at designated age levels by each student in public schools in the state [; AND

20 (2) A COMPREHENSIVE SYSTEM OF STUDENT
 21 ASSESSMENTS, COMPOSED OF MULTIPLE INDICATORS OF PROFICIENCY
 22 IN LANGUAGE ARTS AND MATHEMATICS; THIS COMPREHENSIVE
 23 SYSTEM MUST

24 (A) BE MADE AVAILABLE TO ALL DISTRICTS AND
 25 REGIONAL EDUCATIONAL ATTENDANCE AREAS;

26 (B) INCLUDE A DEVELOPMENTAL PROFILE FOR
 27 STUDENTS ENTERING KINDERGARTEN OR FIRST GRADE; AND

28 (C) INCLUDE PERFORMANCE STANDARDS IN
 29 LANGUAGE ARTS AND MATHEMATICS FOR STUDENTS IN AGE
 30 GROUPS FIVE THROUGH SEVEN, EIGHT THROUGH 10, AND 11 - 14].

31 * **Sec. 5.** AS 14.07.020 is amended by adding a new subsection to read:

1 (d) In meeting its duties under (a)(2) and (b) of this section, the department
2 shall select a comprehensive system of student assessments composed of multiple
3 indicators of proficiency in language arts and mathematics. The department may not
4 develop or provide for the development of student assessments for use in the state.

5 Under this subsection, the department shall select student assessments that

6 (1) are developed by a national or regional organization that
7 specializes in the development of student assessments;

8 (2) are research-based;

9 (3) are norm-referenced;

10 (4) provide results that can be compared to national student
11 performance; and

12 (5) provide results that teachers can use to inform individual student
13 instruction.

14 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 **STUDENT ASSESSMENTS.** The Department of Education and Early Development
17 may not administer the Alaska Measures of Progress student assessments that the department
18 developed in partnership with the Achievement and Assessment Institute at the University of
19 Kansas and first administered in 2015. The student assessments selected by the Department of
20 Education and Early Development under sec. 5 of this Act must be the Measures of Academic
21 Progress student assessments offered by the Northwest Evaluation Association or a
22 substantially similar system of assessments.