

CS FOR SENATE BILL NO. 111(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/12/22

Referred: Today's Calendar

Sponsor(s): SENATE EDUCATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Department of Education and Early Development;**
2 **relating to public schools and school districts; relating to early education programs;**
3 **relating to funding for early education programs; relating to school age eligibility;**
4 **relating to reports by the Department of Education and Early Development; relating to**
5 **reports by school districts; relating to certification and competency of teachers; relating**
6 **to screening reading deficiencies and providing reading intervention services to public**
7 **school students enrolled in grades kindergarten through three; relating to textbooks and**
8 **materials for reading intervention services; establishing a reading program in the**
9 **Department of Education and Early Development; relating to the definition of 'parent'**
10 **in education statutes; relating to a virtual education consortium; and providing for an**
11 **effective date."**

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

1 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
2 to read:

3 SHORT TITLE. This Act may be known as the Alaska Academic Improvement and
4 Modernization Act.

5 * **Sec. 2.** AS 14.03.040 is amended to read:

6 **Sec. 14.03.040. Day in session.** Each day within the school term is a day in
7 session except Saturdays, Sundays, and days designated as holidays by or according to
8 AS 14.03.050. A school board may approve Saturdays as a day in session. The day in
9 session in every school shall be at least four hours long, exclusive of intermissions, for
10 the first, second, and third grades and five hours, exclusive of intermissions, for [ALL
11 OTHER] grades **four through 12**. The commissioner may approve a shorter day in
12 session for any grade. The period of the day in session shall be devoted to the
13 instruction of pupils or to study periods for the pupils.

14 * **Sec. 3.** AS 14.03.060(e) is amended to read:

15 (e) In addition to the grades enumerated in (a) of this section, an elementary
16 school consists of **an early education** [A PRE-ELEMENTARY] program **approved**
17 **or** supervised by the department under AS 14.07.020(a)(8), **including a program**
18 operated by **a head start agency** [THE DEPARTMENT] as a head start program
19 under **42 U.S.C. 9831 - 9852c** [AS 14.38.010, OR LOCATED IN A PUBLIC
20 SCHOOL FOR FEDERAL FUNDING PURPOSES. EXCEPT FOR A CHILD WITH
21 A DISABILITY WHO IS RECEIVING SPECIAL EDUCATION OR RELATED
22 SERVICES UNDER AS 14.30.180 - 14.30.350, PRE-ELEMENTARY STUDENTS
23 MAY NOT BE COUNTED IN A SCHOOL'S AVERAGE DAILY MEMBERSHIP
24 UNDER AS 14.17].

25 * **Sec. 4.** AS 14.03.060(e), as amended by sec. 3 of this Act, is amended to read:

26 (e) In addition to the grades enumerated in (a) of this section, an elementary
27 school consists of an early education program [APPROVED OR] supervised by the
28 department under AS 14.07.020(a)(8), including a program operated by a head start
29 agency as a head start program under 42 U.S.C. 9831 - 9852c.

30 * **Sec. 5.** AS 14.03.072(a) is amended to read:

31 (a) Each school district shall annually provide to parents and guardians of

1 students enrolled in kindergarten through grade three in a public school in the state
 2 current information on the importance of [EARLY] literacy and early reading,
 3 including

4 (1) culturally responsive intervention strategies and reading
 5 intervention services provided under AS 14.30.765;

6 (2) home reading [LITERACY] plans;

7 (3) grade progression [RETENTION] standards and policies for the
 8 elementary school attended;

9 (4) strategies and resources to help children learn to read;

10 (5) a list of resources and organizations that specialize in
 11 improving adult literacy.

12 * **Sec. 6.** AS 14.03.072(a), as amended by sec. 5 of this Act, is amended to read:

13 (a) Each school district shall annually provide to parents and guardians of
 14 students enrolled in kindergarten through grade three in a public school in the state
 15 current information on the importance of literacy and early reading, including

16 (1) culturally responsive intervention strategies [AND READING
 17 INTERVENTION SERVICES PROVIDED UNDER AS 14.30.765];

18 (2) home reading plans;

19 (3) grade progression standards and policies for the elementary school
 20 attended;

21 (4) strategies and resources to help children learn to read;

22 (5) a list of resources and organizations that specialize in improving
 23 adult literacy.

24 * **Sec. 7.** AS 14.03.078(a) is amended to read:

25 (a) The department shall provide to the legislature and school districts by
 26 February 15 of each year by electronic means an annual report regarding the progress
 27 of each school and school district toward high academic performance by all students.
 28 The report required under this section must include

29 (1) information described under AS 14.03.120 [AS 14.03.120(d)];

30 (2) progress of the department

31 (A) toward implementing the school accountability provisions

1 of AS 14.03.123; and

2 (B) in assisting high schools to become accredited;

3 (3) a description of the resources provided to each school and school
4 district for coordinated school improvement activities and staff training in each school
5 and school district;

6 (4) each school district's and each school's progress in aligning
7 curriculum with state education performance standards;

8 (5) a description of the efforts by the department to assist a public
9 school or district that receives a low performance designation under AS 14.03.123;

10 (6) a description of intervention efforts by each school district and
11 school for students who are not meeting state performance standards; [AND]

12 (7) the number and percentage of turnover in certificated personnel and
13 superintendents;

14 **(8) a summary of the categories of certificated administrative**
15 **employees employed by each school district that includes the ratio of**

16 **(A) the number of certificated administrative employees in**
17 **each category employed by each school district compared to the number**
18 **of students enrolled in the school district on October 1 of the previous**
19 **year;**

20 **(B) the total number of certificated administrative**
21 **employees employed by each school district compared to the total number**
22 **of teachers employed by the school district on October 1 of the previous**
23 **year; and**

24 **(C) the total number of teachers employed by each school**
25 **district compared to the total number of students enrolled in the school**
26 **district on October 1 of the previous year;**

27 **(9) the progress made to implement the reading intervention**
28 **programs established under AS 14.30.760 - 14.30.780, including data on how**
29 **school districts are using in-service days for culturally responsive professional**
30 **development in reading instruction; and**

31 **(10) the effectiveness and participation rates of the parents as**

teachers program established under AS 14.03.420, including measures of efficiency and effectiveness that demonstrate the effects of the program on school readiness.

* **Sec. 8.** AS 14.03.078(a), as amended by sec. 7 of this Act, is amended to read:

(a) The department shall provide to the legislature and school districts by February 15 of each year by electronic means an annual report regarding the progress of each school and school district toward high academic performance by all students. The report required under this section must include

(1) information described under AS 14.03.120;

(2) progress of the department

(A) toward implementing the school accountability provisions of AS 14.03.123; and

(B) in assisting high schools to become accredited;

(3) a description of the resources provided to each school and school district for coordinated school improvement activities and staff training in each school and school district;

(4) each school district's and each school's progress in aligning curriculum with state education performance standards;

(5) a description of the efforts by the department to assist a public school or district that receives a low performance designation under AS 14.03.123;

(6) a description of intervention efforts by each school district and school for students who are not meeting state performance standards;

(7) the number and percentage of turnover in certificated personnel and superintendents; **and**

(8) a summary of the categories of certificated administrative employees employed by each school district that includes the ratio of

(A) the number of certificated administrative employees in each category employed by each school district compared to the number of students enrolled in the school district on October 1 of the previous year;

(B) the total number of certificated administrative employees employed by each school district compared to the total number of teachers

employed by the school district on October 1 of the previous year; and

(C) the total number of teachers employed by each school district compared to the total number of students enrolled in the school district on October 1 of the previous year [;

(9) THE PROGRESS MADE TO IMPLEMENT THE READING INTERVENTION PROGRAMS ESTABLISHED UNDER AS 14.30.760 - 14.30.780, INCLUDING DATA ON HOW SCHOOL DISTRICTS ARE USING IN-SERVICE DAYS FOR CULTURALLY RESPONSIVE PROFESSIONAL DEVELOPMENT IN READING INSTRUCTION; AND

(10) THE EFFECTIVENESS AND PARTICIPATION RATES OF THE PARENTS AS TEACHERS PROGRAM ESTABLISHED UNDER AS 14.03.420, INCLUDING MEASURES OF EFFICIENCY AND EFFECTIVENESS THAT DEMONSTRATE THE EFFECTS OF THE PROGRAM ON SCHOOL READINESS].

* **Sec. 9.** AS 14.03.078 is amended by adding new subsections to read:

(c) Each school district shall make available to the public the portion of the report under (a)(8) of this section that pertains to the school district by posting the information in a prominent location on the school district's or local community's Internet website or by another easily accessible method.

(d) In this section, "administrative employee" means an employee who does not provide direct classroom instruction for students as a regular part of the employee's job.

* **Sec. 10.** AS 14.03.080(c) is amended to read:

(c) A child under school age who is at least four years of age at the beginning of the school year may be admitted to a public school in the school district of which the child is a resident at the discretion of the governing body of the school district if the child meets minimum standards prescribed by the board evidencing that the child has the mental, physical, and emotional capacity to perform satisfactorily for the educational program being offered. A district's educational program must prescribe that, except for students in an early education program, under school age students advance through the curriculum or grade level by the following school year. A

governing body may delegate the authority granted under this subsection to the chief school administrator of the school district.

* **Sec. 11.** AS 14.03.080(c), as amended by sec. 10 of this Act, is amended to read:

(c) A child under school age [WHO IS AT LEAST FOUR YEARS OF AGE AT THE BEGINNING OF THE SCHOOL YEAR] may be admitted to a public school in the school district of which the child is a resident at the discretion of the governing body of the school district if the child meets minimum standards prescribed by the board evidencing that the child has the mental, physical, and emotional capacity to perform satisfactorily for the educational program being offered. A district's educational program must prescribe that [, EXCEPT FOR STUDENTS IN AN EARLY EDUCATION PROGRAM,] under school age students advance through the curriculum or grade level by the following school year. A governing body may delegate the authority granted under this subsection to the chief school administrator of the school district.

* **Sec. 12.** AS 14.03.080 is amended by adding a new subsection to read:

(g) A child who is five years of age on or before September 1 following the beginning of the school year, and who is under school age, may enter a public school kindergarten.

* **Sec. 13.** AS 14.03.120 is amended by adding new subsections to read:

(h) To the extent allowable under state and federal privacy laws, each district shall annually report to the department information from the previous school year regarding

(1) the number of students and teaching staff assigned to each classroom in grades kindergarten through three;

(2) the number and percentage of students

(A) in grades kindergarten through three who demonstrated improvement on expected grade-level skills on the statewide screening tool;

(B) in grades kindergarten through three who performed below expected grade-level skills on the statewide screening tool, by grade;

(C) in grades kindergarten through three who did not progress to the next grade and the reasons the students did not progress;

(D) in grade three who demonstrated sufficient reading skills to progress to grade four based on the statewide screening tool;

(E) in grade three who progressed to grade four based on a waiver under AS 14.30.765(f);

(F) in grade three who demonstrated sufficient reading skills to progress to grade four based on an alternative standardized reading screening;

(G) in grade three who demonstrated sufficient reading skills to progress to grade four based on a student reading portfolio;

(3) the performance on the statewide screening tool of students in a grade above grade three who did not progress to grade four or who progressed to grade four based on a waiver under AS 14.30.765(f).

(i) To the extent allowable under state and federal privacy laws, the department shall post on the department's Internet website and make available for download the information reported under this section. The department shall post the information in a single downloadable comma-separated values file or a similar single downloadable file that allows data storage in tabular format. The file must include the comprehensive information about each public school reported under (d) and (e) of this section in a single list that may be sorted and compared.

* **Sec. 14.** AS 14.03 is amended by adding new sections to read:

Article 4. Early Education.

Sec. 14.03.410. Early education programs; grants. (a) The department shall provide training and assistance to develop and improve district-wide early education programs that comply with standards adopted by the board under AS 14.07.165(a)(5).

(b) The department may award a grant to provide funding for a three-year period for the development or improvement of a district-wide early education program to a district that has not received a grant under this section, applies in a format prescribed by the department, provides the information required under (g) of this section, and is eligible for a grant as specified under (c) of this section. Unless the legislature appropriates another amount, total grant funding awarded to districts under this subsection may not exceed \$3,000,000 in a fiscal year.

(c) The department shall rank the performance of each district in the state in

1 accordance with the accountability system and performance designations required
 2 under AS 14.03.123. When approving grants under (b) of this section, the department
 3 shall prioritize eligible districts with lower performance, based on the department's
 4 ranking of districts under this subsection. A district is eligible for a grant if the
 5 department determines an insufficient number of children in the district attend high
 6 quality child care programs, including head start programs, early education programs
 7 provided by a local government, and early education programs provided by child
 8 development agencies, that

9 (1) meet or exceed the standards adopted by the board under
 10 AS 14.07.165(a)(5); and

11 (2) would continue operating after development of a district early
 12 education program.

13 (d) If the department does not approve the early education program of a
 14 district awarded a grant under (b) of this section by the end of the district's three-year
 15 grant period, the department may provide a one-year remediation grant to allow the
 16 district one additional fiscal year to meet the early education program standards
 17 adopted by the board under AS 14.07.165(a)(5). If the district is unable to meet the
 18 early education program standards at the end of that fiscal year, the department may,
 19 in the discretion of the commissioner, provide an additional remediation grant to allow
 20 the district not more than one additional fiscal year to meet the standards. Nothing in
 21 this section prohibits a district from using its own funds to continue the remediation
 22 process.

23 (e) A student in an early education program may not be counted in a district's
 24 ADM under AS 14.17.500 unless the department has approved the program.

25 (f) A grant under this section is subject to appropriation, but may not supplant
 26 other early education funding available to districts.

27 (g) Before applying for a grant under (b) of this section, a district shall, to
 28 avoid duplicate programs and facilitate resource sharing to improve early education
 29 within the district, consult with each local and tribal head start program within the
 30 district's boundaries. An application submitted under (b) of this section must include
 31 documentation establishing that the district consulted with each local and tribal head

1 start program within the district and a statement signed by each head start program
 2 indicating that the head start program agrees that approval of the district-wide program
 3 will not jeopardize federal funding or programming.

4 (h) In this section,

5 (1) "ADM" has the meaning given in AS 14.17.990;

6 (2) "district" has the meaning given in AS 14.17.990;

7 (3) "early education program" means a program, the primary function
 8 of which is educational, for children who are four and five years of age and who have
 9 not attended a public school kindergarten.

10 **Sec. 14.03.420. Parents as teachers program.** (a) The department shall
 11 design and implement a statewide parents as teachers program for the benefit of
 12 children who are under five years of age. The program must provide a system of early
 13 childhood education that

14 (1) is evidence-based;

15 (2) involves parents;

16 (3) is consistent with available research and best practices for high
 17 quality early childhood education;

18 (4) incorporates guidelines adopted by the department for early
 19 learning that

20 (A) enhance school readiness;

21 (B) increase parent understanding of child development and
 22 developmental milestones;

23 (C) reduce the incidence of child abuse and neglect;

24 (D) increase identification of health problems and
 25 developmental delays through regular screenings;

26 (E) improve child health indicators, including immunization
 27 rates; and

28 (F) increase parental involvement; and

29 (5) provides for effective and efficient coordination with or expansion
 30 of early education programs operating in the state, to the extent permitted by law.

31 (b) A school district shall, to the extent space is needed and available, provide

1 for the use of a room in a school at no charge to support the program established under
2 this section.

3 (c) The department shall develop and enter into local partnerships to
4 implement the program established under this section.

5 * **Sec. 15.** 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; the department may consult with the University of Alaska to
13 develop secondary education requirements to improve student achievement in college
14 preparatory courses;

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

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

20 (5) establish, in coordination with the Department of Health and Social
21 Services, a program for the continuing education of children who are held in juvenile
22 detention facilities or juvenile treatment facilities, as those terms are defined in
23 AS 47.12.990, in the state during the period of detention or treatment;

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

30 (7) prescribe by regulation, after consultation with the state fire
31 marshal and the state sanitarian, standards that will ensure healthful and safe

conditions in the public and private schools of the state, including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;

(8) exercise general supervision over early education programs [PRE-ELEMENTARY SCHOOLS] that receive direct state or federal funding, including early education programs provided by a school district for students four and five years of age, approve an early education program provided by a school district that complies with the standards adopted by the board under AS 14.07.165(a)(5), and revoke approval of an early education program if the program does not comply with the standards adopted by the board under AS 14.07.165(a)(5);

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

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

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

(12) provide educational opportunities in the areas of vocational education and training, and basic education to individuals over 16 years of age who are no longer attending school; the department may consult with businesses and labor unions to develop a program to prepare students for apprenticeships or internships that will lead to employment opportunities;

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

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

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

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

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

12 (B) an end date for departmental intervention, as described in
13 AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three
14 consecutive years of improvement consisting of not less than two percent
15 increases in student proficiency on standards-based assessments in language
16 arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and

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

19 (17) notify the legislative committees having jurisdiction over
20 education before intervening in a school district under AS 14.07.030(a)(14) or
21 redirecting public school funding under AS 14.07.030(a)(15);

22 **(18) establish a reading program to provide direct support for and**
23 **intervention in the reading intervention programs of participating schools as**
24 **described in AS 14.30.765 and 14.30.770;**

25 **(19) annually convene, either in person or electronically, a panel to**
26 **review and comment on the effectiveness of the programs created by the**
27 **department and the regulations adopted by the board to implement AS 14.03.410,**
28 **14.03.420, AS 14.30.760 - 14.30.770, and 14.30.800; the panel must collectively**
29 **represent the regions of the state and include teachers of grades kindergarten**
30 **through three, school administrators, parents of students in grades kindergarten**
31 **through three, stakeholders from indigenous language immersion programs,**

representatives from early education stakeholder groups, and researchers of best practices for improving literacy performance, including best practices for instruction of indigenous students and students whose first language is not English.

* **Sec. 16.** AS 14.07.020(a), as amended by sec. 15 of this Act, is amended to read:

(a) The department shall

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

(2) study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools; the department may consult with the University of Alaska to develop secondary education requirements to improve student achievement in college preparatory courses;

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

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

(5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in juvenile detention facilities or juvenile treatment facilities, as those terms are defined in AS 47.12.990, in the state during the period of detention or treatment;

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

(7) prescribe by regulation, after consultation with the state fire marshal and the state sanitarian, standards that will ensure healthful and safe

1 conditions in the public and private schools of the state, including a requirement of
 2 physical examinations and immunizations in pre-elementary schools; the standards for
 3 private schools may not be more stringent than those for public schools;

4 (8) exercise general supervision over early education programs that
 5 receive direct state or federal funding, including early education programs provided by
 6 a school district for students four and five years of age [, APPROVE AN EARLY
 7 EDUCATION PROGRAM PROVIDED BY A SCHOOL DISTRICT THAT
 8 COMPLIES WITH THE STANDARDS ADOPTED BY THE BOARD UNDER
 9 AS 14.07.165(a)(5), AND REVOKE APPROVAL OF AN EARLY EDUCATION
 10 PROGRAM IF THE PROGRAM DOES NOT COMPLY WITH THE STANDARDS
 11 ADOPTED BY THE BOARD UNDER AS 14.07.165(a)(5)];

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

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

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

27 (12) provide educational opportunities in the areas of vocational
 28 education and training, and basic education to individuals over 16 years of age who
 29 are no longer attending school; the department may consult with businesses and labor
 30 unions to develop a program to prepare students for apprenticeships or internships that
 31 will lead to employment opportunities;

- 1 (13) administer the grants awarded under AS 14.11;
- 2 (14) establish, in coordination with the Department of Public Safety, a
- 3 school bus driver training course;
- 4 (15) require the reporting of information relating to school disciplinary
- 5 and safety programs under AS 14.33.120 and of incidents of disruptive or violent
- 6 behavior;
- 7 (16) establish by regulation criteria, based on low student performance,
- 8 under which the department may intervene in a school district to improve instructional
- 9 practices, as described in AS 14.07.030(a)(14) or (15); the regulations must include
- 10 (A) a notice provision that alerts the district to the deficiencies
- 11 and the instructional practice changes proposed by the department;
- 12 (B) an end date for departmental intervention, as described in
- 13 AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three
- 14 consecutive years of improvement consisting of not less than two percent
- 15 increases in student proficiency on standards-based assessments in language
- 16 arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and
- 17 (C) a process for districts to petition the department for
- 18 continuing or discontinuing the department's intervention;
- 19 (17) notify the legislative committees having jurisdiction over
- 20 education before intervening in a school district under AS 14.07.030(a)(14) or
- 21 redirecting public school funding under AS 14.07.030(a)(15) [;
- 22 (18) ESTABLISH A READING PROGRAM TO PROVIDE DIRECT
- 23 SUPPORT FOR AND INTERVENTION IN THE READING INTERVENTION
- 24 PROGRAMS OF PARTICIPATING SCHOOLS AS DESCRIBED IN AS 14.30.765
- 25 AND 14.30.770;
- 26 (19) ANNUALLY CONVENE, EITHER IN PERSON OR
- 27 ELECTRONICALLY, A PANEL TO REVIEW AND COMMENT ON THE
- 28 EFFECTIVENESS OF THE PROGRAMS CREATED BY THE DEPARTMENT
- 29 AND THE REGULATIONS ADOPTED BY THE BOARD TO IMPLEMENT
- 30 AS 14.03.410, 14.03.420, AS 14.30.760 - 14.30.770, AND 14.30.800; THE PANEL
- 31 MUST COLLECTIVELY REPRESENT THE REGIONS OF THE STATE AND

1 INCLUDE TEACHERS OF GRADES KINDERGARTEN THROUGH THREE,
 2 SCHOOL ADMINISTRATORS, PARENTS OF STUDENTS IN GRADES
 3 KINDERGARTEN THROUGH THREE, STAKEHOLDERS FROM INDIGENOUS
 4 LANGUAGE IMMERSION PROGRAMS, REPRESENTATIVES FROM EARLY
 5 EDUCATION STAKEHOLDER GROUPS, AND RESEARCHERS OF BEST
 6 PRACTICES FOR IMPROVING LITERACY PERFORMANCE, INCLUDING
 7 BEST PRACTICES FOR INSTRUCTION OF INDIGENOUS STUDENTS AND
 8 STUDENTS WHOSE FIRST LANGUAGE IS NOT ENGLISH].

9 * **Sec. 17.** AS 14.07.020(c) is amended to read:

10 (c) In this section, **"early education program"** ["PRE-ELEMENTARY
 11 SCHOOL"] means a **program** [SCHOOL] for children ages three through five years if
 12 the **program's** [SCHOOL'S] primary function is educational.

13 * **Sec. 18.** AS 14.07.050 is amended to read:

14 **Sec. 14.07.050. Selection of textbooks.** Textbooks for use in the public
 15 schools of the state, including a district offered statewide correspondence study
 16 program, shall be selected by district boards for district schools. Nothing in this
 17 section precludes

18 **(1)** a correspondence study student, or the parent or guardian of a
 19 correspondence study student, from privately obtaining or using textbooks or
 20 curriculum material not provided by the school district;

21 **(2) the department from selecting and purchasing supplementary**
 22 **reading textbooks and materials for school districts to support reading**
 23 **intervention services provided under AS 14.30.765 and 14.30.770.**

24 * **Sec. 19.** AS 14.07.050, as amended by sec. 18 of this Act, is amended to read:

25 **Sec. 14.07.050. Selection of textbooks.** Textbooks for use in the public
 26 schools of the state, including a district offered statewide correspondence study
 27 program, shall be selected by district boards for district schools. Nothing in this
 28 section precludes

29 [(1)] a correspondence study student, or the parent or guardian of a
 30 correspondence study student, from privately obtaining or using textbooks or
 31 curriculum material not provided by the school district [;

(2) THE DEPARTMENT FROM SELECTING AND PURCHASING SUPPLEMENTARY READING TEXTBOOKS AND MATERIALS FOR SCHOOL DISTRICTS TO SUPPORT READING INTERVENTION SERVICES PROVIDED UNDER AS 14.30.765 AND 14.30.770].

* **Sec. 20.** AS 14.07.165(a) is amended to read:

(a) The board shall adopt

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

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

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

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

(5) regulations establishing standards for an early education program provided by a school district for children who are four and five years of age; the regulations must include

(A) standards for a locally designed, evidence-based program that meets Head Start Program Performance Standards and other federal standards required for early education programs to receive federal funding;

(B) a requirement that a teacher in charge of a program hold a valid teacher certificate issued under AS 14.20 and

(i) have satisfactorily completed a minimum of six credit hours in early childhood education or completes the minimum credit hours within two years of the date the teacher's employment with the early education program begins; or

(ii) have two or more years of experience teaching kindergarten or another early education program and have completed additional coursework related to reading instruction, as required by the department;

(C) developmentally appropriate objectives for children

four and five years of age rather than academic standards appropriate for older children; the objectives must allow school districts to adapt the content of an early education program to be culturally responsive to local communities;

(D) accommodations for the needs of all early education children and their families regardless of socioeconomic circumstances; and

(E) standards for day in session requirements appropriate for children four and five years of age;

(6) regulations establishing standards for day in session requirements appropriate for kindergarten students [REPEALED].

* **Sec. 21.** AS 14.07.168 is amended to read:

Sec. 14.07.168. Report to the legislature. Not later than the 30th legislative day of each regular session of the legislature, the board shall prepare and present in person to the legislative committees having jurisdiction over education an annual report that describes the efforts of the board to develop, maintain, and continuously improve a comprehensive quality public education system, as provided for under the bylaws of the board. The report must include

(1) a summary of the resolves and rationales provided in support of policy decisions made under AS 14.03.015;

(2) program and curriculum changes made, discussed, or recommended in meetings held under AS 14.07.125;

(3) additional information relevant to efforts made to improve and maintain the public education system;

(4) a summary of implementation and utilization of the consortium established under AS 14.30.800, including a review of consortium effectiveness and the participation rates of districts, teachers, and students.

* **Sec. 22.** AS 14.07.168, as amended by sec. 21 of this Act, is amended to read:

Sec. 14.07.168. Report to the legislature. Not later than the 30th legislative day of each regular session of the legislature, the board shall prepare and present in person to the legislative committees having jurisdiction over education an annual

1 report that describes the efforts of the board to develop, maintain, and continuously
 2 improve a comprehensive quality public education system, as provided for under the
 3 bylaws of the board. The report must include

4 (1) a summary of the resolves and rationales provided in support of
 5 policy decisions made under AS 14.03.015;

6 (2) program and curriculum changes made, discussed, or
 7 recommended in meetings held under AS 14.07.125;

8 (3) additional information relevant to efforts made to improve and
 9 maintain the public education system [;

10 (4) A SUMMARY OF IMPLEMENTATION AND UTILIZATION
 11 OF THE CONSORTIUM ESTABLISHED UNDER AS 14.30.800, INCLUDING A
 12 REVIEW OF CONSORTIUM EFFECTIVENESS AND THE PARTICIPATION
 13 RATES OF DISTRICTS, TEACHERS, AND STUDENTS].

14 * **Sec. 23.** AS 14.07.180(a) is amended to read:

15 (a) Notwithstanding any other provision of law, the board shall establish
 16 standards and a procedure for the review, ranking, and approval of mathematics and
 17 English and language arts curricula for school districts to use in each grade level as
 18 provided in this section. The board may include curricula delivered through virtual
 19 education in the standards and procedure established under this subsection. **Standards**
 20 **established for the review, ranking, and approval of language arts curricula for**
 21 **early education programs and grades kindergarten through three must be based**
 22 **on phonemic awareness, phonics, vocabulary development, reading fluency, oral**
 23 **language skills, and reading comprehension.**

24 * **Sec. 24.** AS 14.14.115(a) is amended to read:

25 (a) To encourage cooperative arrangements between school districts **and**
 26 **between school districts and private businesses, nonprofit organizations, or**
 27 **government agencies** to provide more efficient or economical administrative or
 28 educational services, a school district may receive a one-time cooperative arrangement
 29 grant from the department of up to \$100,000. **The department shall ensure that**
 30 **grant funds provided to districts under this section do not provide direct benefit**
 31 **to private educational institutions.**

1 * **Sec. 25.** AS 14.17.500 is amended by adding new subsections to read:

2 (d) Except as provided in (e) and (f) of this section, a student in a district-wide
3 early education program provided by a school district and approved by the department
4 under AS 14.07.020(a)(8) is counted as one-half of a full-time equivalent student.

5 (e) A school district may not include in a school's ADM students who are four
6 and five years of age if the students are enrolled in an early education program that
7 receives state or federal funding other than funding under this chapter.

8 (f) A school district may not include in a school's ADM students who are four
9 and five years of age if inclusion of the students would result in an increase of total
10 state aid attributable to district-wide early education programs approved under
11 AS 14.03.410 of more than \$3,000,000 from the previous fiscal year. The department
12 shall prioritize the funding of district-wide early education programs, giving priority to
13 school districts with lower performance, based on the department's ranking of districts
14 under AS 14.03.410(c). When the number of students in a district-wide early
15 education program will result in an increase of total state aid attributable to district-
16 wide early education programs approved under AS 14.03.410 of more than \$3,000,000
17 from the previous fiscal year, the department may identify the amount, up to
18 \$3,000,000, available for the district's district-wide early education program.

19 * **Sec. 26.** AS 14.17.500(d), enacted by sec. 25 of this Act, is amended to read:

20 (d) **A school district may not include in the school's ADM** [EXCEPT AS
21 PROVIDED IN (e) AND (f) OF THIS SECTION,] a student in a district-wide early
22 education program provided by **the** [A SCHOOL] district [AND APPROVED BY
23 THE DEPARTMENT UNDER AS 14.07.020(a)(8) IS COUNTED AS ONE-HALF
24 OF A FULL-TIME EQUIVALENT STUDENT].

25 * **Sec. 27.** AS 14.17.905(a) is amended to read:

26 (a) For purposes of this chapter, the determination of the number of schools in
27 a district is subject to the following:

28 (1) a community with an ADM of at least 10, but not more than 100,
29 shall be counted as one school;

30 (2) a community with an ADM of at least 101, but not more than 425,
31 shall be counted as

(A) one elementary school, which includes those students in grades kindergarten through six **and, except as provided in AS 14.17.500, in an early education program provided by a school district and approved by the department under AS 14.07.020(a)(8);** and

(B) one secondary school, which includes students in grades seven through 12;

(3) in a community with an ADM of greater than 425, each facility that is administered as a separate school shall be counted as one school, except that each alternative school with an ADM of less than 175 shall be counted as a part of the school in the district with the highest ADM.

* **Sec. 28.** AS 14.17.905(a), as amended by sec. 27 of this Act, is amended to read:

(a) For purposes of this chapter, the determination of the number of schools in a district is subject to the following:

(1) a community with an ADM of at least 10, but not more than 100, shall be counted as one school;

(2) a community with an ADM of at least 101, but not more than 425, shall be counted as

(A) one elementary school, which includes those students in grades kindergarten through six [AND, EXCEPT AS PROVIDED IN AS 14.17.500, IN AN EARLY EDUCATION PROGRAM PROVIDED BY A SCHOOL DISTRICT AND APPROVED BY THE DEPARTMENT UNDER AS 14.07.020(a)(8)]; and

(B) one secondary school, which includes students in grades seven through 12;

(3) in a community with an ADM of greater than 425, each facility that is administered as a separate school shall be counted as one school, except that each alternative school with an ADM of less than 175 shall be counted as a part of the school in the district with the highest ADM.

* **Sec. 29.** AS 14.20.015(c) is amended to read:

(c) The preliminary teacher certificate issued under this section must contain the same endorsements as those on the current valid teacher certificate issued by the

other state. However, before teaching students in grades kindergarten through three, a teacher certificated under this section must complete coursework, training, or testing requirements, and demonstrate proficiency as determined by the department, in phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension approved by the board in regulation. A teacher may apply coursework, training, or testing requirements completed under this subsection toward continuing education requirements established by the board in regulation.

* **Sec. 30.** AS 14.20.015(c), as amended by sec. 29 of this Act, is amended to read:

(c) The preliminary teacher certificate issued under this section must contain the same endorsements as those on the current valid teacher certificate issued by the other state. [HOWEVER, BEFORE TEACHING STUDENTS IN GRADES KINDERGARTEN THROUGH THREE, A TEACHER CERTIFICATED UNDER THIS SECTION MUST COMPLETE COURSEWORK, TRAINING, OR TESTING REQUIREMENTS IN PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY, ORAL LANGUAGE SKILLS, AND READING COMPREHENSION APPROVED BY THE BOARD IN REGULATION. A TEACHER MAY APPLY COURSEWORK, TRAINING, OR TESTING REQUIREMENTS COMPLETED UNDER THIS SUBSECTION TOWARD CONTINUING EDUCATION REQUIREMENTS ESTABLISHED BY THE BOARD IN REGULATION.]

* **Sec. 31.** AS 14.20.020(i) is amended to read:

(i) A [BEGINNING ON JULY 1, 1998, A] person is not eligible for an initial regular teacher certificate unless the person has taken and successfully completed a competency examination or examinations designated, at the time the person took the test, by the board. The board shall review nationally recognized examinations that are designed to test the competency of new teachers and shall designate those examinations that it finds adequately test the skills and abilities of new teachers. For each examination designated under this subsection, the board shall establish the minimum acceptable level of performance, including a passing score. The board shall reevaluate the passing score for a competency examination at least once

every five years and shall review each examination designated by the board at least once every three years. The board shall prioritize the review of those examinations for which the minimum passing score deviates the most from the mean passing score adopted by other jurisdictions. When reevaluating a passing score for a competency examination, the board shall consider the historical effect of the established passing score, the potential effect of changing the passing score, and the passing score currently used for the examination by other jurisdictions. The board may allow a teacher who passed a comparable competency examination required by another jurisdiction to use a score from the other jurisdiction to satisfy the competency examination requirements under this subsection. The board shall adopt regulations to implement this subsection. A regulation that changes the passing score on a competency examination takes effect on the date that is one year after the date the board adopts the regulation, or a later date prescribed by the board. In this subsection, "competency examination" includes a basic competency examination with components in reading, writing, and mathematics and a subject area examination that is specific to the subject area in which the teacher will be teaching.

* **Sec. 32.** AS 14.20.020 is amended by adding a new subsection to read:

(l) Before teaching students in grades kindergarten through three, a teacher certificated under this section must complete coursework, training, or testing requirements in phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension approved by the board in regulation. A teacher may apply coursework, training, or testing requirements completed under this subsection toward continuing education requirements established by the board in regulation.

* **Sec. 33.** AS 14.30 is amended by adding new sections to read:

Article 15. Reading Intervention.

Sec. 14.30.760. Statewide screening and support. (a) To implement the district reading intervention services established under AS 14.30.765, the department shall

(1) adopt a statewide screening tool to administer to students in grades

kindergarten through three to identify students with reading deficiencies, including students with characteristics of dyslexia; the screening tool must evaluate

(A) phonemic awareness, letter naming fluency, letter sound fluency, and letter word sound fluency of students in kindergarten;

(B) letter word sound fluency and oral reading fluency of students in grade one;

(C) vocabulary and oral reading fluency of students in grades two and three;

(2) support teachers of grades kindergarten through three by

(A) administering the statewide screening tool three times each school year, once in the fall, once in the winter, and once in the spring, to all students in grades kindergarten through three, with the exception of students who demonstrate sufficient reading skills on the first screening of the school year;

(B) providing methods to monitor student progress;

(C) providing targeted instruction based on student needs as determined by the results of the screening tool; and

(D) providing additional assistance as determined by the department;

(3) provide training to school district staff related to using the results of the statewide screening tool and understanding evidence-based reading interventions, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension;

(4) require that districts identify the early education programs attended by students and report to the department the average score on each performance screening tool by students in grades kindergarten through three who

(A) attended a state-approved early education program;

(B) attended a Head Start program;

(C) attended a private early education program;

(D) did not attend an early education program;

(5) establish a process that allows the commissioner to waive, upon request, use of the statewide screening tool required under this subsection by a school district if the school district has adopted an evidence-based reading screening tool and the screening tool is approved by the department;

(6) review, approve, and assist districts developing alternative standardized reading screening tools in any language for use by school districts.

(b) In adopting a statewide screening tool under (a)(1) of this section, the department shall consider the following factors:

(1) the amount of time needed to administer the screening with the intention of minimizing effects on instructional time;

(2) the time frame for reporting screening results to teachers, administrators, and parents or guardians;

(3) the integration of the screening with student instruction and department support;

(4) recommendations from a task force, working group, or committee created by law and charged with studying issues related to reading proficiency and reading deficiencies; and

(5) whether the screening tool is culturally responsive.

Sec. 14.30.765. Reading intervention services and strategies; progression.

(a) Each school district shall offer intensive reading intervention services to students in grades kindergarten through three who exhibit a reading deficiency to assist students in achieving reading proficiency at or above grade level by the end of grade three. The district shall provide the intensive reading intervention services in addition to the core reading instruction that is provided to all students in the general education classroom. The intensive reading intervention services must, to the extent practicable,

(1) be provided by a district reading teacher, or paraprofessional under the supervision of a reading teacher, to all students in grades kindergarten through three who are determined to have a reading deficiency based on the statewide screening tool adopted under AS 14.30.760(a)(1);

(2) provide explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading

1 comprehension, as necessary;

2 (3) use evidence-based reading intervention methods that have shown
3 proven results in accelerating student reading achievement within a single school year;

4 (4) include instruction with detailed explanations, extensive
5 opportunities for guided practice, and opportunities for error correction and feedback;

6 (5) incorporate daily targeted small group reading instruction based on
7 student needs, either in person or online;

8 (6) monitor the reading progress of each student's reading skills
9 throughout the school year and adjust instruction according to student needs;

10 (7) be implemented during regular school hours through any available
11 method, including in person or through online delivery by teachers or specialty
12 reading coaches;

13 (8) be implemented outside of regular school hours, as directed in the
14 student's individual reading improvement plan under (b) of this section, for a student
15 who scores at the lowest achievement level on the statewide screening tool;

16 (9) be reviewed based on a department-approved response to
17 intervention or multi-tiered system support models, addressing additional support and
18 services needed to remedy identified needs; and

19 (10) support reading intervention at home by parents or guardians by
20 offering a list of adult literacy resources and organizations, providing opportunities for
21 parent or guardian participation in training workshops, and encouraging regular parent
22 or guardian-guided home reading activities.

23 (b) In addition to the reading intervention services provided under (a) of this
24 section, a school district shall provide an individual reading improvement plan for
25 each student in grades kindergarten through three who is determined to have a reading
26 deficiency based on the statewide screening tool. An individual reading improvement
27 plan developed under this section must

28 (1) be implemented not later than 30 days after identification of the
29 reading deficiency;

30 (2) be created by the student's reading teacher in consultation with the
31 school principal, the student's parent or guardian, and other pertinent district staff;

1 (3) describe the evidence-based reading intervention services the
 2 student will receive to achieve and demonstrate sufficient reading skills;

3 (4) provide reading intervention services outside of regular school
 4 hours for a student who scores at the lowest achievement level on the statewide
 5 screening tool consistent with (a)(8) of this section;

6 (5) include a process for monitoring progress and adjusting the plan
 7 based on student needs;

8 (6) provide to the student's parent or guardian at least 10 reading
 9 progress updates each school year;

10 (7) be culturally responsive; and

11 (8) support the student reading at home with a parent or guardian by
 12 offering a list of adult literacy resources and organizations, providing opportunities for
 13 parent or guardian participation in training workshops, and encouraging regular parent
 14 or guardian-guided home reading activities.

15 (c) If at any time during the school year a student in grades kindergarten
 16 through three demonstrates a reading deficiency, the district or school shall notify the
 17 student's parent or guardian. The initial notification must

18 (1) be provided to the student's parent or guardian not later than 15
 19 days after identification of the reading deficiency;

20 (2) state that the district identified the student as having a reading
 21 deficiency and that a reading improvement plan will be developed under (b) of this
 22 section;

23 (3) describe current services that the district is providing to the student;

24 (4) describe the proposed evidence-based reading intervention and
 25 supplemental instructional services and supports that the district will provide to the
 26 student to improve the identified area of reading deficiency;

27 (5) explain that the district or school will inform the parent or guardian
 28 orally or in writing, as selected by the parent or guardian, of the student's progress
 29 toward grade level reading as outlined in the student's individual reading improvement
 30 plan;

31 (6) identify strategies for the parent or guardian to use at home to help

1 the student succeed in reading;

2 (7) explain that if the student has a reading deficiency at the end of the
3 school year and is in grades kindergarten through two, the student's progression may
4 be delayed unless the student has previously not progressed to the next grade;

5 (8) explain that a student in grade three should demonstrate sufficient
6 reading skills to progress to grade four under (e) of this section, unless the student
7 receives a waiver under (f) of this section or has previously not progressed to the next
8 grade;

9 (9) explain the process and deadline to request a waiver under (f) of
10 this section; and

11 (10) identify mid-year progression as an option for students who do
12 not progress to the next grade.

13 (d) If it is determined, based on a statewide screening administered in the
14 spring, that a student in grades kindergarten through two has a reading deficiency, the
15 student's teacher and other pertinent district staff shall notify and attempt to meet with
16 the student's parent or guardian to explain that the student will not be able to maintain
17 adequate academic progress at the next grade level. School staff shall work with the
18 parent or guardian to schedule a date, time, and place for the meeting, to be held not
19 later than 45 days before the end of the school year. Following that meeting, the parent
20 or guardian shall determine whether the student will progress to the next grade. If no
21 parent or guardian attends the meeting or if the parent or guardian does not determine
22 whether the student will progress to the next grade, the superintendent or the
23 superintendent's designee shall, after considering the student's best interest and
24 whether the student has previously not progressed to the next grade, determine
25 whether the student will progress to the next grade.

26 (e) A student in grade three should demonstrate sufficient reading skills to
27 progress to grade four. A student demonstrates sufficient reading skills to progress to
28 grade four by

29 (1) scoring at grade level or higher on the statewide screening tool or
30 on the statewide summative assessment;

31 (2) achieving an acceptable score on an alternative standardized

1 reading screening as determined and approved by the department; or

2 (3) demonstrating mastery of reading standards through a student
3 reading portfolio based on criteria established by the department.

4 (f) If it is determined, based on a statewide screening administered in the
5 spring, that a student in grade three has a reading deficiency, and the student does not
6 demonstrate sufficient reading skills to progress to grade four under (e) of this section,
7 the student's teacher and other pertinent district staff shall notify and attempt to meet
8 with the student's parent or guardian to explain that the student is not prepared to
9 progress to grade four. School staff shall work with the parent or guardian to schedule
10 a date, time, and place for the meeting, to be held not later than 45 days before the end
11 of the school year. Following that meeting, the parent or guardian may decide that the
12 student will not progress to grade four or decide to progress the student to grade four
13 by signing a waiver developed by the department acknowledging that the student is
14 not prepared and agreeing that the student will participate in an additional 20 hours of
15 individual reading improvement plan intervention services during the summer before
16 the student enters grade four. If no parent or guardian attends the meeting or if the
17 parent or guardian does not determine whether the student will progress to the next
18 grade, the superintendent or the superintendent's designee shall, after considering the
19 student's best interests and whether the student has previously not progressed to the
20 next grade, determine whether the student will progress to grade four.

21 (g) A superintendent or superintendent's designee may exempt a student from
22 delayed progression when progression is in the student's best interests. When
23 determining if progression is in a student's best interests, the superintendent or
24 superintendent's designee shall consider whether

25 (1) the student has received intensive reading intervention services for
26 two or more years and still demonstrates a reading deficiency;

27 (2) the student's primary language is a language other than English;
28 and

29 (3) the student has a disability and has an individualized education
30 plan under AS 14.30.278 or a plan under 29 U.S.C. 794.

31 (h) If no parent or guardian attends the meeting, and a superintendent or

1 superintendent's designee decides that a student in grades kindergarten through three
 2 will not progress to the next grade under (d) or (f) of this section, the district or school
 3 in which the student is enrolled shall provide immediate oral and written notification
 4 to the student's parent or guardian. The written notification must explain that the
 5 parent or guardian may reschedule the meeting provided under (d) or (f) of this section
 6 and that during a meeting

7 (1) for a student in grades kindergarten through two, the parent or
 8 guardian may decide to progress the student; and

9 (2) for a student in grade three, the parent or guardian may decide to
 10 progress the student to grade four by signing a waiver under (f) of this section.

11 (i) For a student who does not progress to the next
 12 grade under (d) or (f) of this section, or who progresses to the next
 13 grade with a waiver under (f) of this section, the district in which the
 14 student is enrolled shall

15 (1) review the student's individual reading improvement plan;
 16 (2) provide intensive reading intervention services to improve the area
 17 of reading deficiency using effective instructional strategies to accelerate student
 18 progress;

19 (3) provide additional services and support to improve the student's
 20 identified area of reading deficiency, including

21 (A) a transitional instructional setting that is designed to
 22 produce learning gains;

23 (B) supplemental tutoring offered by a person with specialized
 24 reading training;

25 (C) an increase in time dedicated to the reading instruction
 26 methods described in (a)(3) - (5) of this section, including more extensive
 27 opportunities for guided practice and error correction and feedback;

28 (4) develop a plan for reading at home outlined in an agreement with
 29 the student's parent or guardian, including parent or guardian participation in training
 30 workshops and regular parent or guardian-guided home reading activities.

31 (j) For a student who does not progress to grade one, grade two, or grade three

1 under (d) of this section, the district in which the student is enrolled shall, upon
 2 request by the student's parent or guardian, develop a plan for the student's mid-year
 3 progression.

4 (k) A school district shall adopt a policy providing for mid-year progression of
 5 a student who does not progress to grade four under (f) of this section if the student

6 (1) demonstrates sufficient reading skills to progress to grade four on
 7 the fall or winter statewide screening; and

8 (2) meets additional requirements determined by the district, including
 9 satisfactory achievement in other subject areas.

10 (l) A district shall, for the remainder of the academic year, and, if necessary,
 11 for additional school years, continue to implement an individual reading improvement
 12 plan for a student promoted mid-year under (j) or (k) of this section.

13 (m) Unless a parent or guardian decides that a student will not progress to the
 14 next grade under (d) or (f) of this section, a district or school may not delay the
 15 student's progression under this section if the student previously did not progress to
 16 the next grade.

17 (n) In this section, "reading teacher" means a teacher who

18 (1) holds a valid teacher certificate under AS 14.20;

19 (2) has demonstrated effectiveness in instructing students to read at or
 20 above grade level as measured by student reading performance data and in teacher
 21 performance evaluations; and

22 (3) meets the requirements established by the state Board of Education
 23 and Early Development in regulation.

24 **Sec. 14.30.770. Department reading program.** (a) The department shall
 25 establish a reading program to provide direct support for and intervention in intensive
 26 reading intervention services annually in the lowest-performing 25 percent of schools
 27 serving students in grades kindergarten through three as determined under
 28 AS 14.03.123. The department shall determine how many schools may be adequately
 29 served by the department's reading specialists and select schools from the lowest-
 30 performing 25 percent of schools to participate in the reading program. A school
 31 participating in the reading program that remains in the lowest-performing 25 percent

1 of schools as determined under AS 14.03.123 may apply to participate in the reading
 2 program again in the following school year. State funding provided to participating
 3 schools for implementation of the reading program is in addition to the amount of
 4 funding provided under AS 14.17. In conducting the program, the department shall

5 (1) use the accountability system established in AS 14.03.123 to
 6 identify low performing schools;

7 (2) establish an application process for school districts to apply to
 8 participate in the program;

9 (3) select low performing schools from the schools that apply to
 10 participate in the program;

11 (4) employ and assign reading specialists to direct the implementation
 12 of the intensive reading intervention services established under AS 14.30.765 by

13 (A) modeling effective instructional strategies for teachers by
 14 working regularly with students as a class, in small groups, or individually;

15 (B) coaching and mentoring teachers and staff in reading
 16 instruction with an emphasis on prioritizing time in a manner that has the
 17 greatest positive effects on student achievement;

18 (C) training teachers in data analysis and using data to
 19 differentiate instruction;

20 (D) leading and supporting reading leadership teams; and

21 (E) reporting on school and student performance to the
 22 department;

23 (5) establish a reporting process for each reading specialist to submit
 24 updates to the department on implementation of the program;

25 (6) work with reading specialists to create specific improvement goals
 26 for each school selected, including measures of interim progress;

27 (7) select and purchase additional reading material for each school
 28 selected to supplement the intensive reading intervention services;

29 (8) pay travel and associated costs for a reading specialist to attend
 30 relevant training sessions identified by or hosted by the department;

31 (9) periodically review staff development programs for their

effectiveness in developing reading skills and, after consultation with school districts and experts, recommend to the board for approval staff development programs that

(A) have been proven to assess and accelerate student progress toward reaching reading competency;

(B) provide explicit and systematic skill development in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension;

(C) are evidence-based and reliable;

(D) provide initial and ongoing analysis of student progress toward reaching reading competency; and

(E) include texts on core academic content to assist students in maintaining or meeting grade-appropriate proficiency in academic subjects in addition to reading.

(b) A school selected to participate in the reading program established under this section shall

(1) ensure that a reading specialist assigned to the school is not required to perform functions that divert from the duties the department has assigned to the reading specialist;

(2) coordinate with the reading specialist or specialists to redesign the school's daily schedule to dedicate time to reading program activities, including intensive reading intervention services identified in a written agreement between the school and the department;

(3) present on the reading program established under this section and the intensive reading intervention services established under AS 14.30.765 at a public meeting; the presentation must include

(A) the data the department used to identify the school as eligible for the reading program;

(B) a detailed overview of the reading program and intensive reading intervention services;

(C) a timeline for implementing the intensive reading intervention services and meeting reading improvement goals; and

1 (D) the implications of the program for students, families, and
2 educators;

3 (4) provide notice of the public meeting required under (3) of this
4 subsection to the parent or guardian of each student at least seven days before the date
5 of the meeting;

6 (5) present an annual update on the school's implementation of the
7 reading program and intensive reading intervention services at a public meeting with
8 notice provided to the parent or guardian of each student at least seven days before the
9 date of the meeting;

10 (6) create partnerships between the school, the families of students,
11 and the community that focus on promoting reading and increasing the amount of time
12 that students spend reading.

13 (c) The department shall publish on the department's Internet website and
14 make available to the public

15 (1) a completed application from each school selected to participate in
16 the reading program; and

17 (2) the reading program and intensive reading intervention services
18 implemented by each school selected to participate.

19 (d) The department may employ a person as a reading specialist under this
20 section if the person

21 (1) holds a valid teacher certificate issued under AS 14.20;

22 (2) has completed an approved graduate program for the preparation of
23 reading specialists at an approved institution of higher education and

24 (A) has completed a supervised practicum or internship as a
25 reading specialist; or

26 (B) has at least three years of full-time, demonstrated
27 classroom teaching experience where reading instruction was a primary
28 responsibility;

29 (3) is knowledgeable about and demonstrates competency in reading
30 instruction, including

31 (A) an understanding of phonemic awareness, phonics,

1 vocabulary development, reading fluency, oral language skills, and reading
2 comprehension;

3 (B) knowledge of and experience in implementing effective
4 reading instruction strategies and intervention methods;

5 (C) experience in designing and implementing a school-wide
6 response to intervention program or multi-tiered system support model;

7 (D) an understanding of and experience in reading screenings
8 and data analyses that inform instruction;

9 (E) knowledge of dyslexia and other learning disorders that
10 affect reading achievement;

11 (F) knowledge of and an ability to effectively articulate the
12 methods, issues, and resources involved in support of student instruction to a
13 wide variety of audiences, including staff, parents, and students whose primary
14 language is other than English; and

15 (4) meets other reading instruction coursework requirements
16 established by the department in regulation, including coursework in indigenous
17 language learning and culturally responsive education established in regulation by the
18 department in collaboration with indigenous language stakeholders.

19 **Sec. 14.30.775. Regulation.** The department shall, by regulation, define
20 "dyslexia" for the purposes of AS 14.30.760 - 14.30.780. The department shall
21 consider the meaning of "dyslexia" given by the International Dyslexia Association
22 when adopting the definition by regulation.

23 **Sec. 14.30.780. Definitions.** In AS 14.30.760 - 14.30.780,

24 (1) "district" has the meaning given in AS 14.17.990;

25 (2) "evidence-based reading intervention" means an intervention based
26 on reliable, trustworthy, and valid evidence that has a demonstrated record of success
27 in adequately increasing a student's reading competency in the areas of phonemic
28 awareness, phonics, vocabulary development, reading fluency, oral language skills,
29 and reading comprehension.

30 * **Sec. 34.** AS 14.30 is amended by adding a new section to read:

31 **Article 16. Virtual Education.**

Sec. 14.30.800. Virtual education consortium. (a) The department shall, in cooperation with school districts, establish a virtual education consortium for the purpose of making virtual education and professional development resources available to students and teachers in the state. The department shall establish standards for consortium resources. The consortium shall create and maintain a database of virtual education courses for students, training in virtual instruction for teachers, and professional development courses for teachers of students throughout the state if the coursework curriculum meets the state standards established by the department. The database must be accessible to all school districts that participate in the consortium.

(b) For teachers delivering or facilitating virtual coursework to students through the consortium database, the consortium shall provide training and professional development on virtual instruction methods and the differences between virtual instruction and instruction offered in a classroom. A teacher may not provide instruction through a course for students that is in the database unless

(1) the teacher has completed the training or professional development provided by the consortium; or

(2) the consortium determines that the teacher's previous experience has prepared the teacher to provide virtual instruction and the teacher demonstrates the skills necessary to provide virtual instruction.

(c) The consortium shall employ a reading specialist available to school districts to provide virtual intensive reading intervention services. The duties of the reading specialist include

(1) modeling effective instructional strategies for teachers by working regularly with students as a class, in small groups, or individually;

(2) coaching and mentoring teachers and staff in reading instruction with an emphasis on prioritizing time in a manner that has the greatest positive effects on student achievement;

(3) training teachers in data analysis and using data to differentiate instruction;

(4) leading and supporting reading leadership teams; and

(5) reporting on school and student performance to the department.

(d) The department may require a school district that participates in the consortium to pay a fee to the consortium. If the department requires a fee, the department shall establish the fee in regulations, based on a recommendation made by the consortium, and may adjust the fee annually as necessary. The fees must approximately equal the consortium's prorated administrative costs related to reviewing and approving courses and maintaining the database.

(e) A school district that provides a course included in the database may charge a fee to the school district in which a student who takes the course is enrolled. The department shall establish the fee in regulations.

(f) The consortium may require, as a condition of participation, that school districts that provide courses or have students participating in courses included in the database under (a) of this section adopt the same school term and class schedule for all or part of a school day. The school term must meet the requirements of AS 14.03.030.

(g) In this section, "virtual education" or "virtual instruction" means instruction delivered through telecommunications or another digital or electronic method.

* **Sec. 35.** AS 14.60.010 is amended by adding new paragraphs to read:

(9) "culturally responsive" means showing respect for and recognition of the traditions, beliefs, languages, values, and practices of the local culture that has historically been present in the geographic area being served;

(10) "parent" or "guardian" includes a natural, adoptive, and foster parent, stepparent, legal guardian, relative, and other adult person with whom a student has resided and who has acted as a parent in providing for the student or has been responsible for the student's welfare for a continuous period.

* **Sec. 36.** AS 47.17.290(12) is amended to read:

(12) "organization" means a group or entity that provides care and supervision for compensation to a child not related to the caregiver, and includes a child care facility, pre-elementary school, early education program, head start center, child foster home, residential child care facility, recreation program, children's camp, and children's club;

* **Sec. 37.** AS 14.03.080(d) and 14.03.290(4) are repealed.

* **Sec. 38.** AS 14.03.120(h), 14.03.410, 14.03.420; AS 14.17.500(e), 14.17.500(f); AS 14.20.020(l); AS 14.30.760, 14.30.765, 14.30.770, 14.30.775, 14.30.780, and 14.30.800 are repealed.

* **Sec. 39.** The uncoded law of the State of Alaska is amended by adding a new section to read:

VIRTUAL EDUCATION AVAILABILITY DEADLINE. The Department of Education and Early Development shall make available virtual education courses and professional development resources under sec. 34 of this Act on or before July 1, 2024.

* **Sec. 40.** The uncoded law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. Section 32 of this Act applies,

(1) on the effective date of sec. 32 of this Act, to teachers who begin teaching students in grades kindergarten through three on and after the effective date of sec. 32 of this Act;

(2) on July 1, 2024, to teachers who began teaching students in grades kindergarten through three before the effective date of sec. 32 of this Act.

* **Sec. 41.** The uncoded law of the State of Alaska is amended by adding a new section to read:

REPORT TO THE LEGISLATURE. Not later than the thirtieth day of the First Regular Session of the Thirty-Eighth Alaska State Legislature, the Department of Education and Early Development shall prepare and present to the legislative committees having jurisdiction over education a report evaluating the virtual education consortium established under AS 14.30.800 and the following programs established under this Act: the early education program, the parents as teachers program, the reading intervention program, and the department reading program. The report must include

(1) data analysis conducted by an independent contractor evaluating the success of each program, including

(A) statistics measuring the effectiveness of each program in accomplishing the program mission;

(B) the cost-effectiveness of each program;

(C) trends in reading screening scores by each group of students listed

1 in AS 14.30.760(a)(4) as the students progress through grade eight;

2 (2) recommendations from the panels convened under AS 14.07.020(a)(19);

3 and

4 (3) recommendations from the Department of Education and Early
5 Development addressing whether to extend, expand, contract, or repeal each program.

6 * **Sec. 42.** The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 TRANSITION. The number of district-wide early education programs that the
9 department approves under AS 14.03.410 in the fiscal year beginning July 1, 2022, may not
10 result in more than \$3,000,000 of total state aid attributable to early education programs. In
11 the fiscal year beginning July 1, 2023, the number of district-wide early education programs
12 that the department approves may not result in an increase from the prior fiscal year of more
13 than \$3,000,000 of total state aid attributable to early education programs.

14 * **Sec. 43.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 TRANSITION: REGULATIONS. The Department of Education and Early
17 Development and the state Board of Education and Early Development may adopt regulations
18 necessary to implement the changes made by this Act. The regulations take effect under
19 AS 44.62 (Administrative Procedure Act), but a regulation may not take effect before the
20 effective date of the relevant provision of this Act implemented by the regulation.

21 * **Sec. 44.** Section 43 of this Act takes effect immediately under AS 01.10.070(c).

22 * **Sec. 45.** Sections 4, 6, 8, 11, 12, 16, 19, 22, 26, 28, 30, and 38 of this Act take effect
23 June 30, 2034.

24 * **Sec. 46.** Except as provided in secs. 44 and 45 of this Act, this Act takes effect July 1,
25 2023.