

**HB**

**352**

TONY KNOWLES  
GOVERNOR  
governor@gov.state.ak.us



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

HB 352  
P.O. Box 110001  
Juneau, Alaska 99811-0001  
(907) 465-3500  
Fax (907) 465-3532  
www.gov.state.ak.us

January 21, 2002

The Honorable Brian Porter  
Speaker of the House  
Alaska State Legislature  
State Capitol  
Juneau, AK 99811-1182

Dear Speaker Porter:

I am transmitting this bill extending the date for public school performance designations to September 2004, aligning it with the secondary school student competency testing examination. Aligning the effective date of these two programs makes sense because the school performance designations are based on student achievement, including the results of the competency exam.

The additional time will allow the Department of Education and Early Development to do three things regarding school performance designations:

- Align state programs with the new requirements of the federal Elementary and Secondary Education Act;
- Collect the data necessary to measure growth;
- Build the capacity to effectively collect, analyze, and use the data.

Correspondingly, the bill also delays the effective date for department reports and monitoring that are to be based on school designations. In addition, the bill clarifies that school designations are intended to reflect student achievement of "essential skills." It is those skills that students are tested on throughout the standardized testing program mandated by state law.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in cursive script that reads "Tony Knowles".  
Tony Knowles  
Governor

AMENDMENT

OFFERED IN THE HOUSE

BY \_\_\_\_\_

TO: HB 352

- 1 Page 2, line 11:
- 2 Delete "AS 14.23.123(f)"
- 3 Insert "AS 14.03.123(f)"

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: HB 352  
 (H) Publish Date: 1/23/02

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: EED  
 Title School Designators BRU Teaching and Learning Support  
 Component Quality Schools  
 Sponsor Rules  
 Requester Governor Component No. 2147

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 This bill proposes to change the implementation date for the school designator system. It would have no fiscal impact on the Department of Education & Early Development.

Prepared by: Barbara Thompson Phone 465-8727  
 Division Teaching and Learning Support Date/Time 1/16/02 1:06 PM  
 Approved by: Ed McLain, Deputy Commissioner of Education Date 1/16/02  
 Agency Education & Early Development

**SAMPLE Alaska School Report Card**

<b>School Designation of Student Performance</b>				
<b>Designation: TBD</b>				
Confidence: TBD				
<b>Status Score</b>	<b>2002</b>			
<b>Growth Score</b>	<b>2003</b>			
<b>Total Score</b>	<b>2003</b>			

  

Indicator	Status		Growth	
	N	Score	N	Score
Kindergarten Profile				
Grade 3 Benchmark		'02	--	--
Grade 4 NRT		'02		'02/'03
Grade 5 NRT		'02		'03
Grade 6 Benchmark		'02		'03
Grade 7 NRT		'02		'03
Grade 8 Benchmark		'02		'03
Grade 9 NRT		'02		'03
Grade 10 HSGQE		9/'02		'03
Persistence/Dropout		'02		'02
Percent Graduating		'02		'02
Post-graduation Success		'03		'04
Local Assessment		'03		'04

School Context				
Percent AFDC				
Percent Transient				
Percent Special Ed				
Remoteness				
Racial/Ethnic Makeup				
Limited English Proficiency				

  

School Quality	
<i>(Examples of indicators that would be reported)</i>	
Attendance	Accreditation Status
Chronic Truancy	School Plan in Place
Safety (Expulsions)	Parent Involvement
Physical Plant	Community Involvement
Course Offerings	Average Volunteer Hours
Percent Tenured	Parent Satisfaction Survey
Avg. Years Teaching	Student Satisfaction Survey
Percent Teaching in Area of Certification	Community Satisfaction Survey

  

Other Notes
-------------

## **Description of School Designator System And Questions and Answers**

Alaska Department of Education and Early Development

### **What is the purpose of the School Designator System (SDS)?**

The Alaska Department of Education and Early Development is charged statutorily (Sec. 14.03.123) to develop a system for assigning designations and providing assistance to schools. The purpose of the school designation system is to communicate school quality and performance to the public, educators, and others. It is expected that this program will recognize good performance and help lower performing schools get better through increased attention and targeted assistance.

### **What is the status of the SDS?**

The Department will present a proposal to the state Board of Education in March 2002. The Board is responsible for issuing regulations that will direct the specific implementation of the SDS by August 2002. The specifications for the SDS will be set when the Board approves its final regulations. Therefore, the information presented here is a proposal from the Department, subject to change.

### **Who is developing the SDS?**

The SDS is benefiting from input from many sources. The Department has convened a School Designator System Committee. The SDS Committee consists of over two dozen members who represent much of the diversity of Alaska. Members include very experienced educators, school principals, superintendents, school board members, parents, and businesspersons. A nationally experienced firm, the Center for Assessment, is helping with the design of the SDS. The Technical Review Committee established by the Department, consisting of Alaskans with measurement expertise, will also review the SDS design.

As part of the process, the Department is soliciting comments from many educator and policy-making groups. The state Board's regulations will also be subject to a period for public comment.

### **What will be reported?**

The law requires that each school be assigned one of four labels: Distinguished, Successful, Deficient, or In Crisis. These labels will be based on school performance on a number of indicators which will also be reported, including students' performance in relation to the state standards on reading, mathematics, and writing; performance on norm-referenced tests; learning growth of students over the past year in reading, mathematics, and writing; dropout rates; and graduation rates. In addition, the SDS Committee recommended adding results from other performance indicators as they become available, including an early primary

assessment, post-graduation success, and local performance assessment. The degree of confidence in the designation will also be reported.

It may be desirable to combine elements from the existing school report with the information for the school designator system. This could provide information about the school context and quality, such as percent of students living in low-income families, special education, racial/ethnic diversity, and remoteness of the school. Attendance, expulsions, truancy, physical plant, course offerings, and teacher qualifications could also be reported. Although the SDS Committee did not recommend including these other indicators in the school designation rating, most of these elements are collected and reported, and could be combined into a single school report. A sample possible report is attached.

### **Why does the SDS emphasize student test scores?**

In compliance with the state legislature's requirement that the SDS be built on "student measures, including student achievement," a very large part of the school's designation will reflect the performance of its students on the state benchmark and high school graduation qualifying exams. These exams provide a valid and reliable assessment of student performance on the content standards determined to be of most importance for Alaska. Standardized test scores provide a common "measuring stick" across all schools.

The Department and SDS Committee recognize that standardized tests are not the only indicator of school quality and student performance. However, very few other measures were available that met minimum criteria for rigor and fairness. As mentioned above, a number of other indicators have been identified that may be developed and included in the future.

### **How are status and growth included in the SDS?**

One agreed upon indicator of school performance was how its students performed in relation to state standards—for example, how many of its students were passing the high school qualifying exam or performing in relation to the similar proficiency standard for the benchmark exams in grades 3, 6, and 8.

However, it was also agreed that it is more important how much students are learning, or how much their scores are improving from year to year. Thus, the SDS will include how much student test scores have increased from year to year.

Growth will count twice as much as status in assigning school designations. Provisions will be made for schools that are performing so high that it is not reasonable to expect much growth.

**How will the system be fair to all schools?**

Fairness is a primary concern for the Department and all those who have worked on the design of the School Designator System. There are several ways the system has been designed to be fair to all schools.

The SDS will apply objective, common measures to all schools.

Schools whose students have less advantaged backgrounds will “get credit” for helping those students progress. The growth component gives as much credit to helping a student who started low and learned “one year’s standard growth” as it does helping a student who started high. Schools are not competing with each other; they are recognized for helping their students grow, no matter where they started.

Much thought has been taken to make the system as reliable as possible for small schools. This includes including as many grades and students as possible.

The reporting of the degree of confidence in the designator is also an important safeguard against basing decisions on uncertain or unstable evidence.

For schools with substantial student transience, while the individual student tracking system is being developed, the Department will allow schools that can track individual students to present evidence for consideration if the results are substantially different than those based on the state’s unmatched data.

It is anticipated that on-going studies will alert the Department if there are changes in school circumstances, population shifts, or unforeseen situations.

**Can you give an example of how the system is fair to a school serving less advantaged students?**

It is recognized that students from lower socio-economic positions, or who have less proficiency in English, usually score lower on achievement tests. Often these are racial or ethnic minority students, although most studies indicate a stronger relationship with socio-economic status. It is not true, however, that these less advantaged students cannot learn. In fact, one of the underlying tenets of the standards movement is that all children can learn, most to higher levels than are currently being achieved. This view that all children can learn is supported by extensive research on the effectiveness of teachers, the power of expectations, and the effect of schools with powerful instructional programs.

If schools were only evaluated on how high their students scored—such as how many were Proficient on a benchmark exam or what percentage passed the HSGQE—then schools serving less advantaged students might be expected to rank low. However, the proposed SDS gives credit to schools for helping their students learn, no matter where they started. So, for example, a school whose grade 4 students were all reading one grade level below would receive credit for helping those students progress one grade’s worth on the exam by the end

of grade 5, as would a school whose students were all reading on level from grade 4 to grade 5. That is, schools get credit for helping students learn, no matter how low or high they start.

**Some schools serve high percentages of students who are mobile. How does the system treat them?**

Statistically speaking, in large enough sample sizes, if the students moving into a school are like the students moving out, then transience should not affect the school's results. Schools should monitor and document changes in population from year to year.

The proposed SDS system includes all students who are enrolled and tested in the school each year, with certain exceptions. One reason for this is to recognize that "all students count" and not to provide any incentive to push students out of the accountability and educational system. A study done by the Department on the limited Alaska data available indicates that using a matched student system would not result in very different school results than the proposed system that compares groups of students. However, the Department is very interested in studying a true student longitudinal growth system that will track growth from year to year for each individual student.

There is a difference between students who are transient within the state, within a district, or who move in or out of the state or in and out of the public school system. The Department is working on establishing a system that will allow student scores to be matched no matter where a student moves within the public school systems within the state, and is planning to study how much such a system should be used in the SDS and what differences it might make.

**When will the school designator system be implemented?**

The Department and Board are proceeding to implement as much of the proposed plan as possible by August 2002, which is required by law. This will include status measures on the benchmark exams and TerraNova CAT/6 in grades three through nine, but few if any growth measures. Due to standard setting for the refocused High School Graduation Qualifying Exam results from the grade 10 students will not be available until late September 2002.

Growth measures on state tests, which require at least two years' data, will first be available for all grades in 2003. It is expected that additional enhancements and refinements will be available in 2004 and after. A possible implementation schedule is indicated on the sample report.

The committee and the Department have expressed concern regarding the designation of schools on the basis of status scores only. The Department is recommending implementation of the designator system in 2004 to allow for the inclusion of growth data, and to more fully develop the capacity of the state and districts to collect, manage and analyze the data gathered by schools and districts.

The reauthorization of the Elementary and Secondary Education Act (ESEA) in December of 2001 also contains a significant number of school and district accountability requirements. The Department of Education and Early Development and the School Designator Committee believes that is critically important to incorporate the new Federal requirements into the Designator System that will be implemented in the state. Implementing the designator system in 2004 will allow the Department to ensure that our state accountability system is consistent with these new federal requirements.

## School Designators- Summary of Issues

**Background-** Current Alaska statutes (Sec. 14.03.123 *School Accountability* and Sec. 14.03.120 *Education Planning*) require the Department of Education and Early Development to develop a system to assign each school in Alaska a designation of Distinguished, Successful, Deficient, or In Crisis by August 2002. The Department is also charged annually to publish a "Report Card to the Public" that includes those school designations beginning January 2003.

To develop a system for designating school performance the Department convened a School Designators Committee to advise in the design and implementation of the school designator system. The Department hired consultants from the National Center for the Improvement of Educational Assessment, Inc. (Center for Assessment) to work with the Committee and Department towards establishing principles and guidelines within which the school designator system would be developed.

**Goals-** We assume that the primary intent of assigning school designation labels is to spur strengthened educational services to all students and to inform the public. The desired long-term outcome of the School Designator System therefore should be better schools, better-educated students, and more informed public and policymakers. The school designator system has been designed to contribute to strengthened education, be appropriate for the wide range of circumstances of Alaska public schools, and be technically sound, legally defensible, and politically acceptable to a wide range of stakeholders.

**Indicators Used To Determine School Designations-** The School Designator System (SDS) will base assignment of school designations upon, student performance on state benchmark and HSGQE assessments, commercial norm-referenced tests, and dropout rate (for high schools). Student performance measures will include Status (most recent performance of students in the school) and Growth (improvement over time of students in successive grades/years). Results from these indicators will be combined to inform a decision about assigning a designation. Additional indicators will be reported, as part of the School Report Card to the Public, but will not be used for determining school designations.

*Calculating a Score for Status-* The Status score will represent the average performance of all students in the school on the various assessments (i.e., benchmark and NRTs). The Status score will be calculated through an index assigning points for each student score in a designated performance level. Scores will be averaged across subjects and grade levels.

Performance on Benchmark Test	Accountability Points
Above Standard	150
Meets Standard	100
Nearly Meets Standard	50
Does Not Meet Standard	0

Calculating a Score for Growth- The Committee determined that growth will account for 2/3 of the total designator score. Growth will be measures based on the improvement made by a class of students from one year to the next year. This measure of improvement, is sensitive to "where students started" and uses classes of students; rather than tracking exactly the same students. Scores will be averaged across subjects and grade levels.

Persistence/Dropout Index- The Committee recommended that dropout or persistence rates should be included as an indicator for high schools. We recommend that persistence rate be used instead of dropout rate, where persistence is the inverse of dropouts: the percentage of students who continue in school.

Report Degree of Certainty-A degree of certainty (reliability) will be reported with each school designation. The degree of certainty should be taken into consideration when interpreting the school designation. The degree of certainty of the school designation would reflect the reliability or decision consistency of the assignment of the designation.

**Implementation Date**-The Department and Board are proceeding to implement as much of the proposed plan as possible by August 2002. This will include status measures on the benchmark exams and TerraNova CAT/6 in grades three through nine, but few if any growth measures. Due to standard setting for the refocused High School Graduation Qualifying Exam results from the grade 10 students will not be available until late September 2002.

Growth measures on state tests, which require at least two years' data, will first be available for all grades in 2003. It is expected that additional enhancements and refinements will be available in 2004 and after. A possible implementation schedule is indicated on the sample report.

The committee and the Department have expressed concern regarding the designation of schools on the basis of status scores only. The Department is recommending implementation of the designator system in 2004 to allow for the inclusion of growth data, and to more fully develop the capacity of the state and districts to collect, manage and analyze the data gathered by schools and districts.

The reauthorization of the Elementary and Secondary Education Act (ESEA) in December of 2001 also contains a significant number of school and district accountability requirements. The Department of Education and Early Development and the School Designator Committee believe that is critically important to incorporate the new Federal requirements into the Designator System that will be implemented in the state. Implementing the designator system in 2004 will allow the Department to ensure that our state accountability system is consistent with these new federal requirements.

Sec. 14.33.110. Purpose of school disciplinary and safety program.

The purpose of AS 14.33.110 - 14.33.140 is to

- (1) implement and maintain community-based standards of school behavior that are developed by students, parents, teachers, school administrators, and the community;
- (2) facilitate the creation of a standard of school behavior and safety by local communities for the schools in those communities;
- (3) protect and support teachers who enforce standards of student behavior and safety in the classroom established under AS 14.33.120 ; and
- (4) ensure that all schools and school districts receiving state funds, that may not have already done so, implement and maintain an effective school disciplinary and safety program.

Sec. 14.33.120. School disciplinary and safety program.

(a) Each governing body shall adopt a written school disciplinary and safety program. The program required under this subsection must include written

- (1) standards for student behavior and safety that reflect community standards and that include, at a minimum, basic requirements for respect and honesty; standards required under this paragraph must be developed and periodically reviewed with the collaboration of members of each school, parents, teachers, and other persons responsible for the students at a school; a governing body may require that standards developed under this paragraph be consistent for all schools in an attendance area or the district; and
  - (2) standards relating to when a teacher is authorized to remove a student from the classroom for
    - (A) failure to follow student behavior and safety standards; or
    - (B) behavior described under AS 14.30.045 (1) or (2);
  - (3) procedures for notifying teachers of dangerous students consistent with AS 47.12.310 (b);
  - (4) standards relating to when a teacher, teacher's assistant, or other person responsible for students is authorized to use reasonable and appropriate force to maintain classroom safety and discipline as described under AS 11.81.430 (a)(2);
  - (5) policies necessary to comply with provisions of state and federal law, including 20 U.S.C. 1400 - 1485 (Individuals with Disabilities Education Act);
  - (6) standards to address needs of students for whom mental health or substance abuse may be a contributing factor to noncompliance with the school disciplinary and safety program;
  - (7) policies for implementing a student conflict resolution strategy, including the nonviolent resolution or mediation of conflicts and procedures for reporting and resolving conflicts;
  - (8) procedures for periodic review and revision of the school disciplinary and safety program.
- (b) A school district shall report information relating to school district disciplinary and safety programs as required by the department, including incidents of disruptive or violent behavior.

Sec. 14.33.130. Enforcement of approved program; additional safety obligations.

- (a) A teacher, a teacher's assistant, a principal, or another person responsible for students may not be

terminated or otherwise subjected to formal disciplinary action for lawful enforcement of an approved school disciplinary and safety program, including behavior standards, adopted under AS 14.33.120 .

(b) A teacher, a teacher's assistant, a principal, or another person responsible for students who

(1) receives information about a student under AS 47.12.310 (b) or receives information that may affect the safety of students or staff shall notify the student's teacher or a school administrator; and

(2) in the course of employment, observes a student committing a crime shall report the crime to the local law enforcement agency; in this paragraph, "crime" has the meaning given in AS 11.81.900 .

Sec. 14.33.140. Civil liability for enforcing disciplinary and safety program.

A teacher, a teacher's assistant, a principal, or another person responsible for students is not liable for civil damage resulting from an act or omission (1) arising out of enforcement of an approved school disciplinary and safety program adopted under AS 14.33.120 ; and (2) arising out of and in the course of employment unless the act or omission constitutes gross negligence or reckless or intentional misconduct.

-----  
Sec. 14.03.120. Education planning.

(a) A district shall annually file with the department, and make available to the public, a report that

(1) establishes district goals and priorities for improving education in the district;

**(2) establishes community based behavior standards developed under 14.33.120**

**(3) [(2)] includes a plan for achieving district goals and priorities and behavior standards; and**

**(4) [(3)] includes a means of measuring the achievement of district goals and priorities and behavior standards; and**

**(5) includes a plan for achieving broader community and parent participation in the development of goals, priorities, and behavior standards.**

(b) The department shall summarize the reports submitted under (a) of this section as a statewide report, provide a copy to the governor, and notify the legislature that the report is available.

(c) A district shall make efforts to encourage students, parents, teachers, and other members of the community to participate in the preparation of the report submitted under (a) of this section.

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

(1) information on accreditation;

(2) results of norm-referenced achievement tests;

(3) results of state standards-based assessments in reading, writing, and mathematics;

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

(5) a description of the school's attendance, retention, dropout, and graduation rates, including the number

and percentage of students who received a diploma under a waiver from the competency examination required under AS 14.03.075 (a), as specified by the state board;

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

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

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

(e) By a date set by the district, each public school in the district shall provide the report described in (d) of this section to the district's governing body. Along with the report, each public school shall submit a summary of comments made on the report by parents, students, and community members. By July 1 of each year, beginning in 2000, each district shall provide to the department a report on the performance of each public school and the public school students in the district. The district's report must

(1) be entitled "School District Report Card to the Public"; and

(2) include

(A) copies of the reports and summaries of comments submitted under this section by each public school in the district; and

(B) a compilation of the material described in (A) of this paragraph by each public school in the district.

(f) By January 15 of each year, beginning in 2001, the department shall provide to the governor and make available to the public and the legislature a report on the performance of public schools in this state. The report must be entitled "Alaska's Public Schools: A Report Card to the Public." The report must include

(1) comprehensive information on each public school compiled, collected, and reported under (d) and (e) of this section for the prior school year;

(2) a summary of the information described in (1) of this subsection; the summary must be prepared in a manner that allows school performance to be measured against established state education standards; and

(3) for a report due by or after January 15, 2003, the performance designation under AS 14.03.123 (b) received by each public school during the prior school year.

(g) In this section, "district" has the meaning given in AS 14.17.990 .

#### Sec. 14.03.123. School accountability.

(a) Beginning in August [2002] ~~2004~~, and during each of the following 12-month periods, the department shall assign each public school in each district the performance designation of distinguished, successful, deficient, or in crisis based on multiple student measures, including student achievement and parent and community involvement. The state board of education and early development shall establish this process by regulation.

(b) A public school assigned a performance designation of deficient or in crisis shall develop a school improvement plan under (e) of this section. The department shall inform the governing body of each district of the performance designation assigned to each public school in the district.

(c) The state board shall adopt regulations to allow a district to appeal the performance designation assigned to a public school in that district.

(d) The department may establish a program of special recognition for those public schools that achieve a distinguished performance designation.

(e) A public school that receives a designation of deficient or in crisis shall prepare a school improvement plan to improve student performance based on a process established by the state board of education and early development. The public school shall undertake an improvement process under that plan to lead to a designation of successful or distinguished. The school improvement plan must be prepared with the maximum feasible public participation of the community, including, if appropriate, interested individuals, teachers, parents, parent organizations, students, tribal organizations, local government representatives, and other community groups. The district shall consult with and assist the public school in the preparation of the school improvement plan. The school improvement plan must be approved by the local school board. The commissioner may provide technical assistance to a public school or the district at any time during the preparation and implementation of the school improvement plan on the request of an interested person and the approval of the district.

(f) Beginning August 1, [2002] 2004, and periodically during each of the following 12-month periods, the department shall monitor the progress of the implementation of each school improvement plan prepared under (e) of this section.

(g) The department may use existing staff or contract with one or more qualified persons to assist a public school that is deficient or in crisis under this section to improve student performance. Qualified persons to provide assistance under this section include educators, business leaders, members of the governing body of that district, and community leaders. The provisions of AS 36.30 do not apply to a contract awarded under this subsection.

(h) Notwithstanding any other provisions in this title, if the performance designation of a public school has continued to be deficient or in crisis for two consecutive school years, the chief school administrator, if the district employs a chief school administrator, the president of the governing body, and the principal of the public school shall, at a public meeting of the state board of education and early development, present a written report on the performance of that public school.

(i) The state board of education and early development shall develop, by regulation, measures that may be progressively implemented by the commissioner to assist a public school to improve student performance in accordance with this section.

(j) In this section, "district" has the meaning given in AS 14.17.990 .

**ANCHORAGE SCHOOL DISTRICT  
ASDR**

**A RESOLUTION IN SUPPORT OF DELAYING THE SCHOOL DESIGNATORS  
UNTIL 2004.**

**WHEREAS**, in 1998, the legislature passed the school accountability law requiring school designators to be established in each Alaskan school in August 2002; and

**WHEREAS**, the School Designator Committee has recommended the school designators be based on both achievement status and achievement growth which requires a minimum of two years of achievement data on the same students using the same tests and growth data that will not be available in August, 2002; and,

**WHEREAS**, effective in the spring of 2002, the Alaska State Board of Education and Early Development will replace the California Achievement Test (CAT) – Fifth Edition (part of the statewide assessment for the past seven years) with the TerraNova/CAT/6 – 2<sup>nd</sup> Edition; and,

**WHEREAS**, the reauthorization of the Elementary and Secondary Education Act (ESEA) in December of 2001 contains a significant number of school and district accountability requirements that will need to be incorporated into the School Designator System; and

**WHEREAS**, in 2001, the legislature passed a law to revise the High School Graduation Qualifying Exam (HSGQE) to make sure it measures "essential" skills and knowledge and to extend its effective date to 2004; and

**WHEREAS**, designating a school as deficient or in crisis on the basis of test scores alone ignores certain factors such as the high level of mobility that occurs in our schools; and

**WHEREAS**, schools in low socioeconomic areas, schools in highly transient communities and schools designed to serve high needs populations are more likely to be labeled deficient as a result of factors other than the quality of education being delivered.

**NOW THEREFORE BE IT RESOLVED**, that the Anchorage School Board supports delaying the effective date until 2004 to align it with the High School Graduation Qualifying Exam; and

**BE IT FURTHER RESOLVED**, that the Anchorage School Board urges caution in labeling schools on the basis of test scores alone.

**PASSED AND APPROVED** by the Anchorage School Board this 11th day of February, 2002.

# MEMORANDUM

State of Alaska  
Department of Education  
& Early Development

To: Representative Fred Dyson

Date: March 4, 2002

Phone: 465-8678

FAX:

File:

From: Ed McLain, Ed.D.  
Deputy Commissioner

Subject: Recommendations

Thank you for the opportunity to discuss your recommendations regarding the reporting requirements you are recommending for AS 14.33.110-14.33.140.

As a result of our conversation, the department is willing to commit to the following:

We will state on the public record during the hearing on HB 352 in House HES committee that we will amend our current regulations to collect information from districts indicating compliance with AS 14.33.110-140. As per our conversation, we intend to notify districts that this provision will become effective for the 2002-2003 school year. (see attached memo) Districts will provide the department with a short summary of:

- the process and procedures used to establish their community based behavior standards
- their means of assessment of the effectiveness of their behavioral standards
- their on-going plans for involving parents and the community in the evaluation and updating of their behavioral standards.

These summaries will be made available to the legislature as part of the February 15 report in other areas of school performance, as well as be included on the departmental web site.

We fully expect to involve the legislature as we look forward to the impacts of data collection and reporting in this area as required by the reauthorization of the Elementary and Secondary Education Act (ESEA.)

It is our hope that these actions will begin to address some of the concerns and issues raised.

Please feel free to contact our office if we can provide further clarification.

**Department of Education & Early Development**  
*Office of the Commissioner*

*Goldbelt Place  
801 West Tenth Street, Suite 200  
Juneau, Alaska 99801-1894  
(907) 465-2800  
(907) 465-4156 Fax*

**To:** Superintendents

**From:** Ed McLain, Deputy Commissioner

**Date:** March 7, 2002

**Subject:** School Disciplinary and Safety Program Legislation

\*\*\*\*\*

You may recall that during the 2000 legislative session, an important piece of legislation was passed related to school disciplinary and safety programs.

Chapter 114, SLA 00 (effecting AS 14.33.110-14.33.140) required districts to work with their communities to develop school disciplinary and safety standards and related policies; including the establishment of community based behavioral standards. These standards, plans and related policies should be kept on file at the district level and do not need to be submitted to the Department of Education & Early Development.

The department will confirm compliance with the above requirements through a reporting process beginning in the 2002-2003 school year. Districts will provide the department with a short summary of:

- the process and procedures used to establish their community based behavior standards
- their means of assessment of the effectiveness of their behavioral standards
- their on-going plans for involving parents and the community in the evaluation and updating of their behavioral standards.

These summaries will be made available to the legislature as part of the annual February 15 report in other areas of school performance, as well as be included on the departmental web site.

Please feel free to contact our office if you need further information or guidance to meet these requirements.

March 5, 2002



Larry Wiget, Executive Director, Public Affairs

(W) 907-742-4322 (F) 907-742-4175

## HB 352, Delay of School Designators

Thank you for the opportunity to provide the House Education and Social Services Committee with written testimony on HB 352.

The Anchorage School Board urges caution in labeling schools on the basis of test scores alone and supports legislation that delays the effective date of the school designator process from August 2002 to 2004.

Senate Bill 36, which became AS 14.07.020(b).5., requires the State Board to develop an annual system of rating schools, and designate each school by August 2002 in one of four categories: distinguished, successful, deficient, and in crisis. The categories are to be based on a school's student test scores and other indicators of student performance.

The Anchorage School Board supports assessment of student progress and the accountability implicit in this legislation. However, designating a school as deficient or in crisis on the basis of test scores alone ignores certain factors such as the high level of mobility that occurs in our schools. This means that the students being measured on the benchmark exams in the spring may not be the students who started at the school in the fall.

In addition, labeling on test scores alone has the high potential to be misleading and adversely affect families and neighborhoods. Schools in low socioeconomic areas, schools in highly transient communities and schools designed to serve high needs populations are more likely to be labeled deficient as a result of factors other than the quality of education being delivered.

**Attached please find a copy of a resolution, passed by the Anchorage School board on February 11, 2002, in support of delaying the school designators until 2004**

Attn: Mike Ford

from Jason Hooley - HESS Committee Aide x3759

We need a CS HB 352 (HES)

AMENDMENT

OFFERED IN THE HOUSE

BY \_\_\_\_\_

TO: HB 352

- ① 1 Page 2, line 11:
- 2 Delete "AS 14.23.123(f)"
- 3 Insert "AS 14.03.123(f)"

② Page 2, line 5  
replace 2004 with 2003

③ Page 2, line 12  
replace 2005 with 2004

Thank you.



22-GH2081\c  
Ford  
3/6/02

**CS FOR HOUSE BILL NO. 352(HES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act extending the dates for assignment of performance designations of public**  
2 **schools and the dates for reports and monitoring based on those designations; and**  
3 **providing for an effective date."**

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

5 **\* Section 1. AS 14.03.120(f) is amended to read:**

6 (f) By January 15 of each year, beginning in 2001, the department shall  
7 provide to the governor and make available to the public and the legislature a report on  
8 the performance of public schools in this state. The report must be entitled "Alaska's  
9 Public Schools: A Report Card to the Public." The report must include

10 (1) comprehensive information on each public school compiled,  
11 collected, and reported under (d) and (e) of this section for the prior school year;

12 (2) a summary of the information described in (1) of this subsection;  
13 the summary must be prepared in a manner that allows school performance to be  
14 measured against established state education standards; and

1 (3) for a report due by or after January 15, 2005 [2003], the most  
2 recent performance designation under AS 14.03.123 [AS 14.03.123(b)] received by  
3 each public school [DURING THE PRIOR SCHOOL YEAR].

4 \* **Sec. 2.** AS 14.03.123(a) is amended to read:

5 (a) Beginning in September 2003 [AUGUST 2002], and during each of the  
6 following 12-month periods, the department shall assign each public school in each  
7 district the performance designation of distinguished, successful, deficient, or in crisis  
8 based on multiple student measures, including student achievement of essential skills.  
9 The state board of education and early development shall establish this process by  
10 regulation.

11 \* **Sec. 3.** AS 14.03.123(f) is amended to read:

12 (f) Beginning January 1, 2004 [AUGUST 1, 2002], and periodically during  
13 each of the following 12-month periods, the department shall monitor the progress of  
14 the implementation of each school improvement plan prepared under (e) of this  
15 section.

16 \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).