

**SB**

**133**

SFIN

FILE

**SENATE FINANCE COMMITTEE REPORT**

REPORTED OUT
MAR 26 2001
SENATE FINANCE COMMITTEE

DATE: 3/20/01

FURTHER:

DATE TURNED IN TO OFFICE:

27 March 2001

Finance Committee considered

SENATE BILL NO. 133

*PUBLIC SCHOOL EXIT EXAM*

"An Act relating to a two-year transition for implementation of the public high school competency examination and to establishing an essential skills examination as a high school graduation requirement; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS SB 133 (HES)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
Dept. of Education & Early Develop.	03/11/01	65.9		1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Gary White</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>Kevin D. Hemen</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			

MAR 26 2001

SENATE FINANCE  
COMMITTEE

# FISCAL NOTE

STATE OF ALASKA  
2001 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: CSSB 133(HES)  
(S) Publish Date: 3/20/01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Education & Early Development  
Title: An Act relating to a two-year transition for imple- BRU: Teaching & Learning Support  
mentation of the public high school competency examination Component: Quality Schools  
Sponsor: Senate HESS  
Requester: Senate HESS Component Number: 2147

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

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel	48.0					
Contractual	17.9					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>65.9</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	65.9					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>65.9</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 (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The legislation amends AS 14 13.075 to allow a governing body to grant a waiver of the competency exam requirement based on criteria established by the State Board of Education & Early Development (SBOEED) to develop the waiver, the SBOEED will engage the Alaskan public through a series of face-to-face regional meetings and teleconferences. Meetings and teleconferences will be advertised statewide. During FY03, the SBOEED will draft the waiver parameters to fulfill the reporting requirements for the January 2003 report to the legislature. The SBOEED will then promulgate regulations delineating the waiver process requirements.

Prepared by: Barbara Thompson, Deputy Director Phone 465-8727  
Division: Teaching & Learning Support Date/Time 3 16 01 12:00 AM  
Approved by: Bruce Johnson, Deputy Commissioner of Education Date 03 16 2001  
Agency: Department of Education & Early Development

For distribution information, call the Governor's Legislative Office

SENATE FINANCE COMMITTEE  
**3 / 26 2001 COMMITTEE ACTION**

Bill Number	<b>SB 133</b>		
Amendment	<b>1</b>		
Motion:	<b>Hoffman</b>		
<i>Motion by</i>			
<i>Objection by</i>			
<i>Removed</i>			
<i>Second Objection by</i>			
<i>Committee Member</i>	<i>Y</i>	<i>Vote</i>	<i>N</i>
Senator Austerman			
Senator Green		✓	
Senator Hoffman	✓		
Senator Leman		✓	
Senator Olson	✓		
Senator Ward			
Senator Wilken		✓	
Co-Chair Donley		✓	
Co-Chair Kelly		✓	
<i>Tally</i>			
<i>Yea</i>			
<i>Nay</i>			
<i>Absent</i>			
<b>MOTION FAILED 5-2</b>			

# ALASKA STATE LEGISLATURE



*Interim:*  
600 East Railroad Avenue  
Wasilla, Alaska 99654  
(907) 376-3370  
(907) 376-3157 Fax

*Session:*  
State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-6600  
(907) 465-3805 Fax

## SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE SENATOR LYDA GREEN, CHAIR

### SPONSOR STATEMENT CS SENATE BILL 133(HES)

CSSB 133 (HES) focuses on three main goals:

1. Continue giving the exam, thus requiring responsibility and accountability;
2. Ensure the exams test knowledge of essential skills and that students taking the exam as seniors have been taught the appropriate material; and
3. Address provisions for special education/disabled students and extraordinary situations.

Although the existing exit exam law has effected positive change to Alaska's education efforts, several problems with the exam have been identified over the last several years. CSSB 133(HES) addresses these problems by delaying the implementation of denying diplomas for failing the exam until 2004, by creating a carefully administered waiver program for extraordinary situations and by adding language that would allow students participating in an "individual education plan" the ability to earn a diploma.

Currently, some students are being tested on skill sets they are not required to know by state statute and/or by local school districts, on information they have never been taught, and they will be denied a diploma if they fail the exam. Additionally, content review committees, especially in mathematics, did not develop tests for those essential skills we expect students to have when they graduate. CSSB 133 (HES) provides the department with two additional years to resolve this serious matter. During this two year period, CSSB 133(HES) requires that students take the exam and that areas of the exam they successfully pass be shown on their diplomas and transcripts.

Also, current law makes no provision for students with an IEP. Consequently, students with an IEP would be denied the opportunity to earn a diploma. CSSB 133(HES) addresses this inequity by ensuring students with an IEP have the same opportunities as students without special education needs.

Additionally, the current law provides no flexibility for the department to consider extraordinary situations such as illness or military transfer students. CSSB 133(HES) addresses this issue by creating a waiver system. The legislation requires the department and the board of education to develop the criteria and procedures for such a waiver and then return to the legislature to report on their proposed regulations by January 31, 2003.

In short, though CS for Senate Bill 133 (HES) is relatively short and simple, it is also the only legislation introduced this year that comprehensively addresses the problems expressed to the Senate HESS Committee. CSSB 133(FIN) is reasonable legislation designed to enhance current competency exam laws so that Alaska's children can fully benefit from their educational efforts.

SENATOR LOREN LEMAN, VICE-CHAIR  
SENATOR JERRY WARD, SENATOR GARY WILKEN, SENATOR BETTYE DAVIS

## SB 133: PUBLIC SCHOOL EXIT EXAM

BY SENATE HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

### SECTIONAL ANALYSIS

Prepared by Aurora Hauke, Senate HESS Committee Aide

Sec.	Statute	Existing	Changes
1	Uncodified law	None.	New section INTENT added. The intent of this Act is to encourage schools and districts to develop endorsements, implement reasonable testing procedures, and that the exam should focus on skills one is expected to know in order to function in society.
2	AS 14.03.075 added by sec. 1 ch. 58, SLA 1997 Education, Libraries, and Museums Public Schools Generally General Provisions Secondary student [PUPIL] competency examination [TESTING]	A pupil cannot be issued a high school diploma unless that student passes a competency examination. A pupil who fails the exam shall receive a certificate of attendance and may be reexamined not more often than once every three months and must pass the test within three years of ceasing to attend school.	In addition to passing the test, the student can receive a waiver from the governing body. Students who fail the test will not get a certificate of attendance. The procedures for reexamination are to be established by the department.
3	AS 14.03.075 added by sec. 1 ch. 58, SLA 1997	None.	New subsections added. A student will receive an endorsement on their diploma for each part of the exam passed. A student with a disability who fails the exam is eligible for a diploma if they complete their IEP or 504 plan and meet other graduation requirements. The department will establish standards for pre-examination study materials, administration procedures, and the awarding of waivers and procedures for recording exam results on transcripts.
4	AS 14.03.120(d) Education, Libraries, and Museums Public Schools Generally Education planning	Each public school must provide a report of their performance annually. The report must include various types of information which are intended to show the performance of the school.	The report must also include the number of students who received a diploma under a waiver.

Sec.	Statute	Existing	Changes
5	AS 14.07.165 Education, Libraries, and Museums Administration of Public Schools State Board of Education Duties	The board must adopt statewide goals, require local goals and adopt various regulations for grants, charter schools, boarding schools, etc.	The board must also adopt regulations implementing the exams, including criteria and procedure for waivers which includes provisions that the student satisfy the performance standards to the maximum extent possible.
6	Section 3, ch. 58, SLA 1997 Education, Libraries, and Museums Public Schools Generally General Provisions Secondary pupil competency testing	This Act takes effect January 1, 2002.	This Act takes effect February 1, 2004.
7	Uncodified law	None.	New section APPLICABILITY added. The standards and requirements required by AS 14.03.075 as amended by this Act apply to students who graduate on or after February 1, 2004.
8	Uncodified law	None.	New section TRANSITION: ACADEMIC STANDARDS FOR PUBLIC HIGH SCHOOL GRADUATION added. Between February 1, 2002 and January 31, 2004, each student is required to take a competency examination or alternative assessment and meet academic requirements established by the state and local school board in order to receive a diploma. The department will determine the form and contents of the exam. A student will receive an endorsement on their diploma for each section of the exam passed.
9	Uncodified law	None.	New section TRANSITION: REGULATIONS added. The department may immediately proceed to adopt regulations necessary to implement the changes made by this Act. The regulations will take effect when the changes take effect.
10	Uncodified law	None.	New section REPORT added. The department shall deliver a report to the Legislature that describes proposed criteria and procedures for waivers by January 31, 2003.
11	Effective date		Sections 2-5 of this Act take effect February 1, 2004.
12	Effective date		Sections 6 and 9 of this Act take effect immediately.
13	Effective date		The rest of this Act takes effect February 1, 2002.

Comparison of Key Provisions in Legislation Addressing  
High School Graduation Qualifying Exam

Sponsor	Transition	Endorsements	Special Ed	Other provisions
Sen. Ward SB 120	None.  Repeals and reenacts current law.  Students who do not pass the HSGQE may still be eligible to receive a diploma if they meet local requirements.	On the pupil's <i>diploma</i> identifying the areas of the exam successfully passed.  Endorsement consisting of the Alaska flag symbol for those who do not pass.	NA	
Sen. Leman SB 128	2 year transition (until 2004)  ...at which time current law again takes effect: students who do not pass the HSGQE do not receive a diploma (but do receive a certificate of attendance)  Students who do not pass may still graduate if they meet local requirements, until 2004.	On the pupil's <i>diploma and transcript</i> identifying the areas of the exam successfully passed.  No endorsement or designation for those who do not pass.	NA	
SB 133 S. HESS (Sen. Groan, chair)	2 year transition (until 2004)  ...at which time students who do not pass a "High School Essential Skills Exam" do not receive a diploma  Adds a provision allowing DEED to grant waivers to the HSESE.  Language is deleted offering a certificate of attendance in lieu of a diploma for those who do not pass the exam.  Students who do not pass may still graduate if they meet local requirements, until 2004.	On the pupil's <i>diploma and transcript</i> identifying the areas of the exam successfully passed  After the transition period, exam results are to be recorded on a pupil's <i>transcripts</i> .	Special Ed students who fail the exam are eligible to receive a diploma if the student completes an alternative assessment required by the IEP (Individualized Educational Plan) team or required in the education plan for the student under 29.U.S.C. 794, and meets local requirements.	Includes Intent language describing essential skills necessary for students to have upon graduation.  Requires DEED to establish uniform standards for pre-exam study materials, procedures to administer the exam, and award waivers for student transfers, etc.  DEED to report to Legislature by Jan. 2003 on waiver criteria and procedure. Include number of waivers in annual school reports.  The exam may not be administered during a day in session.
Sen. Davis SB 129	Staggered implementation: Reading, English effective 2004 Math effective 2005  Students who do not pass may still graduate if they meet local requirements, until the transition dates.	On the pupil's <i>diploma</i> identifying the areas of the exam successfully passed.	NA	
Rep. Bunda (conceptual at this time)	Staggered implementation: Reading effective 2002 Writing effective 2003 Math effective 2004  Students who do not pass may still graduate if they meet local requirements, until the transition dates.		Reopen the issue back to the State Board for remedy.	
Rep Stevens HB 166	2 year transition (until 2004)	NA	NA	
Gov. Knowlus HB94 & SB56	4 year transition (until 2006)  ...at which time current law again takes effect: students who do not pass the HSGQE do not receive a diploma (but do receive a certificate of attendance)  Students who do not pass may still graduate if they meet local requirements, until 2006.	On the pupil's <i>transcript</i> identifying the results of the exam (areas both successfully passed and not passed)	The board shall determine the requirements for a pupil with a disability who is receiving educational services through an IEP	Requires progress report of each school by Jan. 15 of each year.

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 3/9/01

FURTHER: Finance

Date of 5-Day Notice: 3-9-01  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 3-19-01

Health, Education and Social Services Committee considered

SENATE BILL NO. 133

*PUBLIC SCHOOL EXIT EXAM*

"An Act relating to a two-year transition for implementation of the public high school competency examination and to establishing an essential skills examination as a high school graduation requirement; and providing for an effective date."

and recommends:

- be replaced with CS SB 133 (HES)
- adopt previous CS (        )
- attached amendment(s)
- adopt Letter of Intent by          Committee
- further referral to          Committee

- Senate Bill:**  
 same title  
 new title
- House Bill:**  
 same title  
 technical title  
 new: SCR #

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
SED	3/16/01	✓		1

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Chris D. Brown</i>	✓			
<i>Gene White</i>	✓			
<i>John Walsh</i>	✓			
<i>Betty Damm</i>	✓			
CHAIR: <i>Sybil Pless</i>	✓			

SENATE FINANCE COMMITTEE

SIGN-IN

SB 133-PUBLIC SCHOOL EXIT EXAM

NAME: Carol Comeau Subject/Bill No: 133  
Co./Dept./Title: Supt/Anch. Sch. Dist Phone: 742-4312  
Address: PO Box 196614, Anch, AK Zip: 99519  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: PATRICIA CHESBRO Subject/Bill No: 133  
Co./Dept./Title: Supt/ MAT. SU SCHOOLS Phone: 746-9255  
Address: Box 1093 PALMER Zip: 99645  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: ERIC GERHART Subject/Bill No: 133  
Co./Dept./Title: SUPT. KAKE CITY SCHOOLS Phone: 785-3741  
Address: PO BOX 450 KAKE Zip: 99830  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: Betty Walters Subject/Bill No: 133  
Co./Dept./Title: Supt/Kodiak Island Borough Sch. Dist Phone: 486-9220  
Address: 722 Mill Bay Road Kodiak, Ak Zip: 99615  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: Bruce Johns Subject/Bill No: CS 133

Co./Dept./Title: CEO Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

