SCOMM

130:15

Alaska State Legislature

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House Special Committee on Education

Representative Carl Gatto, Chair

SPONSOR STATEMENT

HOUSE BILL 405

"AN ACT RELATING TO ACCOUNTABILITY OF PUBLIC SCHOOLS AND SCHOOL DISTRICTS, AND REPORTS CONCERNING ASSISTANCE TO IMPROVE SCHOOL PERFORMANCE; AND PROVIDING FOR AN EFFECTIVE DATE."

Alaska currently has two systems of school designators: a state system and the Federal system. Alaska law requires schools be given the designations "distinguished," "successful," "deficient," or "in crisis," whereas federal law uses terms such as "distinguished," "proficient," "in improvement," "corrective action," and "restructuring." Alaska law should be amended to align itself with Federal law.

This bill holds districts and public schools accountable but does not increase their administrative burden. Although this bill retains the requirement that a school not meeting adequate performance must draft a school improvement plan, the bill removes from statute the detailed descriptions of a school improvement plan. Federal laws, and the regulations adopted by the state board, already comprehensively and satisfactorily prescribe the required contents of an improvement plan.

In addition, this bill eliminates unnecessary and unhelpful reports, but keeps the school report card system intact. For example, current law requires below-proficient schools report to the state board. Yet, the state board already has the school report card from all schools, including those that are below proficient. This requirement is a paperwork and time burden on schools, districts, and the state board, while failing to substantially aid in the goal of educating children. Similarly, current state law requires the Department of Education and Early Development to provide the legislature with a report, separate from the school report card, on the progress of schools and districts. Preparation of this report does little to advance the understanding of the legislature or the public not already accomplished by the school report card. A better approach is to eliminate these unnecessary reporting burdens ensuring that accountability information is contained in the school report card, and continuing to refine and rely on this valuable reporting tool.

I urge your consideration and support for this measure.

Representative_Carl_Gatto@legis.state.ak.us

HOUSE BILL NO. 405

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE GATTO

Introduced: 1/28/04
Referred: House Special Committee on Education, Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

"An Act relating to reports on school and school district performance; and relating to accountability of public schools and school districts; and providing for an effective date."

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

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

(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;

(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;

(9) the performance designation assigned the school under AS 14.03.123; and

(10) other information concerning school performance and the performance of the school's students as required by the state board in regulation.

*** Sec. 2.** AS 14.03.120(e) is amended to read:

(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;

(C) the designation assigned the district under AS 14.03.123; and

(D) other information concerning school performance and the performance of the school's students as required by the state board in regulation.

*** Sec. 3.** AS 14.03.123 is repealed and reenacted to read:

Sec. 14.03.123. School and district accountability. (a) By September 1 of each year, the department shall assign a performance designation of distinguished, successful, deficient, or in crisis to each public school and school district. The performance designation shall be based on student achievement measures that include the results of the statewide student assessments from the previous school year.

AK LAW

(b) The department shall inform the governing body of each district of the performance designation assigned under (a) of this section.

(c) The state board shall adopt regulations implementing this section and providing for the process of assigning a designation under (a) of this section, including

(1) the standards that will be used for assignment of each designation;

(2) a procedure for appealing a designation that may be used by the principal of a public school or by the superintendent of a public school district;

(3) minimum requirements for a school improvement plan for schools that receive a deficient or in crisis designation; and

(4) additional measures that may be progressively implemented by the commissioner to improve school performance in accordance with this section and with federal law; the additional measures may be unique to a certain school or district if that school or district receives federal funding that is not available to all schools or districts in the state and to the extent necessary to conform to federal law.

(d) In the accountability system for schools and districts required by this

section, the department shall

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

(2) implement criteria and priorities for accountability based on state standards, including the use of

(A) multiple measures of student performance; and

(B) measures of student improvement; and

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

(e) In this section,

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

(2) "statewide student assessment" means a standards-based or norm-referenced examination, including alternative assessments under AS 14.03.075(c), administered by the department.

*** Sec. 4.** AS 14.03.078 and AS 36.30.850(b)(40) are repealed.

*** Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Board of Education and Early Development may proceed to adopt regulations to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the statutory change.

*** Sec. 6.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).

*** Sec. 7.** Except as provided in sec. 6 of this Act, this Act takes effect July 1, 2004.

HB 405
Eliminating the "Thick Report"

There are nine components of the report that is required in AS 14.03.070. These components are listed below with an explanation of why EED believes this report is no longer necessary.

1. **School Report Card Information**
   a. This information is already located on the EED website.
2. **Number and Percentage of students in each school who pass the examination and the number who pass each section**
   a. This information is already located on the EED website.
3. **Progress of the department a) toward implementing the school accountability provisions and b) in assisting high schools to become accredited**
   a. Much of the current information included in this report can be found on the EED website. EED already posts Adequate Yearly Progress (AYP) school and district designations and state goals, state Annual Measurable Objectives and testing participation rates.
4. **Description of the resources provided to each school and district for school improvement activities and staff training**
   a. EED receives copies of all school and district School Improvement Plans. EED, by federal law, does not have any authority to approve these plans, but does have some Title I funding to issue to Level 2 or higher School Improvement sites. Grant information can be posted on the EED website.
5. **Description of each district's and each school's progress in aligning curriculum with state standards**
   a. Almost all districts, if not all by the end of this fiscal year, report they have aligned their curricula to state standards. The bigger question is, "Have districts aligned their instructional practices to the standards?" Answering this question, without relying on self-reported data, would be difficult to impossible.
6. **Description of efforts by the department to assist a public school that receives a designation of deficient or in crisis**
   a. Because NCLB requires that we have only one comprehensive state assessment system, EED has proposed that these state school designations be eliminated in statute. Instead, the department would post, annually, school and districts not meeting AYP and at which levels each is at.
7. **Description of intervention efforts by each school district and school for students not meeting state standards**
   a. This report of the activities of the Quality School Grants would be done annually and could be posted on the EED website.
8. **Number and percentage of turnover in certificated personnel and superintendents**
   a. This data is self-reported by districts and would not be compiled if not for the requirement in AS14.03.070.
9. **Number of teachers by district and school who are teaching outside the teacher's area of endorsement, but in areas tested by the high school competency examination**
   a. This information will be included in each school report card, which is already located on the EED website

PRINCIPLE 1. A single statewide Accountability System applied to all public schools and LEAs.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.1 How does the State Accountability System include every public school and LEA in the State?	Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System. State has a definition of "public school" and "LEA" for AYP accountability purposes. • The State Accountability System produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12), public schools that serve special populations (e.g., alternative public schools, juvenile institutions, state public schools for the blind) and public charter schools. It also holds accountable public schools with no grades assessed (e.g., K-2).	A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System. State policy systematically excludes certain public schools and/or LEAs.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

1.1- The State of Alaska defines a school in Alaska Administrative Code AAC 05.900(5). A school is also being defined under the revised regulations governing Report Cards to the Public. Charter schools, correspondence schools, alternative and special mission schools are included as public schools. Alaska's accountability system treats all these types of schools the same way in determining Adequate Yearly Progress (AYP).

The accountability system produces an AYP decision for each public school in the state. Schools with any and all combinations of grade configurations are included in calculating AYP and making an AYP decision in the same manner.

The standards-based student assessment system in Alaska consists of testing all students in grades 3 to 10 annually. The AYP calculation will aggregate test data across grade levels within each school. The **Performance Score** (overall percent of students enrolled for the full academic year who are proficient across grades) will be compared to the Annual Measurable Objective (AMO) for each year. More details on determining AYP are presented in later parts of this plan.

All schools in Alaska participate in the assessment system with the exception of a few schools who only serve students in grades K-2. The AYP decision made on the school that receives students from the K-2 schools will be applied to the K-2 school, so that all schools (including the K-2 schools) will receive an annual AYP determination.

Charter schools are considered public schools in Alaska and are required to participate in the state's assessment system and will receive an annual AYP determination. Alternative, Special Mission, Correspondence, Boarding schools, and schools located in youth correctional facilities also participate in state assessments and will receive an annual AYP determination using the same procedures as for all other schools.

During the 2003/2004 and 2004/2005 school years Alaska will study the validity of the statewide accountability system when applied to Alternative and Special Mission Schools. If the results of this study indicate that the accountability system is not valid for these types of schools Alaska will propose an alternate system to the US Department of Education. Until that occurs, these schools will receive an annual AYP determination using the same system as other schools.

This section describes the statutory and regulatory requirements concerning AYP, as well as ED's less formal interpretations that became apparent through the peer review process.

A. Single Statewide Accountability System

Every state must demonstrate in its state plan that it has developed and is implementing a single, statewide accountability system that will be effective in ensuring that all LEAs, public elementary schools and public secondary schools make AYP. The regulations clarify that this single system must be in place for the 2002-03 school year.

This single system must be the same accountability system the state uses for all public elementary schools and secondary schools and for all LEAs in the state, and must take into account the achievement of all public school students. It must be based on the state's standards, assessments, and "other academic indicators," as explained in this chapter. In its attempt to hold LEAs and public schools accountable for student achievement and for ensuring AYP, the accountability system must include both sanctions and rewards (such as teacher bonuses and school recognition).

This statutory and regulatory language suggests that states cannot continue the dual systems of accountability that often arose under IASA. However, states with well-established accountability systems vehemently objected to having to dismantle state systems that worked seemingly well. After considering formal comments submitted on the proposed regulations and negotiating informally with states, ED agreed that a state may continue to use its current state accountability system, consistent with earlier Dear Colleague letters released by ED, if that system integrates the federally-mandated AYP into its system. States were required to submit evidence through the peer review process that thoroughly described the state's accountability system and demonstrated how it integrated the AYP provisions required under Title I.

(Note that while all public schools must be included in AYP determinations, only public schools receiving Title I allocations are subject to sanctions under §1116 for school improvement, corrective action and restructuring. See Chapter 2.)

B. Defining the Measure of Adequate Yearly Progress

1) General requirements

Under NCLB, AYP is measured separately at the level of school, district, and state performance. (The requirement to set AYP for the *state* as a whole is new under NCLB.) The measures must be designed to narrow the achievement gaps among groups of students in the schools, LEAs and the entire state. A state must craft its AYP measure so that the same high standards of academic achievement apply to *all* public elementary school and secondary school students in the state, not just Title I students. The measure must be statistically valid and reliable, and result in continuous and substantial academic improvement for all students.

The state assessments must be the primary factor in the state's measure of AYP, as under IASA. Among many other topics, peer reviewers had to report whether the state's definition of AYP was based primarily on the academic assessments. Although

through other entities such as school support teams or educational service agencies.

"(8) ADMINISTRATIVE COSTS.—A State educational agency that receives a grant award under this subsection may reserve not more than 5 percent of such grant funds for administration, evaluation, and technical assistance expenses.

"(9) LOCAL AWARDS.—Each local educational agency that applies for assistance under this subsection shall describe how it will provide the lowest-achieving schools the resources necessary to meet goals under school and local educational agency improvement, corrective action, and restructuring plans under section 1116.

20 USC 6304.

"SEC. 1004. STATE ADMINISTRATION.

"(a) IN GENERAL.—Except as provided in subsection (b), to carry out administrative duties assigned under parts A, C, and D of this title, each State may reserve the greater of—

"(1) 1 percent of the amounts received under such parts; or

"(2) $400,000 ($50,000 in the case of each outlying area).

"(b) EXCEPTION.—If the sum of the amounts appropriated for parts A, C, and D of this title is equal to or greater than $14,000,000,000, then the reservation described in subsection (a)(1) shall not exceed 1 percent of the amount the State would receive, if $14,000,000,000 were allocated among the States for parts A, C, and D of this title.

"PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

"Subpart 1—Basic Program Requirements

20 USC 6311.

"SEC. 1111. STATE PLANS.

"(a) PLANS REQUIRED.—

"(1) IN GENERAL.—For any State desiring to receive a grant under this part, the State educational agency shall submit to the Secretary a plan, developed by the State educational agency, in consultation with local educational agencies, teachers, principals, pupil services personnel, administrators (including administrators of programs described in other parts of this title), other staff, and parents, that satisfies the requirements of this section and that is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Carl D. Perkins Vocational and Technical Education Act of 1998, the Head Start Act, the Adult Education and Family Literacy Act, and the McKinney-Vento Homeless Assistance Act.

"(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 9302.

"(b) ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY.—

"(1) CHALLENGING ACADEMIC STANDARDS.—

"(A) IN GENERAL.—Each State plan shall demonstrate that the State has adopted challenging academic content standards and challenging student academic achievement

standards that will be used by the State, its local educational agencies, and its schools to carry out this part, except that a State shall not be required to submit such standards to the Secretary.

"(B) SAME STANDARDS.—The academic standards required by subparagraph (A) shall be the same academic standards that the State applies to all schools and children in the State.

"(C) SUBJECTS.—The State shall have such academic standards for all public elementary school and secondary school children, including children served under this part, in subjects determined by the State, but including at least mathematics, reading or language arts, and (beginning in the 2005–2006 school year) science, which shall include the same knowledge, skills, and levels of achievement expected of all children.

"(D) CHALLENGING ACADEMIC STANDARDS.—Standards under this paragraph shall include—

"(i) challenging academic content standards in academic subjects that—

"(I) specify what children are expected to know and be able to do;

"(II) contain coherent and rigorous content; and

"(III) encourage the teaching of advanced skills; and

"(ii) challenging student academic achievement standards that—

"(I) are aligned with the State's academic content standards;

"(II) describe two levels of high achievement (proficient and advanced) that determine how well children are mastering the material in the State academic content standards; and

"(III) describe a third level of achievement (basic) to provide complete information about the progress of the lower-achieving children toward mastering the proficient and advanced levels of achievement.

"(E) INFORMATION.—For the subjects in which students will be served under this part, but for which a State is not required by subparagraphs (A), (B), and (C) to develop, and has not otherwise developed, such academic standards, the State plan shall describe a strategy for ensuring that students are taught the same knowledge and skills in such subjects and held to the same expectations as are all children.

"(F) EXISTING STANDARDS.—Nothing in this part shall prohibit a State from revising, consistent with this section, any standard adopted under this part before or after the date of enactment of the No Child Left Behind Act of 2001.

"(2) ACCOUNTABILITY.—

"(A) IN GENERAL.—Each State plan shall demonstrate that the State has developed and is implementing a single, statewide State accountability system that will be effective in ensuring that all local educational agencies, public

elementary schools, and public secondary schools make adequate yearly progress as defined under this paragraph. Each State accountability system shall—

"(i) be based on the academic standards and academic assessments adopted under paragraphs (1) and (3), and other academic indicators consistent with subparagraph (C)(vi) and (vii), and shall take into account the achievement of all public elementary school and secondary school students;

"(ii) be the same accountability system the State uses for all public elementary schools and secondary schools or all local educational agencies in the State, except that public elementary schools, secondary schools, and local educational agencies not participating under this part are not subject to the requirements of section 1116; and

"(iii) include sanctions and rewards, such as bonuses and recognition, the State will use to hold local educational agencies and public elementary schools and secondary schools accountable for student achievement and for ensuring that they make adequate yearly progress in accordance with the State's definition under subparagraphs (B) and (C).

"(B) ADEQUATE YEARLY PROGRESS.—Each State plan shall demonstrate, based on academic assessments described in paragraph (3), and in accordance with this paragraph, what constitutes adequate yearly progress of the State, and of all public elementary schools, secondary schools, and local educational agencies in the State, toward enabling all public elementary school and secondary school students to meet the State's student academic achievement standards, while working toward the goal of narrowing the achievement gaps in the State, local educational agencies, and schools.

"(C) DEFINITION.—'Adequate yearly progress' shall be defined by the State in a manner that—

"(i) applies the same high standards of academic achievement to all public elementary school and secondary school students in the State;

"(ii) is statistically valid and reliable;

"(iii) results in continuous and substantial academic improvement for all students;

"(iv) measures the progress of public elementary schools, secondary schools and local educational agencies and the State based primarily on the academic assessments described in paragraph (3);

"(v) includes separate measurable annual objectives for continuous and substantial improvement for each of the following:

"(I) The achievement of all public elementary school and secondary school students.

"(II) The achievement of—

"(aa) economically disadvantaged students;

"(bb) students from major racial and ethnic groups;

"(cc) students with disabilities; and

"(dd) students with limited English proficiency;

except that disaggregation of data under subclause (II) shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student;

"(vi) in accordance with subparagraph (D), includes graduation rates for public secondary school students (defined as the percentage of students who graduate from secondary school with a regular diploma in the standard number of years) and at least one other academic indicator, as determined by the State for all public elementary school students; and

"(vii) in accordance with subparagraph (D), at the State's discretion, may also include other academic indicators, as determined by the State for all public school students, measured separately for each group described in clause (v), such as achievement on additional State or locally administered assessments, decreases in grade-to-grade retention rates, attendance rates, and changes in the percentages of students completing gifted and talented, advanced placement, and college preparatory courses.

"(D) REQUIREMENTS FOR OTHER INDICATORS.—In carrying out subparagraph (C)(vi) and (vii), the State—

"(i) shall ensure that the indicators described in those provisions are valid and reliable, and are consistent with relevant, nationally recognized professional and technical standards, if any; and

"(ii) except as provided in subparagraph (I)(i), may not use those indicators to reduce the number of, or change, the schools that would otherwise be subject to school improvement, corrective action, or restructuring under section 1116 if those additional indicators were not used, but may use them to identify additional schools for school improvement or in need of corrective action or restructuring.

"(E) STARTING POINT.—Each State, using data for the 2001–2002 school year, shall establish the starting point for measuring, under subparagraphs (G) and (H), the percentage of students meeting or exceeding the State's proficient level of academic achievement on the State assessments under paragraph (3) and pursuant to the timeline described in subparagraph (F). The starting point shall be, at a minimum, based on the higher of the percentage of students at the proficient level who are in—

"(i) the State's lowest achieving group of students described in subparagraph (C)(v)(II); or

"(ii) the school at the 20th percentile in the State, based on enrollment, among all schools ranked by the percentage of students at the proficient level.

"(F) TIMELINE.—Each State shall establish a timeline for adequate yearly progress. The timeline shall ensure that not later than 12 years after the end of the 2001–2002 school year, all students in each group described

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
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MEMORANDUM March 9, 2004

SUBJECT: School Designators (CSHB 405( ); Work Order 23-LS1533\H) (CSHB 405( ))

TO: Representative Carl Gatto
Attn: Cody Rice

FROM: Jean M. Mischel
Legislative Counsel

Enclosed is the above-referenced bill draft. In addition to the specific changes requested, I've added a definition of "state public school system" to clarify that term as used in sec. 3 of the bill. Let me know if you intend a different meaning. I have also left the designation of the state public school system out of the reports under secs. 1 and 2 of the bill since you did not include that in your request. Let me know if you would like that designation to be included in one or both of those reports.

JMM:mdr
04-090.mdr

Enclosure

23-LS1533\D
Mischel
3/8/04

CS FOR HOUSE BILL NO. 405(EDU)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON EDUCATION

Offered:
Referred:

Sponsor(s): REPRESENTATIVE GATTO

A BILL

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(1) information on accreditation;

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(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;

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

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(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;

(C) the designation assigned the district under AS 14.03.123; and

(D) other information concerning school performance and the performance of the school's students as required by the state board in regulation.

*** Sec. 3.** AS 14.03.123 is repealed and reenacted to read:

Sec. 14.03.123. School and district accountability. (a) By September 1 of each year, the department shall assign a performance designation to each public school and school district of "meets adequate yearly progress," "needs improvement," "needs corrective action," or "needs restructuring." The performance designation shall be based on student achievement measures that include the results of the statewide student assessments from the previous school year.

(b) The department shall inform the governing body of each district of the performance designation assigned under (a) of this section.

(c) The state board shall adopt regulations implementing this section and providing for the process of assigning a designation under (a) of this section, including

(1) the standards that will be used for assignment of each designation;

(2) a procedure for appealing a designation that may be used by the principal of a public school or by the superintendent of a public school district;

(3) minimum requirements for a school improvement plan for schools that receive a "needs corrective action" or "needs restructuring designation;" and

(4) additional measures that may be progressively implemented by the commissioner to improve school performance in accordance with this section and with federal law; the additional measures may be unique to a certain school or district if that school or district receives federal funding that is not available to all schools or districts in the state and to the extent necessary to conform to federal law.

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

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*** Sec. 6.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).

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23-LS1533\H
Mischel
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CS FOR HOUSE BILL NO. 405( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE GATTO

A BILL

FOR AN ACT ENTITLED

"An Act relating to reports on school and school district performance; and relating to accountability of public schools and school districts; and providing for an effective date."

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

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

(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;

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

(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;

(9) the performance designation assigned the school under AS 14.03.123; and

(10) other information concerning school performance and the performance of the school's students as required by the state board in regulation.

*** Sec. 2.** AS 14.03.120(e) is amended to read:

(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;

(C) the designation assigned the district under AS 14.03.123; and

(D) other information concerning school performance and the performance of the school's students as required by the state board in regulation.

*** Sec. 3.** AS 14.03.123 is repealed and reenacted to read:

Sec. 14.03.123. School and district accountability. (a) By September 1 of each year, the department shall assign a performance designation to each public school and school district and to the state public school system. The performance designation shall be based on student achievement measures that include the results of the statewide student assessments from the previous school year.

(b) The department shall inform the governing body of each district of the performance designation assigned under (a) of this section.

(c) The state board shall adopt regulations implementing this section and providing for the statewide student assessment system and the process of assigning a designation under (a) of this section, including

(1) the standards that will be used for assignment of each designation;

(2) a procedure for appealing a designation that may be used by the principal of a public school or by the superintendent of a public school district;

(3) requirements for a school improvement plan and a district improvement plan; and

(4) additional measures that may be progressively implemented by the commissioner to improve school performance in accordance with this section and with federal law; the additional measures may be unique to a certain school or district if that school or district receives federal funding that is not available to all schools or districts in the state and to the extent necessary to conform to federal law.

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

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

(2) implement criteria and priorities for accountability based on state standards, including the use of

(A) multiple measures of student performance; and

(B) measures of student improvement; and

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

(e) In this section,

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

(2) "state public school system" means the combination of all public schools, public school districts, and state-operated schools;

(3) "statewide student assessment" means the assessment system established under (c) of this section.

*** Sec. 4.** AS 14.03.078 and AS 36.30.850(b)(40) are repealed.

*** Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Board of Education and Early Development may proceed to adopt regulations to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the statutory change.

*** Sec. 6.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).

*** Sec. 7.** Except as provided in sec. 6 of this Act, this Act takes effect July 1, 2004.