

HB

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<TARGET><BILL>HB 256</BILL><SUBJECT>HB
256</SUBJECT><COMM>HEDC27</COMM></TARGET>

CS FOR HOUSE BILL NO. 256(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES DICK, Herron

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the power and duties of the Department of Education and Early**
2 **Development to improve instructional practices; relating to teacher exit surveys; and**
3 **relating to duties of the state Board of Education and Early Development."**

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

5 *** Section 1.** AS 14.03.078 is amended to read:

6 **Sec. 14.03.078. Report.** The department shall provide to the legislature by
7 February 15 of each year an annual report regarding the progress of each school and
8 school district toward high academic performance by all students. The report required
9 under this section must include

- 10 (1) information described under AS 14.03.120(d);
- 11 (2) the number and percentage of students in each school who pass the
- 12 examination required under AS 14.03.075, and the number who pass each section of
- 13 the examination;
- 14 (3) progress of the department

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

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

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

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

9 (6) a description of the efforts by the department to assist a public
10 school that receives a designation of deficient [OR IN CRISIS];

11 (7) a description of restoration [INTERVENTION] efforts by each
12 school district and school for students who are not meeting state performance
13 standards;

14 (8) the number and percentage of, and the reasons for, turnover in
15 certificated personnel and superintendents;

16 (9) the number of teachers by district and by school who are teaching
17 outside the teacher's area of endorsement but in areas tested by the high school
18 competency examination.

19 * **Sec. 2.** AS 14.03.123(d) is amended to read:

20 (d) A public school or district that receives a low performance designation
21 under this section shall, with the assistance of the department, prepare and submit to
22 the department a school or district improvement plan, as applicable, in accordance
23 with regulations adopted by the board. The improvement plan must be prepared with
24 the maximum feasible public participation of the community including, as appropriate,
25 interested individuals, teachers, parents, parent organizations, students, tribal
26 organizations, local government representatives, and other community groups.

27 * **Sec. 3.** AS 14.03 is amended by adding a new section to read:

28 **Sec. 14.03.127. Department accountability.** (a) By June 1 of each year, the
29 superintendents of each school district in the state shall provide to the Department of
30 Administration an evaluation of the department that addresses the following matters:

31 (1) whether the department staff were supportive of the district;

1 (2) a description of the support received, if any, from each division of
2 the department and an evaluation of the support;

3 (3) the level of contact the district had with the department, on a rating
4 scale of one to five, with five being an excellent level of contact;

5 (4) an evaluation of the reporting requirements on district activities to
6 the department, including level of burden, necessity, and redundancy of reporting
7 requirements;

8 (5) a statement on how the department may improve services to the
9 district.

10 (b) The Department of Administration shall annually compile the evaluations
11 provided under (a) of this section and provide to the governor, the legislature, and the
12 commissioner of education, in a manner that protects the identity of the
13 superintendents, a comprehensive description of evaluation results.

14 * Sec. 4. AS 14.07.020(a) is amended to read:

15 (a) The department shall

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

18 (2) **after providing notice and an opportunity for public school and**
19 **district administrators to participate,** study the conditions and needs of the public
20 schools of the state, adopt or recommend plans, administer and evaluate grants to
21 improve school performance awarded under AS 14.03.125, and adopt regulations for
22 the improvement of the public schools; **the plans adopted or recommended for**
23 **public schools must**

24 **(A) include appropriate cultural standards consistent with**
25 **the 1998 Alaska Standards for Culturally Responsive Schools adopted by**
26 **the Assembly of Alaska Native Educators;**

27 **(B) require appropriate cultural standards adopted by the**
28 **board to be included in instructional practices in districts in which 50**
29 **percent or more of the student population is of Alaska Native heritage;**

30 **(C) describe intensive early learning opportunities for each**
31 **district in the state;**

1 (D) require an analysis of community involvement in the
 2 district and methods for improving community involvement;

3 (E) address teaching capacity, retention, and development
 4 and provide for technical assistance to teachers;

5 (F) establish routine evaluations and assistance to ensure
 6 that districts develop and maintain elective and career and technical
 7 courses;

8 (G) establish standards and timelines for restoration
 9 activities after first notifying a district of a low performance designation
 10 and offering technical assistance with predictable and research-based
 11 strategies tailored to the state to improve performance;

12 (H) describe research-based strategies that target
 13 educational performance of low-performing students in the state;

14 (3) employ qualified personnel who shall provide advisory and
 15 consultative services to all public school governing bodies and personnel; the services

16 (A) must comply with AS 14.07.030(14); and

17 (B) may not include the use or employment of a trustee;

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (16) establish by regulation criteria, based on low student performance,
 31 under which the department may restore [INTERVENE IN] a school or district to

1 improve instructional practices, as described in (19) of this subsection and
 2 AS 14.07.030(14) or (15); the regulations must include

3 (A) a notice provision that alerts the school and the district to
 4 the deficiencies and the instructional practice changes proposed by the
 5 department;

6 (B) an end date for departmental restoration activities
 7 [INTERVENTION], as described in AS 14.07.030(14)(A) - (D) [(A) AND
 8 (B)] and (15), after the school or district demonstrates three consecutive years
 9 of improvement on measures identified as indicators of student success and
 10 achievement under AS 14.03.123(f); notwithstanding that a school or
 11 district has demonstrated three consecutive years of improvement, the
 12 district may, in its discretion, choose to receive restoration services for a
 13 fourth year [CONSISTING OF NOT LESS THAN TWO PERCENT
 14 INCREASES IN STUDENT PROFICIENCY ON STANDARDS-BASED
 15 ASSESSMENTS IN MATHEMATICS, READING, AND WRITING AS
 16 PROVIDED IN AS 14.03.123(f)(2)(A)]; and

17 (C) a process for districts to petition the department for
 18 continuing or discontinuing the department's restoration activities
 19 [INTERVENTION];

20 (17) notify the legislative committees having jurisdiction over
 21 education before restoring [INTERVENING IN] a school or district under
 22 AS 14.07.030(14) or redirecting public school funding under AS 14.07.030(15);

23 (18) assist the Department of Natural Resources in developing and
 24 implementing the farm-to-school program established under AS 03.20.100;

25 (19) engage in a process of collaborative support to restore and
 26 improve school performance when a school is designated as low performing
 27 under AS 14.03.123; the process must include

28 (A) for the first school year after the designation of the
 29 school as a low-performing school, by

30 (i) August 15, selection by the superintendent of the
 31 district and the commissioner of an independent expert to evaluate

1 the areas of business services, board governance, leadership,
2 facilities, human relations, instruction, preparedness of students to
3 learn, or community involvement; the expert shall also evaluate the
4 extent to which the district has implemented the Alaska State
5 Cultural Standards; the expert shall visit the school or district for
6 not more than seven days to conduct the evaluation;

7 (ii) October 15, preparation of a written report by
8 the expert selected under (i) of this subparagraph and distribution
9 of the report to the commissioner, the local school board, and the
10 superintendent; a summary of the report shall be made available to
11 the public by posting the summary on the Internet;

12 (iii) November 15, mandatory selection and hiring of
13 two qualified coaches to advise the district with regard to the needs
14 identified in the evaluation completed under (ii) of this
15 subparagraph; one coach shall be selected jointly by the
16 superintendent and the department, and one coach shall be selected
17 jointly by the local school board and the department; the coaches
18 may advise the district for not more than 20 days in total for each
19 school year for which they are hired; and

20 (iv) June 1, provide to the department, parents, and
21 the legislature and publish on the Internet a summary of the
22 progress of the efforts to restore the school and the observations
23 and recommendations of the coaches hired under (iii) of this
24 subparagraph;

25 (B) for the second school year after the designation of a
26 school as a low-performing school, by

27 (i) September 15, mandatory selection and hiring of
28 two additional qualified coaches to advise the district with regard
29 to the needs identified in the evaluation completed under (A)(ii) of
30 this paragraph; one coach shall be selected by the superintendent,
31 and one coach shall be selected by the local school board, after

1 input from the Association of Alaska School Boards; the coaches
2 may advise the district for not more than 20 days in total for each
3 school year for which they are hired; and

4 (ii) June 1, provide to the state Board of Education
5 and Early Development, the department, parents, and the
6 legislature and publish on the Internet a summary of the progress
7 of the efforts to restore the school and the observations and
8 recommendations of the coaches hired under this subparagraph;

9 (C) for the third school year after the designation of a
10 school as a low-performing school,

11 (i) that the department engage in frequent
12 consultation with the staff at the low-performing school and with
13 the superintendent of the district in which the school is located;

14 (ii) that the department establish a school
15 improvement team for the purpose of advising the commissioner
16 on restoration activities; the team consists of the commissioner or
17 the commissioner's designee, a member of the state Board of
18 Education and Early Development, the superintendent of the
19 district, the four qualified coaches selected under (A) and (B) of
20 this paragraph, and one member of the local school board; the
21 team shall consider and evaluate evidence at the school of best
22 practices in the state for business services, instructional practices,
23 local school board governance, district leadership, facilities
24 maintenance, human resources, implementation of Alaska State
25 Cultural Standards, and preparedness of students to learn;

26 (iii) that the team established under (ii) of this
27 subparagraph develop a three-year plan to restore the school;
28 during the three-year plan, the team may redirect funding in the
29 district budget to improve instruction; the superintendent shall
30 implement the plan developed by the team; each year, at the end of
31 the school year, the team shall evaluate and adjust the plan as the

1 team determines necessary.

2 * **Sec. 5.** AS 14.07.030(14) is amended to read:

3 (14) **restore** [NOTWITHSTANDING ANY OTHER PROVISION OF
4 THIS TITLE, INTERVENE IN] a school **or** district to improve instructional practices
5 under standards established by the department in regulation; **the regulations must be**
6 **consistent with federal and state law and the superior court's findings, dated**
7 **February 4, 2009, in Moore et al. v. State of Alaska, No. 3AN-04-9756 CI,**
8 including [DIRECTING THE]

9 (A) [EMPLOYEES IDENTIFIED BY THE DEPARTMENT
10 TO EXERCISE SUPERVISORY AUTHORITY FOR INSTRUCTIONAL
11 PRACTICES IN THE DISTRICT OR IN A SPECIFIED SCHOOL;

12 (B)] **directing the** use of appropriations under this title for
13 distribution to a district **as necessary under AS 14.07.020(a)(19);**

14 **(B) providing for training and technical support to a low-**
15 **performing school or district as necessary to implement the school or**
16 **district improvement plan submitted under AS 14.03.123(d);**

17 **(C) providing for regular monitoring, evaluation, and**
18 **modification of improvement efforts that are tailored to the strengths and**
19 **weaknesses of the school or district;**

20 **(D) providing for the availability of courses and remedial**
21 **programs necessary for all students attending a low-performing school to**
22 **meet state standards for graduation from secondary school in the expected**
23 **time frame;**

24 * **Sec. 6.** AS 14.07.030(15) is repealed and reenacted to read:

25 (15) notwithstanding any other provision of this title, redirect public
26 school funding under AS 14.17 appropriated for distribution to a school district, after
27 providing notice to the legislative committees with jurisdiction over education and to
28 the district and an opportunity for the district to respond, if

29 (A) the department has assembled a school improvement team
30 under AS 14.07.020(a)(19) that has requested the funding to be redirected for a
31 specified purpose related to improvement of instructional practices in a school

1 or district that is in restoration status under (14) of this section; and

2 (B) the department has established a timeline for redirecting the
3 funding to the district after the school improvement team determines that the
4 improvement of instructional practices has satisfactorily occurred;

5 * **Sec. 7.** AS 14.07.165 is amended by adding a new subsection to read:

6 (b) In addition to the duties enumerated in (a) of this section, the board shall

7 (1) review and ensure departmental compliance with state law,
8 including departmental duties related to school monitoring, improvement, and
9 restoration provisions under AS 14.03.123, AS 14.07.020, and 14.07.030;

10 (2) provide to a superintendent and local school board that are affected
11 by an item scheduled for consideration on a board meeting agenda not less than 10
12 days' notice and an opportunity to respond.

13 * **Sec. 8.** AS 14.20.130 is amended by adding a new subsection to read:

14 (b) A contract for a teacher issued after the effective date of this Act, must
15 contain a term requiring a teacher leaving employment to complete the department's
16 exit survey for teachers.

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CS FOR HOUSE BILL NO. 256(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES DICK, Herron

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to the power and duties of the Department of Education and Early
2 Development to improve instructional practices; relating to teacher exit surveys; and
3 relating to duties of the state Board of Education and Early Development."

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

5 * **Section 1.** AS 14.03.078 is amended to read:

6 **Sec. 14.03.078. Report.** The department shall provide to the legislature by
7 February 15 of each year an annual report regarding the progress of each school and
8 school district toward high academic performance by all students. The report required
9 under this section must include

- 10 (1) information described under AS 14.03.120(d);
11 (2) the number and percentage of students in each school who pass the
12 examination required under AS 14.03.075, and the number who pass each section of
13 the examination;
14 (3) progress of the department

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

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

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

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

9 (6) a description of the efforts by the department to assist a public
10 school that receives a designation of deficient [OR IN CRISIS];

11 (7) a description of restoration [INTERVENTION] efforts by each
12 school district and school for students who are not meeting state performance
13 standards;

14 (8) the number and percentage of, and the reasons for, turnover in
15 certificated personnel and superintendents;

16 (9) the number of teachers by district and by school who are teaching
17 outside the teacher's area of endorsement but in areas tested by the high school
18 competency examination.

19 * **Sec. 2.** AS 14.03.123(d) is amended to read:

20 (d) A public school or district that receives a low performance designation
21 under this section shall, with the assistance of the department, prepare and submit to
22 the department a school or district improvement plan, as applicable, in accordance
23 with regulations adopted by the board. The improvement plan must be prepared with
24 the maximum feasible public participation of the community including, as appropriate,
25 interested individuals, teachers, parents, parent organizations, students, tribal
26 organizations, local government representatives, and other community groups.

27 * **Sec. 3.** AS 14.03 is amended by adding a new section to read:

28 **Sec. 14.03.127. Department accountability.** (a) By June 1 of each year, the
29 superintendents of each school district in the state shall provide to the Department of
30 Administration an evaluation of the department that addresses the following matters:

31 (1) whether the department staff were supportive of the district;

1 (2) a description of the support received, if any, from each division of
2 the department and an evaluation of the support;

3 (3) the level of contact the district had with the department, on a rating
4 scale of one to five, with five being an excellent level of contact;

5 (4) an evaluation of the reporting requirements on district activities to
6 the department, including level of burden, necessity, and redundancy of reporting
7 requirements;

8 (5) a statement on how the department may improve services to the
9 district.

10 (b) The Department of Administration shall annually compile the evaluations
11 provided under (a) of this section and provide to the governor, the legislature, and the
12 commissioner of education, in a manner that protects the identity of the
13 superintendents, a comprehensive description of evaluation results.

14 * **Sec. 4.** AS 14.07.020(a) is amended to read:

15 (a) The department shall

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

18 (2) **after providing notice and an opportunity for public school and**
19 **district administrators to participate,** study the conditions and needs of the public
20 schools of the state, adopt or recommend plans, administer and evaluate grants to
21 improve school performance awarded under AS 14.03.125, and adopt regulations for
22 the improvement of the public schools; **the plans adopted or recommended for**
23 **public schools must**

24 **(A) include appropriate cultural standards consistent with**
25 **the 1998 Alaska Standards for Culturally Responsive Schools adopted by**
26 **the Assembly of Alaska Native Educators;**

27 **(B) require appropriate cultural standards adopted by the**
28 **board to be included in instructional practices in districts in which 50**
29 **percent or more of the student population is of Alaska Native heritage;**

30 **(C) describe intensive early learning opportunities for each**
31 **district in the state;**

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(D) require an analysis of community involvement in the district and methods for improving community involvement;

(E) address teaching capacity, retention, and development and provide for technical assistance to teachers;

(F) establish routine evaluations and assistance to ensure that districts develop and maintain elective and career and technical courses;

(G) establish standards and timelines for restoration activities after first notifying a district of a low performance designation and offering technical assistance with predictable and research-based strategies tailored to the state to improve performance;

(H) describe research-based strategies that target educational performance of low-performing students in the state;

(3) employ qualified personnel who shall provide advisory and consultative services to all public school governing bodies and personnel; the services

(A) must comply with AS 14.07.030(14); and

(B) may not include the use or employment of a trustee;

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (16) establish by regulation criteria, based on low student performance,
31 under which the department may restore [INTERVENE IN] a school or district to

1 improve instructional practices, as described in (19) of this subsection and
2 AS 14.07.030(14) or (15); the regulations must include

3 (A) a notice provision that alerts the school and the district to
4 the deficiencies and the instructional practice changes proposed by the
5 department;

6 (B) an end date for departmental restoration activities
7 [INTERVENTION], as described in AS 14.07.030(14)(A) - (D) [(A) AND
8 (B)] and (15), after the school or district demonstrates three consecutive years
9 of improvement on measures identified as indicators of student success and
10 achievement under AS 14.03.123(f); notwithstanding that a school or
11 district has demonstrated three consecutive years of improvement, the
12 district may, in its discretion, choose to receive restoration services for a
13 fourth year [CONSISTING OF NOT LESS THAN TWO PERCENT
14 INCREASES IN STUDENT PROFICIENCY ON STANDARDS-BASED
15 ASSESSMENTS IN MATHEMATICS, READING, AND WRITING AS
16 PROVIDED IN AS 14.03.123(f)(2)(A)]; and

17 (C) a process for districts to petition the department for
18 continuing or discontinuing the department's restoration activities
19 [INTERVENTION];

20 (17) notify the legislative committees having jurisdiction over
21 education before restoring [INTERVENING IN] a school or district under
22 AS 14.07.030(14) or redirecting public school funding under AS 14.07.030(15);

23 (18) assist the Department of Natural Resources in developing and
24 implementing the farm-to-school program established under AS 03.20.100;

25 (19) engage in a process of collaborative support to restore and
26 improve school performance when a school is designated as low performing
27 under AS 14.03.123; the process must include

28 (A) for the first school year after the designation of the
29 school as a low-performing school, by

30 (i) August 15, selection by the superintendent of the
31 district and the commissioner of an independent expert to evaluate

1 the areas of business services, board governance, leadership,
2 facilities, human relations, instruction, preparedness of students to
3 learn, or community involvement; the expert shall also evaluate the
4 extent to which the district has implemented the Alaska State
5 Cultural Standards; the expert shall visit the school or district for
6 not more than seven days to conduct the evaluation;

7 (ii) October 15, preparation of a written report by
8 the expert selected under (i) of this subparagraph and distribution
9 of the report to the commissioner, the local school board, and the
10 superintendent; a summary of the report shall be made available to
11 the public by posting the summary on the Internet;

12 (iii) November 15, mandatory selection and hiring of
13 two qualified coaches to advise the district with regard to the needs
14 identified in the evaluation completed under (ii) of this
15 subparagraph; one coach shall be selected jointly by the
16 superintendent and the department, and one coach shall be selected
17 jointly by the local school board and the department; the coaches
18 may advise the district for not more than 20 days in total for each
19 school year for which they are hired; and

20 (iv) June 1, provide to the department, parents, and
21 the legislature and publish on the Internet a summary of the
22 progress of the efforts to restore the school and the observations
23 and recommendations of the coaches hired under (iii) of this
24 subparagraph;

25 (B) for the second school year after the designation of a
26 school as a low-performing school, by

27 (i) September 15, mandatory selection and hiring of
28 two additional qualified coaches to advise the district with regard
29 to the needs identified in the evaluation completed under (A)(ii) of
30 this paragraph; one coach shall be selected by the superintendent,
31 and one coach shall be selected by the local school board, after

input from the Association of Alaska School Boards; the coaches may advise the district for not more than 20 days in total for each school year for which they are hired; and

(ii) June 1, provide to the state Board of Education and Early Development, the department, parents, and the legislature and publish on the Internet a summary of the progress of the efforts to restore the school and the observations and recommendations of the coaches hired under this subparagraph;

(C) for the third school year after the designation of a school as a low-performing school,

(i) that the department engage in frequent consultation with the staff at the low-performing school and with the superintendent of the district in which the school is located;

(ii) that the department establish a school improvement team for the purpose of advising the commissioner on restoration activities; the team consists of the commissioner or the commissioner's designee, a member of the state Board of Education and Early Development, the superintendent of the district, the four qualified coaches selected under (A) and (B) of this paragraph, and one member of the local school board; the team shall consider and evaluate evidence at the school of best practices in the state for business services, instructional practices, local school board governance, district leadership, facilities maintenance, human resources, implementation of Alaska State Cultural Standards, and preparedness of students to learn;

(iii) that the team established under (ii) of this subparagraph develop a three-year plan to restore the school; during the three-year plan, the team may redirect funding in the district budget to improve instruction; the superintendent shall implement the plan developed by the team; each year, at the end of the school year, the team shall evaluate and adjust the plan as the

1 team determines necessary.

2 * **Sec. 5.** AS 14.07.030(14) is amended to read:

3 (14) restore [NOTWITHSTANDING ANY OTHER PROVISION OF
4 THIS TITLE, INTERVENE IN] a school or district to improve instructional practices
5 under standards established by the department in regulation; the regulations must be
6 consistent with federal and state law and the superior court's findings, dated
7 February 4, 2009, in Moore et al. v. State of Alaska, No. 3AN-04-9756 CI,
8 including [DIRECTING THE]

9 (A) [EMPLOYEES IDENTIFIED BY THE DEPARTMENT
10 TO EXERCISE SUPERVISORY AUTHORITY FOR INSTRUCTIONAL
11 PRACTICES IN THE DISTRICT OR IN A SPECIFIED SCHOOL;

12 (B)] directing the use of appropriations under this title for
13 distribution to a district as necessary under AS 14.07.020(a)(19);

14 (B) providing for training and technical support to a low-
15 performing school or district as necessary to implement the school or
16 district improvement plan submitted under AS 14.03.123(d);

17 (C) providing for regular monitoring, evaluation, and
18 modification of improvement efforts that are tailored to the strengths and
19 weaknesses of the school or district;

20 (D) providing for the availability of courses and remedial
21 programs necessary for all students attending a low-performing school to
22 meet state standards for graduation from secondary school in the expected
23 time frame;

24 * **Sec. 6.** AS 14.07.030(15) is repealed and reenacted to read:

25 (15) notwithstanding any other provision of this title, redirect public
26 school funding under AS 14.17 appropriated for distribution to a school district, after
27 providing notice to the legislative committees with jurisdiction over education and to
28 the district and an opportunity for the district to respond, if

29 (A) the department has assembled a school improvement team
30 under AS 14.07.020(a)(19) that has requested the funding to be redirected for a
31 specified purpose related to improvement of instructional practices in a school

1 or district that is in restoration status under (14) of this section; and

2 (B) the department has established a timeline for redirecting the
3 funding to the district after the school improvement team determines that the
4 improvement of instructional practices has satisfactorily occurred;

5 * **Sec. 7.** AS 14.07.165 is amended by adding a new subsection to read:

6 (b) In addition to the duties enumerated in (a) of this section, the board shall

7 (1) review and ensure departmental compliance with state law,
8 including departmental duties related to school monitoring, improvement, and
9 restoration provisions under AS 14.03.123, AS 14.07.020, and 14.07.030;

10 (2) provide to a superintendent and local school board that are affected
11 by an item scheduled for consideration on a board meeting agenda not less than 10
12 days' notice and an opportunity to respond.

13 * **Sec. 8.** AS 14.20.130 is amended by adding a new subsection to read:

14 (b) A contract for a teacher issued after the effective date of this Act, must
15 contain a term requiring a teacher leaving employment to complete the department's
16 exit survey for teachers.

Rep. Lance Pruitt, Vice-Chairman
Rep. Sharon Cissna
Rep. Eric Feige



Rep. Peggy Wilson
Rep. Paul Seaton
Rep. Scott Kawasaki

Representative Alan Dick, Chairman

HOUSE EDUCATION COMMITTEE

Agenda

March 14, 2012

8 a.m.

- I. Call to Order
- II. Presentation:
 - a. Superintendent Presentation: Robert Boyle, Ketchikan Gateway Borough School District
- III. HB 256: STATE INTERVENTION IN SCHOOLS (**Version U**)
 - a. Rep. Alan Dick
- IV. Adjourn

HB 256 By Reps. Alan Dick & Bob Herron

HB 256 was born out of frustration, conflict and a desire to see low performing (intervention) schools improve.

HB 256 brings resolution. The key word is “collaboration.”

There are six parts to HB 256.

- 1) The word “intervention” is changed to “restoration.”
- 2) Superintendents evaluate Department of Education and Early Development (DEED) annually. Survey monkey.
- 3) Superintendents have voice in Board of Education (BOE) meetings.
- 4) Restoration districts must incorporate *Cultural Standards*.
- 5) Strategy for improving schools. *Alaska Standards for Culturally Responsive Schools* is foundational.
 - Year 1. Independent expert evaluates critical components of district. $7x \$1,600 = \$11,200$
 - Year 1. One coach chosen for each superintendent and board. $20x \$1,600 = \$32K$
 - Year 2. One additional coach chosen for each superintendent and board. $20x \$1,600 = \$32K$
+ *yr 1 coaches returning* $20x \$1,600 = \$32K$
 - Year 3. Team formed. One each from DEED, BOE, Superintendent, Local Board, and four coaches. Develop three-year plan.

Superintendent carries out plan.

Team- 8 people x 20 days x \$1,600 = \$256K

- 6) Exit survey for departing teachers. Survey monkey.

Total \$= \$299,264 for three years per school district.

HB 256 gives a clear path for improvement in low performing schools, particularly those involving Alaska Native students.

Alaska State Legislature

Juneau

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Representative Alan Dick

House District 6

Sectional Analysis CS HB 256(EDC) VERSION U Intervention & Improving Instructional Practices

Section 1- Department annual report:

Amends the requirements of the Department of Education & Early Development's annual report:

- Removes the reference to schools having a designation of "in crisis" since that term is not defined;
- Replaces the term "intervention", with restoration – as that is the goal of efforts to assist local schools or districts to improve instructional practices.
- Adds a requirement that the Department report the reasons for turnover in certificated personnel and superintendents, not just report the numbers and percentages. This is linked to a change in teacher contracts, requiring teachers leaving a district to complete the Department's exit survey (Section 8).

Section 2- School and district accountability:

Requires the Department to give technical assistance to a public school or district that receives a low performance designation. This is in recognition that smaller districts may not have the technical capacity to devote the appropriate resources to developing a district improvement plan.

Section 3:

Adds a Department accountability section. This section sets up a process for superintendents to evaluate the Department as to:

- Whether the staff were supportive of the district;
- Description of the support received and an evaluation of the support;
- Quality of the level of contact the district had with the Department;
- Its reporting requirements; and
- How the Department may improve services to the district.

These evaluations would be summarized to protect individual identities and provided to the Governor, Legislature, and Commissioner of Education.

Section 4- Duties of the department (*The Department shall*):

Amends the duties of the department to include more cooperative opportunities for the department and school districts.

- Includes opportunity for school and district personnel to participate in the Department's review of the needs of Alaska's public schools toward the goal of improving the schools.
- In adopting or recommending plans for improvements, the plans must incorporate appropriate cultural standards that must be included in instructional practices in districts in which 50% or more of the students are Alaska Native.
- The plans must
 - Identify intensive learning opportunities for each district.
 - Analyze community involvement and methods for improving it.
 - Address teaching capacity, retention and development and provide for technical assistance to teachers.
 - Ensure districts develop and maintain elective and career and technical courses.
 - Notify a district of a low performance designation, offer technical assistance consisting of predictable, research-based strategies tailored to Alaska before beginning state restoration activities.
 - Describe research-based strategies that target educational performance.
- The Department has to employ qualified personnel to provide advisory/consultative services to districts. However, these services must be consistent with AS 14.07.030(14), which is amended in this bill. Restoration activities do not include hiring a trustee.
- Regulations relating to restoration of a school or district must specify the criteria under which a low performing school or district may improve instructional practices. These regulations must include a notice to the school and district of the deficiencies and the instructional practice changes proposed by the Department and must provide an end date for the restoration activities.
- Removes the requirement that student proficiency be tied solely to standards-based assessments. The district must demonstrate three consecutive years of improvement or measures identified as indicators of student success and achievement under AS 14.03.123(f) and may request a fourth year of restoration services.

(Page 6, beginning at Line 25):

When a school is designated as low performing, the rest of Section 4 sets out a collaborative, rather than punitive process for the Department and the district to work together to improve school performance.

- After being designated a low performing school for the first year,
 - Year 1: Selection of one independent expert by August 15. District Superintendent and Commissioner select. Expert will have evaluated the school in the areas requested. Expert's site visit will not exceed seven days.

- Expert produces a written report by October 15 and distributes. A summary is posted on the Internet.
- By November 15, the Superintendent and the Department will select a qualified coach, and the local school board and the Department will select a qualified coach. These coaches will advise the district for not more than 20 days total regarding the needs identified in the evaluation.
- On June 1 provide to the department, parents, legislature and post on the Internet a summary of progress of these efforts and the observations and recommendations of the coaches.
- YEAR 2: Not later than September 15, mandatory selection and hiring of two additional qualified coaches to advise the district. One selected by superintendent and one selected by the local school board, after input from the Association of Alaska School Boards. The coaches will advise the district for not more than 20 days total regarding the needs identified in the evaluation.
 - By June 1, provide to the State Board of Education, department, parents, legislature and post on the Internet a summary of the progress of these efforts.
- YEAR 3: Requires the Department maintain frequent consultation with staff at the low performing school and the school superintendent.
 - Requires the Department establish a School Improvement Team to advise the commissioner on restoration activities.
 - The School Improvement Team will evaluate the school for best practices applicable in Alaska relating to major areas of school administration, governance, instructional practices and for implementation of Alaska State Cultural Standards.
 - Team develops a three-year plan to restore the school. During the three-year plan, the Team may redirect funding in the district budget to improve instruction.
 - Superintendent implements the plan.
 - Team evaluates and adjusts the plan as necessary at the end of each school year.

Section 5 - Powers of the Department (*The Department may*):

Specifies that regulations adopted by the Department related to restoration of a school or district must be consistent with federal and state law and the superior court's findings, dated February 4, 2009, in *Moore v. State of Alaska*, including:

- Directing use of appropriations under this title for distribution to a district (consistent with the school improvement team's recommendations).
- Providing training and other support as necessary to implement a school or district improvement plan.
- Providing for regular monitoring, evaluation and modification of improvement efforts tailored to the strengths and weaknesses of the school or district.
- Providing for the availability of courses and remedial programs necessary for students in these schools to meet state standards for graduation in the expected time frame.

Section 6 - Powers of the Department:

Before the Department may redirect public school funding for a low performing school, the department must:

- Assemble a school improvement team and that team must have requested funding to be redirected for a specified purpose related to improving instructional practices.
- Provide notice to the legislative committees with jurisdiction over education.
- Provide notice to the district and provide an opportunity for the district to respond.
- Establish a timeline for redirecting the funding back to the district after the team determines improvement has occurred.

Section 7 - State Board of Education Duties:

Requires the State Board of Education to review the Department's compliance with its statutory responsibilities related to school monitoring, improvement and restoration.

Requires the Board to provide the Superintendent and local school board who are the subject of an item for consideration on the Board's agenda to be provided notice that the item is on the agenda and an opportunity to respond.

Section 8 - Employment and Tenure:

Contracts for teachers must require a teacher leaving employment to complete the Department's exit survey.

Differences Between CS HB 256 Versions T and U
Version U is dated 3/12/12

1. Page 3: Line 22 – Amends Duties of the Department:
 - a. Rather than “regulations adopted”, this section was changed to the ***plans*** the Department adopts or recommends.
 - b. The Department provides notice and an opportunity for public school and district administrators to participate in the crafting of plans and other studies and evaluations related to the improvement of public schools.
 - c. Any plan the Department adopts or recommends for public schools must include the items A-H, which have not changed.
 - d. The plans also must comply with federal and state law and the Superior Court’s findings dated Feb. 4, 2009.
 - e. The plans must provide for training and technical support; regular monitoring, evaluation and modification of improvement efforts tailored to the strengths and weaknesses of the school; availability of courses and remedial programs necessary for all students attending a low-performing school to meet state standards for graduation in the expected timeframe. *(AS 14.07.030(14) Page 9.)*
2. Page 4: Lines 8-11 and 16-17 were rewritten for clarity. The intent has not changed.
3. Page 6: Line 26 change “if” to “when” a school is designated low performing.
4. Beginning at Page 6, Line 29 – Page 8: Line 9 – rewritten to clarify Year 1 and Year 2 activities.
 - a. Year 1: Selection of one independent expert by August 15. District Superintendent and Commissioner select.
 - b. Year 1: Expert will have evaluated the school in the areas requested. **Expert’s site visit will not exceed seven days.**

- c. Year 1: Expert produces a written report by October 15 and distributes. A summary is posted on the Internet. *(same as previous version)*
 - d. Year 1: By November 15, the Superintendent and the Department will select a qualified coach, and the local school board and the Department will select a qualified coach. **These coaches will advise the district for not more than 20 days total** regarding the needs identified in the evaluation.
 - e. Year 1: On June 1 provide to the department, parents, legislature and post on the Internet a summary of progress of these efforts and the observations and recommendations of the coaches. *(same as previous version)*
 - f. YEAR 2: Not later than September 15, mandatory selection and hiring of two additional qualified coaches to advised the district. One selected by superintendent and one selected by the local school board, **after input from the Association of Alaska School Boards. DELETED [from a high performance school district]**. The coaches will advise the district **for not more than 20 days total** regarding the needs identified in the evaluation.
 - g. YEAR 2: By June 1, provide to the State Board of Education, department, parents, legislature and post on the Internet a summary of the progress of these efforts. *(same as previous version)*
5. Page 8: lines 11-31 – Page 9: Line 1
- a. YEAR 3 activities rewritten for clarity. The intent remains the same. **Added implementation of Alaska State Cultural Standards as one of the areas of best practice for the Team to consider and evaluate.**
6. Page 9: following Line 1
- a. **DELETES subsection requiring the Department to request proposals from and provide grants (subject to appropriation) to schools or districts in restoration.**

7. Page 9: Lines 3-4
 - a. **DELETE [Notwithstanding any other provision of this title...]** This language is confusing and inconsistent with the addition of language specific to the Moore case.
8. Page 9: Lines 9-11
DELETES the Department's ability to direct the employees of the district or school outside of the collaborative process in AS 14.07.020 (a)(19).
9. Page 9: Lines 12-13
Ensures that any appropriations redirected under AS 14 are done so as necessary under the new collaborative process involving the School Improvement Team.
10. Page 10: Former Section 7
 - a. **DELETED former Section 7 which amended AS 14.07.030-Powers of the Department (*Department may employ coaches if the school or district agrees to the coach...*)**
11. Page 10: Lines 13-16 adds a requirement that contracts for teachers must require a teacher leaving employment to complete the Department's exit survey.

Annette Kreitzer

To: LAA Legal
Subject: CS for HB 256(EDC)

Please draft the following additional changes to CS HB 256, Version X:

- 1) AM#1:
 - a. Page 7, Line 4:
 - i. DELETE [**student preparedness**] and Insert preparedness of students to learn
 - b. Page 8, Line 26:
 - i. DELETE [**student wellness**] and Insert preparedness of students to learn
- 2) AM#2:
 - a. Page 7, Lines 9-11
 - i. DELETE [**1998 Alaska Standards for Culturally Responsive Schools, prepared by the Assembly of Alaska Native Educators;**] and Insert Alaska State Cultural Standards;
- 3) AM#3:
 - a. Page 8, Line 5:
 - i. Insert following "June 1, provide to the ..." State Board of Education
- 4) AM#4:
 - a. Page 7, Lines 2-3:
 - i. district and the commissioner of at least one independent expert [**in**] to evaluate the areas of: business services, ...
- 5) AM#5:
 - a. Page 2, Line 15:
 - i. Insert Future contracts will require teachers to fill out the Department's exit survey.
- 6) AM #6:
 - a. Page 4, Lines 20-21:
 - i. DELETE [**that includes elective and career and vocational courses in addition to core curricula;**]
- 7) Conceptual AM #7:
 - a. Amendment to Section 4 to make clear that the regulations adopted by the department that are to inculcate the requirements of Page 3, Lines 18-Page 4, Line 14 are regulations adopted for the improvement of instruction. The statute currently says the department may adopt regulations for the improvement of the public schools (Page 3, Lines 21-22). The Department does not want every regulation it promulgates (for instance, regs that deal with position descriptions).
- 8) Conceptual AM #8:
 - a. Page 6, Lines 10 and 13:
 - i. DELETE [**two**] and Insert three
 - b. Page 6, Line 15:
 - i. DELETE [**third**] and Insert fourth
- 9) Conceptual AM #9:
 - a. Page 8, Line 4:
 - i. One coach who is a school board member from a high performance school district shall be selected by the local school board;

Please deliver the final to me in Room 104. There were no additional changes.

ak
465-4936

27-LS1171\X
Luckhaupt/Mischel
2/27/12

CS FOR HOUSE BILL NO. 256()

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

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES DICK, Herron

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the power and duties of the Department of Education and Early**
2 **Development to improve instructional practices; and relating to duties of the state Board**
3 **of Education and Early Development."**

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

5 *** Section 1.** AS 14.03.078 is amended to read:

6 **Sec. 14.03.078. Report.** The department shall provide to the legislature by
7 February 15 of each year an annual report regarding the progress of each school and
8 school district toward high academic performance by all students. The report required
9 under this section must include

- 10 (1) information described under AS 14.03.120(d);
- 11 (2) the number and percentage of students in each school who pass the
- 12 examination required under AS 14.03.075, and the number who pass each section of
- 13 the examination;
- 14 (3) progress of the department

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

(B) in assisting high schools to become accredited;

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

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

(6) a description of the efforts by the department to assist a public school that receives a designation of deficient [OR IN CRISIS];

(7) a description of restoration [INTERVENTION] efforts by each school district and school for students who are not meeting state performance standards;

(8) the number and percentage of, and the reasons for, turnover in certificated personnel and superintendents;

(9) the number of teachers by district and by school who are teaching outside the teacher's area of endorsement but in areas tested by the high school competency examination.

AM #5 Teacher Contracts will require completion of DEED ex. 7 survey.

obj.

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

(d) A public school or district that receives a low performance designation under this section shall, with the assistance of the department, prepare and submit to the department a school or district improvement plan, as applicable, in accordance with regulations adopted by the board. The improvement plan must be prepared with the maximum feasible public participation of the community including, as appropriate, interested individuals, teachers, parents, parent organizations, students, tribal organizations, local government representatives, and other community groups.

* **Sec. 3.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.127. Department accountability. (a) By June 1 of each year, the superintendents of each school district in the state shall provide to the Department of Administration an evaluation of the department that addresses the following matters:

(1) whether the department staff were supportive of the district;

1 (2) a description of the support received, if any, from each division of
2 the department and an evaluation of the support;

3 (3) the level of contact the district had with the department, on a rating
4 scale of one to five, with five being an excellent level of contact;

5 (4) an evaluation of the reporting requirements on district activities to
6 the department, including level of burden, necessity, and redundancy of reporting
7 requirements;

8 (5) a statement on how the department may improve services to the
9 district.

10 (b) The Department of Administration shall annually compile the evaluations
11 provided under (a) of this section and provide to the governor, the legislature, and the
12 commissioner of education, in a manner that protects the identity of the
13 superintendents, a comprehensive description of evaluation results.

14 * **Sec. 4.** AS 14.07.020(a) is amended to read:

15 (a) The department shall

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

18 (2) **after providing notice and an opportunity for public school and**
19 **district administrators to participate,** study the conditions and needs of the public
20 schools of the state, adopt or recommend plans, administer and evaluate grants to
21 improve school performance awarded under AS 14.03.125, and adopt regulations for
22 the improvement of the public schools; **the regulations must**

23 **(A) include appropriate cultural standards consistent with**
24 **the 1998 Alaska Standards for Culturally Responsive Schools adopted by**
25 **the Assembly of Alaska Native Educators;**

26 **(B) require appropriate cultural standards adopted by the**
27 **board to be included in instructional practices in districts in which 50**
28 **percent or more of the student population is of Alaska Native heritage;**

29 **(C) describe intensive early learning opportunities for each**
30 **district in the state;**

31 **(D) require an analysis of community involvement in the**

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district and methods for improving community involvement;

(E) address teaching capacity, retention, and development and provide for technical assistance to teachers;

(F) establish routine evaluations and assistance to ensure that districts develop and maintain elective and career and technical courses;

(G) establish standards and timelines for restoration activities that prohibit state restoration activities without first notifying a district of a low performance designation, offering technical assistance with predictable and research-based strategies tailored to the state to improve performance, and complying with the requirements of AS 14.07.030(14);

(H) describe research-based strategies that target educational performance of low-performing students in the state;

(3) employ qualified personnel who shall provide advisory and consultative services to all public school governing bodies and personnel; the services may not include restoration of a school or district except as provided in AS 14.07.030(14) or employment of a trustee;

(4) prescribe by regulation a minimum course of study for the public schools that includes elective and career and vocational courses in addition to core curricula; the regulations must provide that, if a course in American Sign Language is given, the course shall be given credit as a course in a foreign language;

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

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

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

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

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

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

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

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

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

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

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

1 (16) establish by regulation criteria, based on low student performance,
 2 under which the department may **restore** [INTERVENE IN] a school **or** district to
 3 improve instructional practices, as described in **(19) of this subsection and**
 4 **AS 14.07.030(14) or (15);** the regulations must include

5 (A) a notice provision that alerts the **school and the** district to
 6 the deficiencies and the instructional practice changes proposed by the
 7 department;

8 (B) an end date for departmental **restoration activities**
 9 [INTERVENTION], as described in AS 14.07.030(14)**(A) - (E)** [(A) AND (B)]
 10 and (15), after the **school or** district demonstrates **two** [THREE] consecutive
 11 years of improvement **on measures identified as indicators of student**
 12 **success and achievement under AS 14.03.123(f); not withstanding that a**
 13 **school or district has demonstrated two consecutive years of improvement,**
 14 **the district may, in its discretion, chose to receive restoration services for a**
 15 **third year** [CONSISTING OF NOT LESS THAN TWO PERCENT
 16 INCREASES IN STUDENT PROFICIENCY ON STANDARDS-BASED
 17 ASSESSMENTS IN MATHEMATICS, READING, AND WRITING AS
 18 PROVIDED IN AS 14.03.123(f)(2)(A)]; and

19 (C) a process for districts to petition the department for
 20 continuing or discontinuing the department's **restoration activities**
 21 [INTERVENTION];

22 (17) notify the legislative committees having jurisdiction over
 23 education before **restoring** [INTERVENING IN] a school **or** district under
 24 AS 14.07.030(14) or redirecting public school funding under AS 14.07.030(15);

25 (18) assist the Department of Natural Resources in developing and
 26 implementing the farm-to-school program established under AS 03.20.100;

27 **(19) engage in a process of collaborative support to restore and**
 28 **improve school performance if a school is designated as low performing under**
 29 **AS 14.03.123; the process must include**

30 **(A) for the first school year after the designation of the**
 31 **school as a low-performing school, not later than**

Am #4

to evaluate

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(i) August 15, selection by the superintendent of the district and the commissioner of at least one independent expert in the areas of business services, board governance, leadership, facilities, human relations, instruction, student preparedness, or community involvement;

(ii) September 15, evaluation of the school by the expert or experts selected under (i) of this subparagraph; the expert or experts shall also evaluate the extent to which the district has implemented the 1998 Alaska Standards for Culturally Responsive Schools, prepared by the Assembly of Alaska Native Educators;

(iii) October 15, preparation of a written report by the expert or experts selected under (i) of this subparagraph and distribution of the report to the commissioner, the local school board, and the superintendent; a summary of the report shall be made available to the public by posting the summary on the Internet;

(iv) November 15, mandatory selection and hiring of two qualified coaches to advise the district with regard to the needs identified in the evaluation completed under this subparagraph; one coach shall be selected jointly by the superintendent and the department, and one coach shall be selected jointly by the local school board and the department; and

(v) June 1, provide to the department, parents, and the legislature and publish on the Internet a summary of the progress of the efforts to restore the school and the observations and recommendations of the coaches hired under this subparagraph;

(B) for the second school year after the designation of a school as a low-performing school, not later than

(i) September 15, mandatory selection and hiring of

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two additional qualified coaches to advise the district with regard to the needs identified in the evaluation completed under this paragraph; one coach shall be selected by the superintendent, and one coach shall be selected by the local school board; and

(ii) June 1, provide to the department, parents, and the legislature and publish on the Internet a summary of the progress of the efforts to restore the school and the observations and recommendations of the coaches hired under this subparagraph;

(C) for the third school year after the designation of a school as a low-performing school,

(i) frequent consultation with the staff at the low-performing school and with the superintendent of the district in which the school is located;

(ii) establishment of a school improvement team for the purpose of advising the commissioner on restoration activities; the team consists of the commissioner or the commissioner's designee, a member of the state Board of Education and Early Development, the superintendent of the district, the four qualified coaches selected under (A) and (B) of this paragraph, and one member of the local school board;

(iii) consideration and evaluation by the team established under (ii) of this subparagraph of evidence at the school of best practices in the state for business services, instructional practices, local school board governance, district leadership, facilities maintenance, human resources, and student wellness;

(iv) development of a three-year plan by the team established under (ii) of this subparagraph to restore the school; during the three-year plan, the team may redirect funding in the district budget to improve instruction; the superintendent shall implement the plan developed by the team; each year, at the end of

1 the school year, the team shall evaluate and adjust the plan as the
2 team determines necessary;

3 (20) subject to appropriation by the legislature, request proposals
4 from and provide grants to schools or districts being restored.

5 * Sec. 5. AS 14.07.030(14) is amended to read:

6 (14) notwithstanding any other provision of this title, restore
7 [INTERVENE IN] a school or district to improve instructional practices under
8 standards established by the department in regulation; the regulations must be
9 consistent with federal and state law and the superior court's findings, dated
10 February 4, 2009, in Moore et al. v. State of Alaska, No. 3AN-04-9756 CI,
11 including providing for [DIRECTING THE]

12 (A) qualified employees identified by the department to
13 exercise supervisory authority for instructional practices in the district or in a
14 specified school;

15 (B) use of appropriations under this title for distribution to a
16 district;

17 (C) training and technical support to a low-performing
18 school or district as necessary to implement the school or district
19 improvement plan submitted under AS 14.03.123(d);

20 (D) regular monitoring, evaluation, and modification of
21 improvement efforts that are tailored to the strengths and weaknesses of
22 the school or district;

23 (E) the availability of courses and remedial programs
24 necessary for all students attending a low-performing school to meet state
25 standards for graduation from secondary school in the expected time
26 frame;

27 * Sec. 6. AS 14.07.030(15) is repealed and reenacted to read:

28 (15) notwithstanding any other provision of this title, redirect public
29 school funding under AS 14.17 appropriated for distribution to a school district, after
30 providing notice to the legislative committees with jurisdiction over education and to
31 the district and an opportunity for the district to respond, if

1 (A) the department has assembled a school improvement team
2 under AS 14.07.020(a)(19) that has requested the funding to be redirected for a
3 specified purpose related to improvement of instructional practices in a school
4 or district that is in restoration status under (14) of this section; and

5 (B) the department has established a timeline for redirecting the
6 funding to the district after the school improvement team determines that the
7 improvement of instructional practices has satisfactorily occurred;

8 * **Sec. 7.** AS 14.07.030 is amended by adding a new paragraph to read:

9 (16) employ instructional coaches and direct staff members who are
10 experts in their field to assist a low-performing school or district if the school or
11 district agrees to the coach and to the terms of the coach's or staff member's contract or
12 assignment, including the duties and the duration and hours of work at the school or
13 district; under this paragraph, in a district in which 50 percent or more of the student
14 population is of Alaska Native heritage, the duties of a coach or staff member must
15 include implementation of the 1998 Alaska Standards for Culturally Responsive
16 Schools, prepared by the Assembly of Alaska Native Educators, and school
17 improvement and education standards adopted by the board.

18 * **Sec. 8.** AS 14.07.165 is amended by adding a new subsection to read:

19 (b) In addition to the duties enumerated in (a) of this section, the board shall

20 (1) review and ensure departmental compliance with state law,
21 including departmental duties related to school monitoring, improvement, and
22 restoration provisions under AS 14.03.123, AS 14.07.020, and 14.07.030;

23 (2) provide to a superintendent and local school board that are affected
24 by an item scheduled for consideration on a board meeting agenda not less than 10
25 days' notice and an opportunity to respond.

Adopted 3-2-12
Ø objection

AMENDMENT

1

By: Rep. Dick

Offered in House Education
To: CS HB 256 Version X

Page 7, Line4:

DELETE

[student preparedness]

Insert

Preparedness of students to learn

Page 8, Line26:

DELETE

[student wellness]

Insert

Preparedness of students to learn

*Adopted
3-2-12
& objective*

AMENDMENT

②

By: Rep. Dick

**Offered in House Education
To: CS HB 256 Version X**

Page 7, Lines 9-11:

DELETE

**[1998 Alaska Standards for Culturally Responsive
Schools, prepared by the Assembly of Alaska Native Educators;]**

Insert

Alaska State Cultural Standards;

Adopted 3-2-12

or objection

AMENDMENT

3

By: Rep. Dick

Offered in House Education

To: CS HB 256 Version X

Page 8, Line 5:

Following "June 1, provide to the ..."

Insert

State Board of Education

*Adopted 3-5-12
& objection*

CONCEPTUAL AMENDMENT #7

By: Rep. Dick

Offered in House Education

To: CS HB 256 Version X

Page 3, Line 18 to Page 4, Line 14:

The regulations adopted under AS 14.007.020(a)(2)(A)-(H) must be for the improvement of instruction.

JUSTIFICATION:

The intent of this section is to incorporate cultural standards, intensive early learning, community involvement, etc. into regulations which are promulgated for the improvement of instruction, not to require the department to incorporate these goals into every potential regulation.

Am#1 to Am#8 adopted 3-5-12
Am#8 adopted 3-5-12

Ø object

CONCEPTUAL AMENDMENT #8

By: Rep. Dick

Offered in House Education
To: CS HB 256 Version X

Am#1 to Am#8

Page 6, Line 10; 13

DELETE
[two] AND
Insert three

Page 6, Line 15:

DELETE
[third] AND
Insert fourth

* Am # 1 to Am#9 adopted 3-5-12 & obj.
Am#9 adopted 3-5-12 & objection

CONCEPTUAL AMENDMENT #9

By: Rep. Dick

**Offered in House Education
To: CS HB 256 Version X**

Page 8, Line 4:

** who is a school board member*

One coach¹ from a high performance school district shall be selected by the local school board;

JUSTIFICATION:

The coach selected by the local school board in year 2, will be from a district designated as a high performance district by the department under AS 14.03.123

Differences Between CS HB 256 Versions E and X
Version X is dated 2/27/12

1. Page 6, Lines 12-15 adds:
 - a. a school or district that has demonstrated two consecutive years of improvement, the district may choose to receive restoration services for a third year.
2. Beginning at Page 6, Line 30 – Page 8, Line 9 – rewritten to reflect sponsor's intention of Year 1 and Year 2 activities.
 - a. Year 1: Selection of at least one independent expert by August 15. District Superintendent and Commissioner select.
 - b. Year 1: Expert(s) will have evaluated the school in the areas requested. District will be evaluated on implementation of State Cultural Standards. Accomplished by September 15.
 - c. Year 1: Expert(s) produce a written report by October 15 and distribute. A summary is posted on the Internet.
 - d. Year 1: By November 15, the Superintendent and the Department will select a qualified coach, and the local school board and the Department will select a qualified coach. These coaches will advise the district regarding the needs identified in the evaluation.
 - e. Year 1: On June 1 provide to the department, parents, legislature and post on the Internet a summary of progress of these efforts and the observations and recommendations of the coaches.
 - f. YEAR 2: Not later than September 15, mandatory selection and hiring of two additional qualified coaches to advised the district. One selected by superintendent and one selected by the local school board.
 - g. YEAR 2: By June 1, provide to the department, parents, legislature and post on the Internet a summary of the progress of these efforts.
3. Page 8, lines 10-11 – slightly rewritten.
4. Page 8, lines 18-21
 - a. Adds a member of the State Board of Education and the four qualified coaches to the School Improvement team.

- b. Deletes the legislative member from the team.
- 5. Page 8, Lines 27-31 and Page 9, Lines 1-2
 - a. Adds a requirement that the school improvement team develop a three-year plan to restore the school. The team may redirect district funding to improve instruction. The Superintendent must implement the team's plan. At the end of each school year, the team will evaluate and adjust the plan.
- 6. Page 9, Lines 3-4
 - a. Adds a new section requiring the Department to request proposals from and provide grants (subject to appropriation) to schools or districts in restoration.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB256X
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB256CS-EED-TLS-03-2-12 Dept. Affected Education & Early Development
 Title "An Act relating to the powers of the Department of Education & Early Development to improve..." Appropriation Teaching and Learning Support
 Allocation Student & School Achievement
 Sponsor Representatives Dick, Herron
 Requester House Education Committee OMB Component Number 2796

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES							
Personal Services	538.0		554.0	570.0	586.0	602.0	618.0
Travel							
Services	4,508.0		4,508.0	4,508.0	4,508.0	4,508.0	4,508.0
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	5,046.0	0.0	5,062.0	5,078.0	5,094.0	5,110.0	5,126.0

FUND SOURCE		(Thousands of Dollars)						
1002	Federal Receipts							
1003	GF Match							
1004	GF	5,046.0		5,062.0	5,078.0	5,094.0	5,110.0	5,126.0
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		5,046.0	0.0	5,062.0	5,078.0	5,094.0	5,110.0	5,126.0

POSITIONS								
Full-time		5		5	5	5	5	5
Part-time								
Temporary								

CHANGE IN REVENUES							

Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Reflects the clarification of intent of Section 4 (i) from up to 7 experts to one independent expert.

Prepared by Cynthia Curran, Director
 Division Teaching and Learning Support
 Approved by Mike Hanley
Commissioner

Phone 465-2857
 Date/Time 3/2/2012 3:50pm
 Date 3/2/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB256X

Analysis

Sec.1. 14.03.078 (8) The current certified staff accounting data collection would need to be modified to reflect this new district reporting requirement. Staff time for Workbook modification and district technical assistance on new reporting requirement is estimated at **\$3,000.00**

Sec. 2. 14.03.123(d) Technical assistance in school and district improvement planning as required under ESEA is currently provided. It is anticipated that requiring the department to provide technical assistance to additional schools would increase the demand for department staff time. Currently, TLS has 1 State System of Support staff and 1 No Child Left Behind Staff whose job assignments include school and district improvement. It is estimated that 5 additional staff would be needed to adequately provide school and district improvement technical assistance. Five new Education Specialist II at $\$92,378.27 \times 5 = \$461,890.00$; travel onsite, 6 trips at $\$1,000 \times 5 = \$30,000$. **Total \$491,890**

Sec. 3. 14.03.127- Department of Administration- **no fiscal cost to EED**

Sec. 4. 14.07.020 (2) EED currently provides notice for public comment.

(B) Requires EED to monitor and review district curriculum to ensure that cultural standards are incorporated in a district's curriculum if the district has a population that is 50 percent or more Alaska Native. Currently, 30 districts fall into this category. Contract with 15 reading, writing and math (45 total) curriculum review specialists at $\$600/\text{day} \times 60 \text{ days} (2 \text{ days per district}) = \text{Total } \$1,620,000.00$

(C) Identify Intensive early learning opportunities for each district. EED/TLS currently provides information on early learning opportunities to districts when requested. **No anticipated costs.**

(D) Analysis of Community involvement for each district. Contract for community involvement analysis and recommendations for 50 districts, $\$15,000 \text{ per district} \times 50 = \text{\$750,000.00}$

(E) Teacher capacity, retention, development and technical assistance to teachers as required could adequately be met thru an increase in the current teacher mentor program. 15 new mentors $\times \$70,000 \text{ per mentor} = \text{\$1,050,000.00}$.

(F) Routine CTE evaluations and assistance, .5 CTE Education Specialist II = **\\$46,189.13**.

(G) **No anticipated costs**, part of current "872" process.

(H)) **No anticipated costs**, part of current State System of Support (SSOS)

(3) Employ qualified personnel to provide consultative services; increase SSOS coaches by 12. 12 at $\$69,000 = \text{\$828,000.00}$.

(4) Increase the minimum course of study to include electives and vocational courses. Bring together stakeholders from across the state to draft regulations, (30 people meeting 2 times for 2 days; $\$65 \text{ per diem} + \$1,000 \text{ for travel}$); post for public comment. **\\$67,800.00**

(19) (A) Engage in collaborative support. Independent expert in Business Services; board governance; facilities; human relations; leadership; instruction; student preparedness; or community involvement. Assuming 1 independent expert and write report = **\\$70,000.00**.

(B) (i) thru (iii) Establishment of a school improvement team consisting of a minimum of 5 members. 4 meetings of 3 days each = $12 \text{ days} \times \$65 \text{ per diem} = 780 \times 5 \text{ members} = \3900 ; $\$1,000 \text{ travel} \times 4 \text{ trips} \times 5 \text{ members} = \$23,900 \text{ per district}$, 5 districts = **\\$119,500.00**.

Sec. 5. 14.07.030. (C) thru (E) **No anticipated fiscal cost**

Sec. 6. 14.07.030 (15) **No anticipated fiscal cost**

Sec. 7 14.07.030 **No anticipated fiscal cost**

Sec. 8 14.07.165 **No anticipated fiscal cost**

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version CSHB256
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB256CS(EDC)-DOA-DAS-3-2-2012 Dept. Affected Administration
 Title Repeal State Intervention in Schools Appropriation Centralized Administrative Services
 Allocation Administrative Services
 Sponsor Representative Dick and Herron
 Requester House Education Committee OMB Component Number 46

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(Thousands of Dollars)						
1002	Federal Receipts							
1003	GF Match							
1004	GF							
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS								
Full-time								
Part-time								
Temporary								

CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Cheryl Lowenstein, Director
 Division Administrative Services Division
 Approved by John Cramer, Deputy Commissioner
Department of Administration

Phone 907-465-6566
 Date/Time 3/2/12 4:00 PM
 Date 3/2/2012

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

BILL NO. CSHB256

Analysis

This bill relates to the powers and duties of the Department of Education and Early Development (DEED) to improve instructional practices and relating to duties of the State Board of Education and Early Development.

In Section 14.03.127 of the bill, by June 1 of each year, the superintendents of each school district in the state shall provide the Department of Administration an evaluation of the department (DEED) that address five areas. The Department of Administration shall annually compile the evaluations and provide, to the Governor, the Legislature, and the Commissioner of Education, in a manner that protects the identity of the superintendents, a comprehensive description of evaluation results.

It is anticipated that the Administrative Services Division will have no fiscal impact and therefore submits a zero fiscal note.

Rep. Lance Pruitt, Vice-Chairman
Rep. Sharon Cissna
Rep. Eric Feige



Rep. Peggy Wilson
Rep. Paul Seaton
Rep. Scott Kawasaki

Rep. Alan Dick, Chairman

HOUSE EDUCATION COMMITTEE

Agenda

February 22, 2012
8 a.m.

- I. Call to Order
- II. Superintendent Presentation
 - a. Phil Knight, Aleutians East Borough School District
- III. CS HB 256 – Intervention/Restoration
 - a. Representative Alan Dick
 - b. Dr. Norm Eck, Superintendent, Arctic Northwest Borough School District
 - c. Doug Conboy, Superintendent, Kashunamiut School District-Chevak
 - d. Jerry Covey, former educator and Commissioner, consultant
- IV. Adjourn

27-LS1171\E
Mischel
2/21/12

CS FOR HOUSE BILL NO. 256()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES DICK, Herron

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the power and duties of the Department of Education and Early**
2 **Development to improve instructional practices; and relating to duties of the Board of**
3 **Education."**

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

5 * **Section 1.** AS 14.03.078 is amended to read:

6 **Sec. 14.03.078. Report.** The department shall provide to the legislature by
7 February 15 of each year an annual report regarding the progress of each school and
8 school district toward high academic performance by all students. The report required
9 under this section must include

- 10 (1) information described under AS 14.03.120(d);
- 11 (2) the number and percentage of students in each school who pass the
- 12 examination required under AS 14.03.075, and the number who pass each section of
- 13 the examination;
- 14 (3) progress of the department

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

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

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

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

9 (6) a description of the efforts by the department to assist a public
10 school that receives a designation of deficient [OR IN CRISIS];

11 (7) a description of restoration [INTERVENTION] efforts by each
12 school district and school for students who are not meeting state performance
13 standards;

14 (8) the number and percentage of, and the reasons for, turnover in
15 certificated personnel and superintendents;

16 (9) the number of teachers by district and by school who are teaching
17 outside the teacher's area of endorsement but in areas tested by the high school
18 competency examination.

19 * **Sec. 2.** AS 14.03.123(d) is amended to read:

20 (d) A public school or district that receives a low performance designation
21 under this section shall, with the assistance of the department, prepare and submit to
22 the department a school or district improvement plan, as applicable, in accordance
23 with regulations adopted by the board. The improvement plan must be prepared with
24 the maximum feasible public participation of the community including, as appropriate,
25 interested individuals, teachers, parents, parent organizations, students, tribal
26 organizations, local government representatives, and other community groups.

27 * **Sec. 3.** AS 14.03 is amended by adding a new section to read:

28 **Sec. 14.03.127. Department accountability.** (a) By June 1 of each year, the
29 superintendents of each school district in the state shall provide to the Department of
30 Administration an evaluation of the department that addresses the following matters:

31 (1) whether the department staff were supportive of the district;

1 (2) a description of the support received, if any, from each division of
2 the department and an evaluation of the support;

3 (3) the level of contact the district had with the department, on a rating
4 scale of one to five, with five being an excellent level of contact;

5 (4) an evaluation of the reporting requirements on district activities to
6 the department, including level of burden, necessity, and redundancy of reporting
7 requirements;

8 (5) a statement on how the department may improve services to the
9 district.

10 (b) The Department of Administration shall annually compile the evaluations
11 provided under (a) of this section and provide to the governor, the legislature, and the
12 commissioner of education, in a manner that protects the identity of the
13 superintendents, a comprehensive description of evaluation results.

14 * Sec. 4. AS 14.07.020(a) is amended to read:

15 (a) The department shall

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

18 (2) **after providing notice and an opportunity for public school and**
19 **district administrators to participate**, study the conditions and needs of the public
20 schools of the state, adopt or recommend plans, administer and evaluate grants to
21 improve school performance awarded under AS 14.03.125, and adopt regulations for
22 the improvement of the public schools; **the regulations must**

23 **(A) include appropriate cultural standards consistent with**
24 **the 1998 Alaska Standards for Culturally Responsive Schools adopted by**
25 **the Assembly of Alaska Native Educators;**

26 **(B) require appropriate cultural standards adopted by the**
27 **board to be included in instructional practices in districts in which 50**
28 **percent or more of the student population is of Alaska Native heritage;**

29 **(C) describe intensive early learning opportunities for each**
30 **district in the state;**

31 **(D) require an analysis of community involvement in the**

1 **district and methods for improving community involvement;**

2 **(E) address teaching capacity, retention, and development**
3 **and provide for technical assistance to teachers;**

4 **(F) establish routine evaluations and assistance to ensure**
5 **that districts develop and maintain elective and career and technical**
6 **courses;**

7 **(G) establish standards and timelines for restoration**
8 **activities that prohibit state restoration activities without first notifying a**
9 **district of a low performance designation, offering technical assistance**
10 **with predictable and research-based strategies tailored to the state to**
11 **improve performance, and complying with the requirements of**
12 **AS 14.07.030(14);**

13 **(H) describe research-based strategies that target**
14 **educational performance of low-performing students in the state;**

15 (3) **employ qualified personnel who shall** provide advisory and
16 consultative services to all public school governing bodies and personnel; **the services**
17 **may not include restoration of a school or district except as provided in**
18 **AS 14.07.030(14) or employment of a trustee;**

19 (4) prescribe by regulation a minimum course of study for the public
20 schools **that includes elective and career and vocational courses in addition to**
21 **core curricula;** the regulations must provide that, if a course in American Sign
22 Language is given, the course shall be given credit as a course in a foreign language;

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

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

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

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

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

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

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

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

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

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

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

1 (16) establish by regulation criteria, based on low student performance,
2 under which the department may restore [INTERVENE IN] a school or district to
3 improve instructional practices, as described in (19) of this subsection and
4 AS 14.07.030(14) or (15); the regulations must include

5 (A) a notice provision that alerts the school and the district to
6 the deficiencies and the instructional practice changes proposed by the
7 department;

8 (B) an end date for departmental restoration activities
9 [INTERVENTION], as described in AS 14.07.030(14)(A) - (E) [(A) AND
10 (B)] and (15), after the school or district demonstrates three consecutive years
11 of improvement on measures identified as indicators of student success and
12 achievement under AS 14.03.123(f) [CONSISTING OF NOT LESS THAN
13 TWO PERCENT INCREASES IN STUDENT PROFICIENCY ON
14 STANDARDS-BASED ASSESSMENTS IN MATHEMATICS, READING,
15 AND WRITING AS PROVIDED IN AS 14.03.123(f)(2)(A)]; and

16 (C) a process for districts to petition the department for
17 continuing or discontinuing the department's restoration activities
18 [INTERVENTION];

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

22 (18) assist the Department of Natural Resources in developing and
23 implementing the farm-to-school program established under AS 03.20.100

24 (19) engage in a process of collaborative support to restore and
25 improve school performance if a school is designated as low performing under
26 AS 14.03.123; the process must include

27 (A) for the first two school years after the designation as a
28 low-performing school, not later than

29 (i) August 15 of each year, selection by the
30 superintendent of the district and the commissioner of at least one
31 independent expert in the area of business services, board

governance, leadership, facilities, human relations, instruction, student preparedness, or community involvement;

(ii) September 15 of each year, evaluation of the school by the expert or experts selected under (i) of this subparagraph; and

(iii) October 15 of each year, preparation of a written report by the expert or experts selected under (i) of this subparagraph and distribution of the report to the commissioner, the local school board, and the superintendent; a summary of the report shall be made available to the public by posting the summary on the Internet;

(B) for year three of designation of a school as a low-performing school,

(i) frequent consultation with the staff at the low-performing school and with the superintendent of the district in which the school is located;

(ii) establishment of a school improvement team for the purpose of advising the commissioner on restoration activities; the team must consist of the commissioner or the commissioner's designee, the superintendent of the district, school improvement coaches, if any, one member of the local school board, and one member of the legislature selected jointly by the presiding officers of the house and senate;

(iii) consideration and evaluation by the team established under (ii) of this subparagraph of evidence at the school of best practices in the state for business services, instructional practices, local school board governance, district leadership, facilities maintenance, human resources, and student wellness.

Doesn't include part from another d.f.

* **Sec. 5.** AS 14.07.030(14) is amended to read:

(14) notwithstanding any other provision of this title, restore [INTERVENE IN] a school or district to improve instructional practices under

1 standards established by the department in regulation; the regulations must be
2 consistent with federal and state law and the superior court's findings, dated
3 February 4, 2009, in Moore et al. v. State of Alaska, No. 3AN-04-9756 CI,
4 including providing for [DIRECTING THE]

5 (A) qualified employees identified by the department to
6 exercise supervisory authority for instructional practices in the district or in a
7 specified school;

8 (B) use of appropriations under this title for distribution to a
9 district;

10 (C) training and technical support to a low-performing
11 school or district as necessary to implement the school or district
12 improvement plan submitted under AS 14.03.123(d);

13 (D) regular monitoring, evaluation, and modification of
14 improvement efforts that are tailored to the strengths and weaknesses of
15 the school or district;

16 (E) the availability of courses and remedial programs
17 necessary for all students attending a low-performing school to meet state
18 standards for graduation from secondary school in the expected time
19 frame;

20 * Sec. 6. AS 14.07.030(15) is repealed and reenacted to read:

21 (15) notwithstanding any other provision of this title, redirect public
22 school funding under AS 14.17 appropriated for distribution to a school district, after
23 providing notice to the legislative committees with jurisdiction over education and to
24 the district and an opportunity for the district to respond, if

25 (A) the department has assembled a school improvement team
26 under AS 14.07.020(a)(19) that has requested the funding to be redirected for a
27 specified purpose related to improvement of instructional practices in a school
28 or district that is in restoration status under (14) of this section; and

29 (B) the department has established a timeline for redirecting the
30 funding to the district after the school improvement team determines that the
31 improvement of instructional practices has satisfactorily occurred;

1 * **Sec. 7.** AS 14.07.030 is amended by adding a new paragraph to read:

2 (16) employ instructional coaches and direct staff members who are
3 experts in their field to assist a low-performing school or district if the school or
4 district agrees to the coach and to the terms of the coach's or staff member's contract or
5 assignment, including the duties and the duration and hours of work at the school or
6 district; under this paragraph, in a district in which 50 percent or more of the student
7 population is of Alaska Native heritage, the duties of a coach or staff member must
8 include implementation of the 1998 Alaska Standards for Culturally Responsive
9 Schools, prepared by the Assembly of Alaska Native Educators, and school
10 improvement and education standards adopted by the board.

11 * **Sec. 8.** AS 14.07.165 is amended by adding a new subsection to read:

12 (b) In addition to the duties enumerated in (a) of this section, the board shall

13 (1) review and ensure departmental compliance with state law,
14 including departmental duties related to school monitoring, improvement, and
15 restoration provisions under AS 14.03.123, AS 14.07.020, and 14.07.030;

16 (2) provide to a superintendent and local school board that are affected
17 by an item scheduled for consideration on a board meeting agenda not less than 10
18 days notice and an opportunity to respond.

SEQUENCE OF ASSISTANCE

Year 1	Year 2	Year 3
<p>By Sept 15, the district needing assistance will be evaluated by independent recognized expert(s) in the areas that may include: business services, board governance, leadership, maintenance, human relations, instruction and the degree of community interaction with the school and preparedness of students to learn. By Oct 15, the report will be made available. By Nov 15, the superintendent and DEED will choose a coach to address the needs identified by the independent expert(s).</p>	<p>The superintendent will choose a second coach. Agreement with DEED is not necessary. The existing plan will remain in place. Resources, like content and technical coaches as well as teacher mentors, may be made available.</p>	<p>A team will be formed that will evaluate the results of the original restoration plan (RP1). The Team will develop a three year restoration plan (RP2).</p>
<p>The school board and DEED will choose a coach. The coach will address areas identified in the above evaluation.</p>	<p>The school board will choose a second coach. Agreement with DEED is not necessary.</p>	<p>The school board will be part of the Team. The Team will include 1)DEED 2)Superintendent 3)Coaches 4)School Board 5)Member of Legislature.</p>
<p>In Districts with over 50% Alaska Native Students, the <i>Alaska Standards for Culturally Responsible Schools</i> as well a locally developed strategies shall be foundational.</p>	<p>In Districts with over 50% Alaska Native Students, the <i>Alaska Standards for Culturally Responsible Schools</i> will be foundational in improvement strategies.</p>	<p>In Districts with over 50% Alaska Native Students, the <i>Alaska Standards for Culturally Responsible Schools</i> will be foundational in improvement strategies.</p>
<p>Progress on the plan, as well as additional observations by Coaches, shall be sent to parents, DEED, and Legislature by June 1. The information will also be posted on the school website.</p>	<p>Coaches shall send observations and suggestions to parents, DEED, and the Legislature by June 1. The information will also be posted on the school website.</p>	<p>The Team will develop a three year plan (RP2). A copy will be sent to parents, DEED, and Legislature. The information will also be posted on the school website. The team will additionally consider all aspects of local education, technology, maintenance, admin, etc.</p>
<p>DEED will provide research and data upon request. DEED will do a statewide search for best practices that address the concerns identified by the superintendent, school board and coaches. The superintendent will maximize this and all other information for district improvement.</p>	<p>DEED will provide research and data upon request. DEED will do a statewide search for best practices that address the concerns identified by the superintendent, school board and coaches. The superintendent will maximize this and all other information for district improvement.</p>	<p>DEED will provide research and data upon request. DEED will do a statewide search for best practices that address the concerns identified by the Team. The superintendent will carry out RP2.</p>

Alaska State Legislature

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Representative Alan Dick

House District 6

Sectional Analysis CS HB 256(EDC) Intervention & Improving Instructional Practices

Section 1- Department annual report:

Amends the requirements of the Department of Education & Early Development's annual report:

Removes the reference to schools having a designation of "in crisis" since that term is not defined;

Replaces the term "intervention", with restoration – since that is the goal of efforts to assist local school districts to improve instructional practices.

Adds a requirement that the Department report the reasons for turnover in certificated personnel and superintendents, not just report the numbers and percentages.

Section 2- School and district accountability:

Requires the Department to give technical assistance to a public school or district that receives a low performance designation. This is in recognition that smaller districts may not have the technical capacity to devote the appropriate resources to developing a district improvement plan.

Section 3:

Adds a Department accountability section. This section sets up a process for superintendents to evaluate the Department as to:

- Whether the staff were supportive of the district;
- Description of the support received and an evaluation of the support;
- Quality of the level of contact the district had with the Department;
- Its reporting requirements; and
- How the Department may improve services to the district.

These evaluations would be summarized to lessen personal identities and provided to the Governor, Legislature, and Commissioner of Education.

Section 4- Duties of the department:

Amends the duties of the department to include more cooperative opportunities for the department and school districts.

- Includes opportunity for school and district personnel to participate in the Department's review of the needs of Alaska's public schools toward the goal of improving the schools.
- In adopting regulations to implement improvements, the regulations must include appropriate cultural standards that must be included in instructional practices in districts in which 50% or more of the students are Alaska Native.
- The Department must
 - Identify intensive learning opportunities for each district.
 - Analyze community involvement and methods for improving it.
 - Address teaching capacity, retention and development and provide for technical assistance to teachers.
 - Ensure districts develop and maintain elective and career and technical courses.
 - Notify a district of a low performance designation, offer technical assistance consisting of predictable, research-based strategies tailored to Alaska before beginning state restoration activities.
 - Describe research-based strategies that target educational performance.
- The Department has to employ qualified personnel to provide advisory/consultative services to districts. However, these services must be consistent with AS 14.07.030(14), which is amended in this bill. Restoration activities do not include hiring a trustee.
- Ensures that elective and career and vocational courses are included in regulation as a minimum course of study.
- Removes the requirement that student proficiency be tied solely to standards-based assessments. The district must demonstrate three consecutive years of improvement or measures identified as indicators of student success and achievement under AS 14.03.123(f).

(Page 6, beginning at Line 23):

When a school is designated as low performing, the rest of Section 4 sets out a collaborative, rather than punitive process for the Department and the district to work together to improve school performance.

- After being designated a low performing school for two years,
 - The Superintendent of the District and the Commissioner shall select appropriate independent experts to evaluate the school and prepare a report for the Commissioner, the local school board and the Superintendent. The report will also be made available to the public through Internet posting of a summary.
- If a school is designated a low performing school for a third year,

- Does this need to be more specific as to what the Commission should include?*
- There will be frequent consultations between the Department and the staff at the school and the Superintendent.
 - A School Improvement Team will be established consisting of the Commissioner or his designee, the district Superintendent, school improvement coaches, a member of the local school board and a member of the legislature.
 - The School Improvement Team will evaluate the school for best practices applicable in Alaska relating to major areas of school administration, governance and instructional practices.

Section 5 - Powers of the Department:

Specifies that regulations adopted by the Department related to restoration of a school or district must be consistent with federal and state law and the superior court's findings, dated February 4, 2009, in Moore v. State of Alaska. These regulations must provide for:

- Qualified employees to exercise supervisory authority for instructional practices in the district or in a school.
- Training and other support as necessary to implement a school or district improvement plan.
- Regular monitoring, evaluation and modification of improvement efforts tailored to the strengths and weaknesses of the school or district.
- Availability of courses and remedial programs necessary for students in these schools to meet state standards for graduation in the expected time frame.

Section 6 - Powers of the Department:

Before the Department may redirect public school funding for a low performing school, the department must:

- Assemble a school improvement team and that team must have requested funding to be redirected for a specified purpose related to improving instructional practices.
- Provide notice to the legislative committees with jurisdiction over education.
- Provide notice to the district and provide an opportunity for the district to respond.
- Establish a timeline for redirecting the funding back to the district after the team determines improvement has occurred.

Section 7 - Powers of the Department:

Adds language to codify the cooperation that should exist when instructional coaches and expert staff are brought in to assist a low-performing school or district.

Section 8 - State Board of Education Duties:

Requires the State Board of Education to review the Department's compliance with its statutory responsibilities related to school monitoring, improvement and restoration.

Requires the Board to provide the Superintendent and local school board who are the subject of an item for consideration on the Board's agenda to be provided notice that the item is on the agenda and an opportunity to respond.

ALASKA STATE LEGISLATURE

REPRESENTATIVE ALAN DICK

HOUSE DISTRICT 6

Alaska State Capitol
Juneau, Alaska 99801
Representative_Alan_Dick@legis.state.ak.us



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"STRONG VALUES IN UNCERTAIN TIMES"

Alatna
Allakaket
Alcan
Aniak
Anvik
Arctic Village
Beaver
Beluga
Bertles
Birch Creek
Boundary
Central
Chalkyitsik
Chandalar
Chandalar Lake
Chicken
Chistochina
Chitina
Chuathbaluk
Circle
Coldfoot Camp
Copper Center
Crooked Creek
Deltana
Dot Lake
Dry Creek
Eagle
Eagle Village
Evansville
Flat
Fort Greely
Fort Yukon
Fortuna Ledge
Gakona
Galena
Georgetown
Grayling
Gulkana
Healy Lake
Holy Cross
Hughes

Sponsor Statement

CS HB 256 (EDC): School District Intervention

CS HB 256 incorporates:

- Information from the recently settled Moore v. State of Alaska case,
- Input from our hearings on the original bill,
- responses from the Department of Education and Early Development (DEED), and
- Consultation with highly qualified individuals like former Commissioner Jerry Covey.

The intent of CS HB 256 is to ensure that the DEED establishes and maintains a healthy, helpful relationship with all school districts, but particularly any school or district whose performance is below standard.

Safeguards are built into this bill that speak specifically to accountability and improvement for the Department as well as the districts. Districts with over 50% Alaska Native populations can be certain that local and cultural concerns will be met when improvement strategies are being developed.

Every element of CSHB 256 speaks to specific needs as expressed by districts in their relationship struggling with DEED while struggling with student performance. The final outcome should be improved services to students and a clearer pathway to help all Alaskan schools in need of assistance.

Simply put, this requires the Department and the districts to cooperate and collaborate for the benefit of Alaska's students. How unfortunate that we have to put that in statute.

Huslia
Kaltag
Kennicott
Kenny Lake
Koyukuk
Lake Minchumina
Lime Village
Livengood
Manley Hot Springs
Marshall
McCarthy
McGrath
Medfra
Mentasta Lake
Minto
Nabesna
Nenana
Nikolai
Northway
Nulato
Ophir
Rampart
Red Devil
Ruby
Russian Mission
Shageluk
Slana
Sleetmute
Stevens Village
Stony River
Takotna
Tanacross
Tanana
Tazlina
Telida
Tetlin
Tok
Tonsina
Tyonek
Venetie
Wiseman

CULTURAL STANDARDS

A

Culturally-knowledgeable students are well grounded in the cultural heritage and traditions of their community.

Students who meet this cultural standard are able to:

- 1) assume responsibilities for their role in relation to the well-being of the cultural community and their lifelong obligations as a community member;
- 2) recount their own genealogy and family history;
- 3) acquire and pass on the traditions of their community through oral and written history;
- 4) practice their traditional responsibilities to the surrounding environment;
- 5) reflect through their own actions the critical role that the local heritage language plays in fostering a sense of who they are and how they understand the world around them;
- 6) live a life in accordance with the cultural values and traditions of the local community and integrate them into their everyday behavior; and
- 7) determine the place of their cultural community in the regional, state, national, and international political and economic systems.

B

Culturally-knowledgeable students are able to build on the knowledge and skills of the local cultural community as a foundation from which to achieve personal and academic success throughout life.

Students who meet this cultural standard are able to:

- 1) acquire insights from other cultures without diminishing the integrity of their own;
- 2) make effective use of the knowledge, skills, and ways of knowing from their own cultural traditions to learn about the larger world in which they live;
- 3) make appropriate choices regarding the long-term consequences of their actions; and
- 4) identify appropriate forms of technology and anticipate the consequences of their use for improving the quality of life in the community.

C

Culturally-knowledgeable students are able to actively participate in various cultural environments.

Students who meet this cultural standard are able to:

- 1) perform subsistence activities in ways that are appropriate to local cultural traditions;
- 2) make constructive contributions to the governance of their community and the well-being of their family;

CULTURAL STANDARDS

C *(continued)*

- 3) attain a healthy lifestyle through which they are able to maintain their social, emotional, physical, intellectual, and spiritual well-being; and
- 4) enter into and function effectively in a variety of cultural settings.

D

Culturally-knowledgeable students are able to engage effectively in learning activities that are based on traditional ways of knowing and learning.

Students who meet this cultural standard are able to:

- 1) acquire in-depth cultural knowledge through active participation and meaningful interaction with Elders;
- 2) participate in and make constructive contributions to the learning activities associated with a traditional camp environment;
- 3) interact with Elders in a loving and respectful way that demonstrates an appreciation of their role as culture-bearers and educators in the community;
- 4) gather oral and written history information from the local community and provide an appropriate interpretation of its cultural meaning and significance;
- 5) identify and utilize appropriate sources of cultural knowledge to find solutions to everyday problems; and
- 6) engage in a realistic self-assessment to identify strengths and needs and make appropriate decisions to enhance life skills.

E

Culturally-knowledgeable students demonstrate an awareness and appreciation of the relationships and processes of interaction of all elements in the world around them.

Students who meet this cultural standard are able to:

- 1) recognize and build upon the interrelationships that exist among the spiritual, natural, and human realms in the world around them, as reflected in their own cultural traditions and beliefs as well as those of others;
- 2) understand the ecology and geography of the bioregion they inhabit;
- 3) demonstrate an understanding of the relationship between world view and the way knowledge is formed and used;
- 4) determine how ideas and concepts from one knowledge system relate to those derived from other knowledge systems;
- 5) recognize how and why cultures change over time;
- 6) anticipate the changes that occur when different cultural systems come in contact with one another;
- 7) determine how cultural values and beliefs influence the interaction of people from different cultural backgrounds; and
- 8) identify and appreciate who they are and their place in the world.

Narrative of Action by DEED involving the Kashunamiut School District
The time period covered in this narrative is September 2009 – April 2010.
Offered by Doug Conboy, Supt. of Schools for KSD July 2009 – June 2012

Background:

I began my tenure as Supt of Schools in Chevak in July of 2009. I knew early on of several important issues that were going to need to be addressed. For starters, the Curriculum was in disarray, the leadership of the district had undergone significant change with a new Principal and Supt. and there were several folks on the teaching staff new to Chevak.

We had started the clean up of the curriculum in April of 2009 shortly after I had accepted the position of Supt. by looking for a reading program, we wanted this program to be literacy based, and scoped and sequenced for grades K-8. We found that in the Treasures reading program. We also made sure that KSD had a team in the state sponsored Curriculum Mapping Institute workshops scheduled for the fall of 2009 My second effort was to work at improving the learning environment, to that end we contracted with PEAK to train our staff in best practice for teaching and learning.

In September of 2009 I was contacted by DEED and told that some DEED people would be coming to Chevak for a visit. I asked what the nature of this visit would be and was told it would be purely supportive in nature. That visit took place over a two or three day period shortly thereafter. In meetings with DEED staff we were asked what we saw as problems in our district, and also what we planned to do to address those problems.

After laying out what we had identified as our most pressing issues and showing the DEED staff what we had planned to address them, we were praised for what had been done and for the direction we were taking to make improvements. DEED staff asked that we document our efforts and record progress. KSD staff was already doing that and we continued to monitor what we were doing noting problems and the adjustments we were making along the way toward the goal of implementing our plan. This kind of re-tooling of the delivery of education services takes time and our plan was to work on this over a much longer period of time than one school year.

This was communicated to the DEED staff with favorable reactions from them.

Later that same school year, a group charged by DEED to conduct an Instructional Audit of our district contacted me. After asking several questions of this audit group I was told that the audit came as a mandate from DEED and that it would occur in early March. We were then presented with a lengthy list of materials and items that the auditors would want to see when they came as well as a list of people they would want to interview as part of their job in Chevak.

These Auditors referred to their work as an "investigation", I took exception to this and asked them if we had done something wrong or had broken a law? At that point

they said no and tried to assure me that what they would be doing was not to find wrongdoing but to help us. We took considerable care in preparing a portfolio for them containing all the information they had requested and a schedule of the people they wished to interview with dates and times. After receiving the portfolio the auditors called back to tell us that they wanted to change the schedule around. They were told that there would be no schedule changes. The auditors were being allowed to disrupt our daily schedule already and that level of disruption was not going to increase. We provided them everything they had asked for in our portfolio and we would adhere to the schedule in it.

The audit was conducted over a three-day period in March of 2010. Several weeks later we received the report from the audit. In that report, we were told things we already knew, Curriculum was weak, assessment also weak, leadership not strong, learning climate quite good, etc; etc. All of these things were the same as we had discussed and gone over with DEED staff back in September. However the report was written in such a way as to indicate that this was news to us. In late April or Early May of 2010 I received a call from DEED in response to this audit report. The purpose of the call was to offer me some "quick fixes". At that point I lost patience and strongly disputed the concept of a "quick fix". First there is no such thing as a quick fix for education, second if there were quick fixes, why wasn't DEED telling schools about them before they got in trouble? In essence this call was made to tell me to do what we were already doing about problems we already knew about. Again I got the impression that we were regarded as too stupid to know what the problems were, and also too stupid to know what to do about them.

My questions:

1. How much money did it cost to send the DEED staff to Chevak in September?
2. How much more money did it cost to first pay the auditors and then bring them to Chevak, to do a totally redundant report?
3. What happened after the visit from DEED staff in September to demand this audit? From my perspective, it had to be that we were not trusted to do what we said we were going to do about the problems we had identified.
4. What sense does it make to expend this amount of funds and time to tell schools things they already know and then order them to do things they are already doing? Is this a reasonable use of state money?

Given what seems to be a scarcity of funding at present, I cannot help but think that this expenditure should have been avoided due its total redundancy.

The individuals involved here were doing what was asked of them. As such, I have no hard feelings toward any of the people mentioned here. I do take exception to a course of action that is redundant and wasteful of both time and funds.

Respectfully Submitted,

Doug Conboy, Supt. of Schools
Kashunamiut School District
Chevak, AK



Leading the Way

Northwest Arctic Borough School District

“Educating Our Children to Lead Successful Lives”

P.O. Box 264 • Kotzebue, Alaska, 99752 • Phone (907) 442-3472 • Fax (907) 442-2392

February 22, 2012

Testimony to House Education Committee

For the record, I am Dr. Norman Eck, superintendent of Northwest Arctic Borough School District. We have 1950 students in 12 schools in our 11 villages. None of our villages are accessible by roads and all supplies have to be flown in. I have been employed in Northwest Arctic for 14 years, one year as a Director, 5 ½ years as principal, and now I am in my 7th year as superintendent.

I appreciate this opportunity to speak with you today. I support changes in language in School Intervention law. We need to be sure we have as an objective Intervention process as possible. We need to focus on what things are needed based upon the local school situation and listen to local voices as well as provide guidance and support to the educational programs in place.

It does little good to go back and complain about past problems or grievances with the Department of Education over how we were treated when Northwest Arctic was under Intervention by the department. However, now that we are working to craft a better and improved process and model for Intervention, it is valuable to look at past mistakes, mistakes of my own district and mistakes of the Department of Education, in order to put in place an Intervention process that will be a positive model for students, staff, community and school. Working together, and placing the needs of students above all else, we can do this.

First, we must have an objective process for Intervention within a school. To place an entire district under Intervention may not be what needs to be done. For example, Northwest Arctic, as an entire district was placed under Intervention on account of 3 schools with poor academic achievement, but a number of our schools were doing very well. Additionally, when Northwest Arctic was placed under Intervention, two other districts were also placed in Intervention at the same time,

Yupiiit and Lower Yukon. However, there were 7 other districts with student achievement scores lower than Northwest Arctic, but those districts were not placed under Intervention. The placement of Northwest Arctic seemed to me to be a political placement rather than an objective placement.

Second, programs that are considered “best practices” in general by educators on a State or National level may not be strategies that work well in some of our isolated rural villages. We need to look at the local situation and evaluate what can work best here and then look at choices and see what the local capacity is for program change. In the case of Northwest Arctic the Department of Education dictated specific “best practices” and had given instructions to observers and consultants to come and do certain things that were in conflict with what is the best program or action to take locally. Much of this failed.

Third, the current instructional improvement plan that the local district or school may have in place needs to be looked at and worked with before it is thrown out or over-written by a new plan that is dictated by the Department of Education. In our case, when Intervention was put upon Northwest Arctic we already had an excellent improvement plan in place. We already had contracted with certain consultants to help us in a constructive manner. We were forced to use the Department of Education’s plan, and then overlay that plan and the Departments consultants in our schools.

Fourth, the Department of Education, alone, lacks the depth of knowledge and expertise to conduct the Intervention process. Even today, the situation in the Yupiiit District is one of conflict with the local district instead of working in concert and supportive of the District and its administration. For example, expertise from other Districts in the State can be a most valuable resource for advice to a fellow District in need. School Board members from other similar Districts can be a resource and support to the local District Board members in need. Surveys and inventories of processes and programs should be undertaken. Other Districts with similar professionals can be a most valuable resource to the Intervention School and the Department of Education in these cases.

These are good reasons to be concerned about the Intervention process and how it has worked and not worked, well. In the case of Northwest Arctic, we were fortunate to be able to establish good relationships with the head consultants assigned to our District, John Holst and Richard Hebbardt, over a period of 4 years. We learned from them and they each learned from us as we worked together to improve services to students.

Finally, I want to commend the Department of Education for releasing Northwest Arctic from Intervention in August of 2010. In August of 2011, Yukon-Koyukuk was released from Intervention. A national statistic is that only 5% of districts that have gone under Intervention have been released from Intervention.

I want to commend the Department of Education and the Governor for the settlement in the Moore Case. The process for providing targeted assistance to low performing schools as lined out in Moore Settlement can be very instructive to us. The solutions are not dictated or directed by any one party, but by a coming together of parties, listening to the needs of the local school, and providing help that is requested by the Intervention School in the categories authorized in the agreement. In this way, much can be accomplished.

Finally, for successful Intervention (or a better term is school improvement), a process of assistance must be detailed that will provide supports for the students, teachers, administrators, communities, and school board. Districts that need help must be afforded a process of Intervention that truly assists the schools to enable improved student academic performance through targeted assistance in terms of personnel, policy, and finance for specific programs.

Alaska State Legislature

Rep. Lance Pruitt, Vice-Chairman
Rep. Sharon Cissna
Rep. Eric Feige



Rep. Peggy Wilson
Rep. Paul Seaton
Rep. Scott Kawasaki

Rep. Alan Dick, Chairman
HOUSE EDUCATION COMMITTEE

Agenda

February 13, 2012
8 a.m.

- I. Call to Order
- II. HB 256: REPEAL STATE INTERVENTION IN SCHOOLS
 - a. Representative Alan Dick, Co-Sponsor
 - b. Representative Bob Herron, Co-Sponsor
 - c. Diane George, Assistant Superintendent, Yupiit School District
 - d. Commissioner Mike Hanley, Department of Education & Early Development
 - ~~e. Dr. Norm Eek, Northwest Arctic Borough School District Superintendent~~ *was unable to testify*
 - f. Dr. Kim Langton, Assistant Superintendent for Instruction Yupiit School District
- III. Recess to 3 p.m.

STATE OF ALASKA

Department of Education & Early Development

Office of the Commissioner

SEAN PARNELL, GOVERNOR

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Feb. 6, 2012

The Honorable Alan Dick
Chair
House Education Committee
Alaska State Legislature
State Capitol Room 104
Juneau, AK 99801

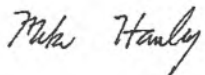
Dear Mr. Chair:

In my presentation before the House Education Committee on Feb. 6, I referenced the Superior Court's concern that students in the Yupiit School District were not given sufficient exposure to the curriculum, and thus could not be held accountable for the material on the Alaska High School Graduation Qualifying Exam.

I further said the department had not held Yupiit's students to the requirements of the HSGQE for a period of time. Upon rechecking our records, we find that the department did continue to require Yupiit students to pass the HSGQE as a condition of receiving a high school diploma; the judge stayed her decision in that regard while the department worked with the district to provide exposure to the appropriate curriculum.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Mike Hanley
Commissioner

**Department Of Education
& Early Development
Testimony Regarding HB256
February 1, 2012**



The 4 Prongs of the Educational Clause

- Rational Educational Standards
- Adequate Method of Assessing
- Adequate Funding
- Adequate Accountability and Oversight

Superior Court Decision 2007

- Pg. 188 “For the State to fail to take a considerably more directive role in the face of chronically poor performance, at least for the children in Yupiit, amounts to an impermissible “legislative abdication” of the State’s constitutional responsibility to maintain public schools in this state.”

Intervention Strategies

- Content Coaches
- Technical Assistance – Grant writing, Curriculum alignment and development
- Professional Development/Training
- Trustee – 1 school district



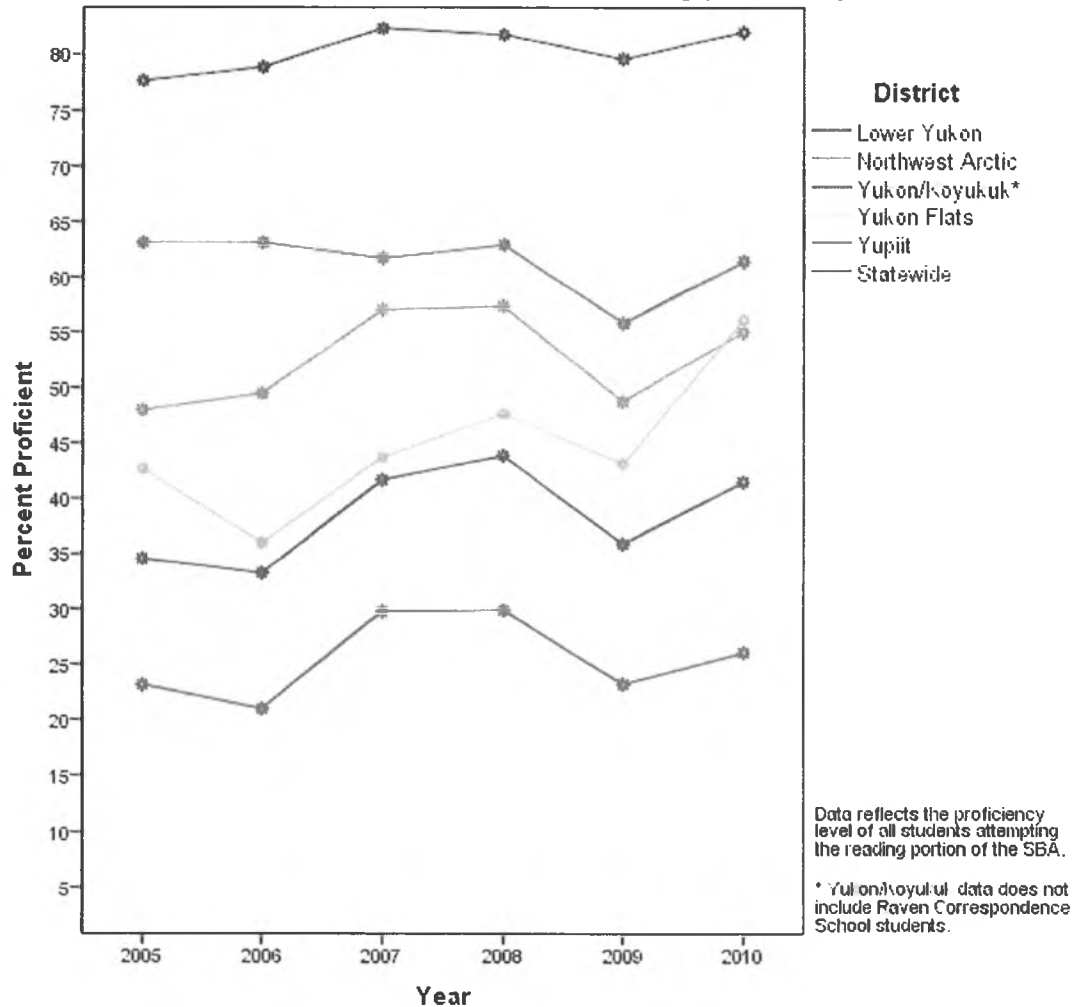
Superior Court Decision 2007

- Pg. 142 “Even at schools in which student performance has been extremely poor, and has shown no improvement for many years, the State has failed to provide an adequate oversight role with respect to either the considerable State funds that it disburses or with respect to the delivery of instruction to the children in those schools. In short, the State has failed to take meaningful action to maximize the likelihood that the children in these troubled schools are accorded an adequate opportunity to acquire proficiency in the State’s standards when a school has demonstrated an unwillingness or inability to correct this situation on its own.”



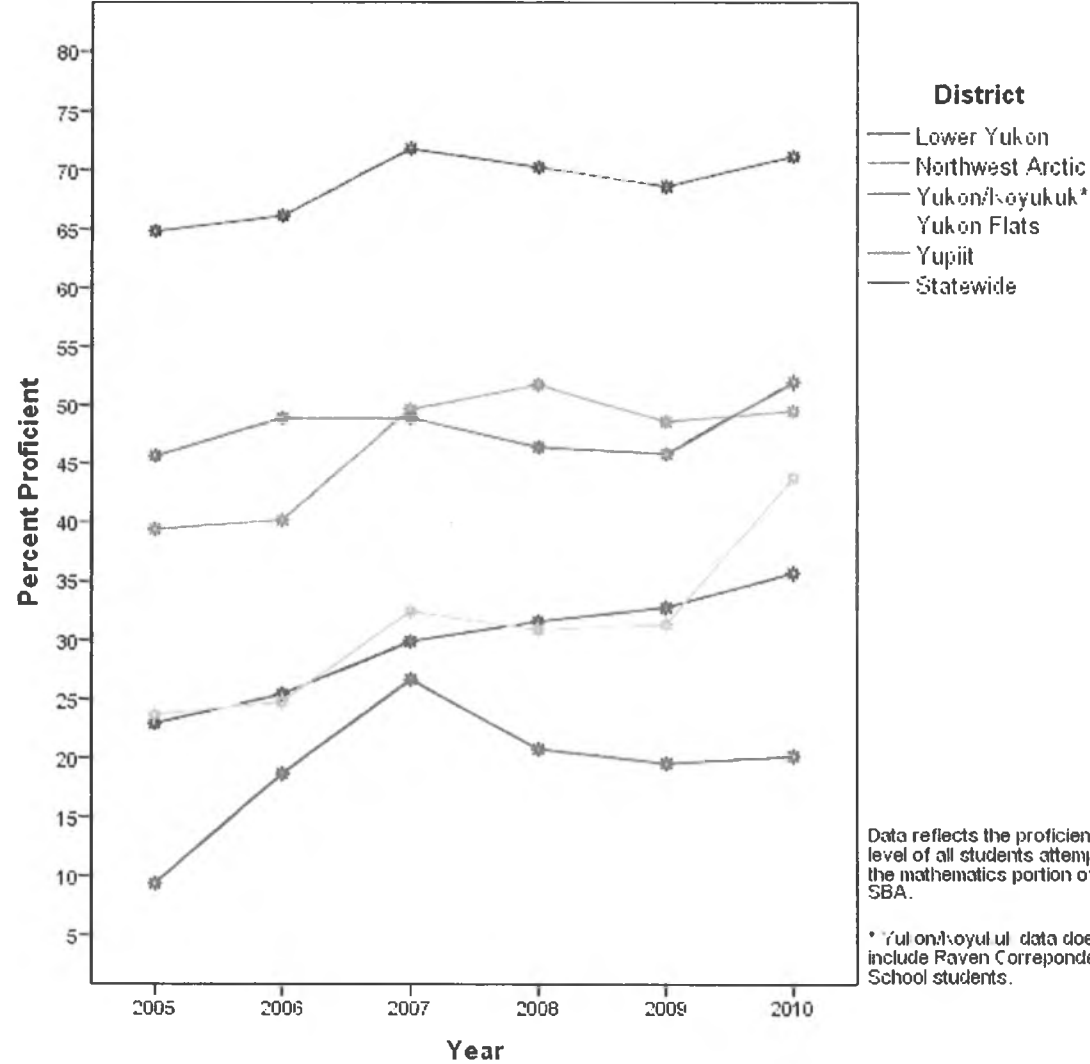
Yupiiit Intervention Student Data

Percent of Students Testing Proficient - SBA: Reading (2005-2010)



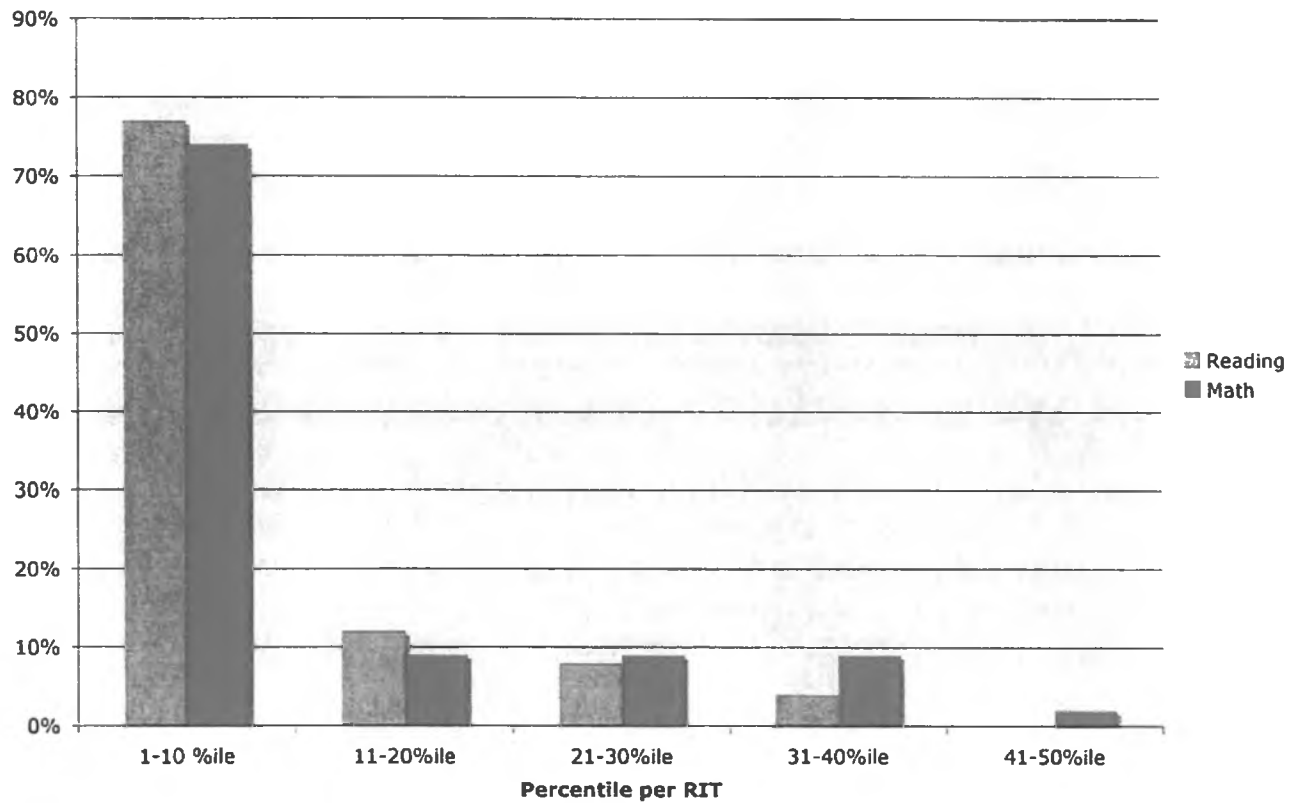
Yupitit Intervention Student Data

Percent of Students Testing Proficient - SBA: Mathematics (2005-2010)



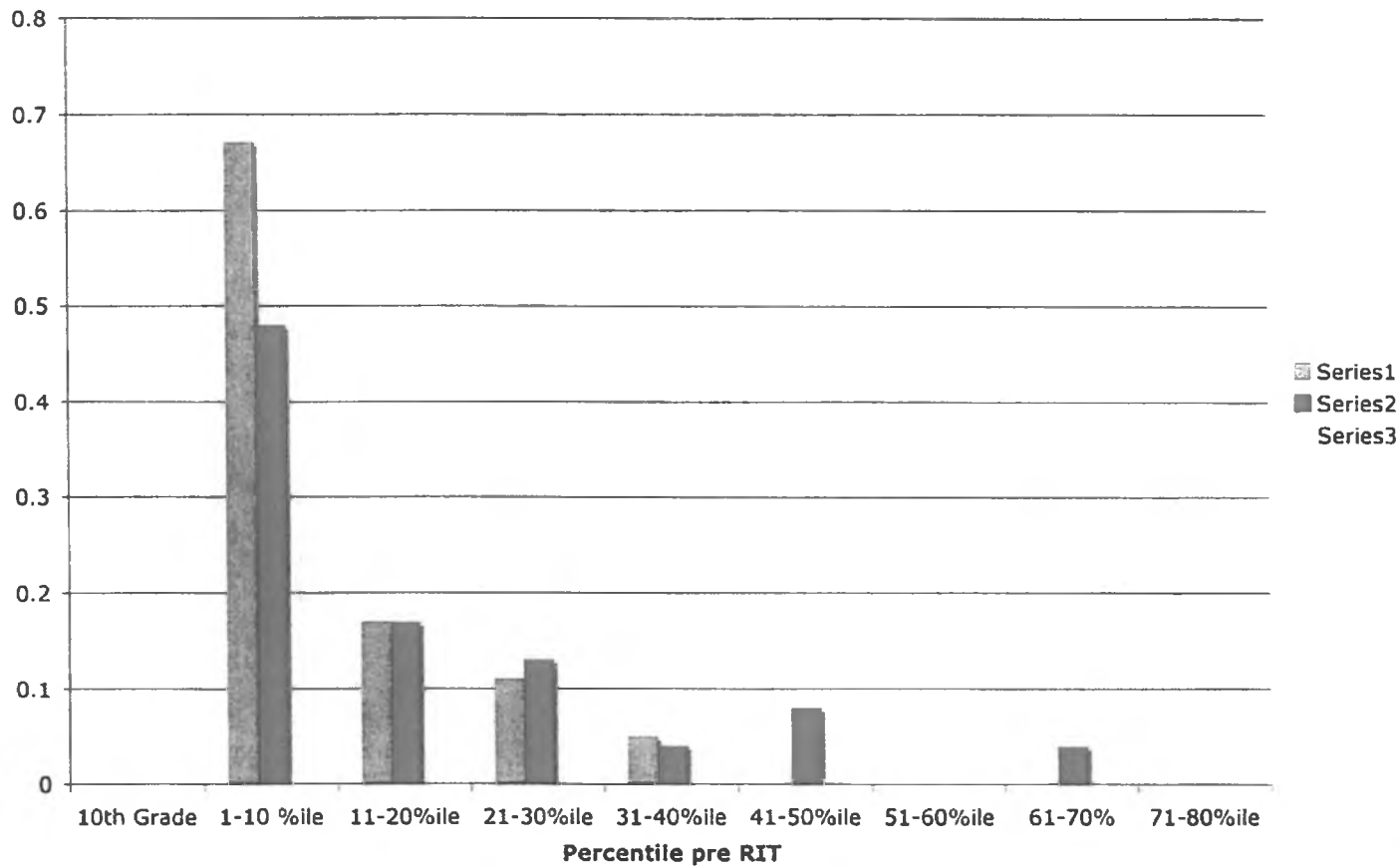
Yupiit Student Data

YSD 3rd Grade MAP Fall 2011



Yupiit Student Data

10th Grade Fall MAP 2011



Please note that the highest percentile is in the 1%ile for both subject areas.



Tuluksak Schools
P.O. BOX 115
Tuluksak, Alaska 99679
907-695-5600
907-695-5645 fax

*Comm.
Hanby
read his
letter
in,
Committee*



To whom it may concern:

State Intervention – Team Sipe and Crew

I think a lot of people want me to say that the state intervention teams and assistance didn't help – but that is not true. They did help. They were able to help us when we were short in manpower, short with necessary ideas and they were able to provide the necessary leadership in critical areas like reading, leadership, organizational skills and state needed requirements.

Now, I cannot speak for the other schools or speak for the district and the states help in those areas. All I can do is talk about Tuluksak.

Molli and her crew were able to provide some support, advice, and a lot of necessary skills that we at the time needed. It was and is a good relationship for us to have them in our building.

After a while they were just part of the school and the staff and they were almost part of the community. The kids knew them, the staff welcomed them and our facilities were open to them. It was easy to have them here and it was easy to have them assist us. I would dare say that there was a significant level of trust between both of our organizations.

So, as I mentioned – the state team helped. It worked for us.

Thanks for your help and best wishes for success and prosperity.

Lance Jackson
Principal
Tuluksak Schools

Tuluksak Schools
Tuluksak, Alaska

Principal
Lance Jackson
907-695-5601

School Secretary/Registrar
Sherry Napoka
907-695-5600

School Guidance Counselor
Pam Calyn
907-695-5634

Testimony regarding HB 256 to repeal HB 285

Honorable members of the Alaska Education Committee, Commissioner Hanley, Superintendent Eck and others listening in:

By way of introduction, my name is Dr. Kim Langton. I am the assistant superintendent of instruction for the Yupiit School District. I served as a principal for fourteen years in two Utah districts and a private school in Honduras. I have been superintendent over Iditarod, Kuspuk and Denali Borough School Districts. All schools in Denali made AYP during my tenure there. Several of the schools in Kuspuk and Iditarod made AYP, and continue today. I was president of CEAAC at the time Moore was filed. Before the announcement that Yupiit School District would be assigned a trustee, I was hired to oversee instruction in the Yupiit School District. I also direct the SIG grant.

Much of the conversation last week focused on the lack of collaboration in the intervention efforts of DEED. The following points were made:

- Judge Gleason in Moore vs. State argued that additional support was needed, particularly in the Yupiit School District,
- She stated that the support be done in a collaborative manner,
- We heard testimony that the state provides experienced, capable content coaches,
- The “plan” of support was and is being devised while the plane is in the air,
- The “plan” was/is devised in Juneau, specialists were and continue to be hired and assigned by Juneau, and direction comes from Juneau with minimal YSD input.

We believe that DEED had and has the best intent. However, the history of which I am aware, and the reality I have experienced in the past year and a half, gives a clear indication that the intervention process was implemented with a strong philosophy that the best way to turn a “failing” school district around is to give mandates, create a plan from afar, discount local efforts, programs, and training, and to superimpose your vision on the district. Years ago, I remember hearing about how intervention schools were being treated by educators in the state, and recall finding it hard to believe. Roger Sampson was the commissioner, and was someone I deeply respected due to his success in the Chugach School District, arguably the finest educational system in the state. That district earned its reputation not from top down efforts, but from a collaboration of bottom up, top down, and side-to-side efforts. Time and funding was spent getting people together to study research-proven best practices from wherever they could find them, and all taking responsibility for effective implementation of the plan about which all had a say.

The result was a turn around success that serves students in supporting dynamically increased achievement, preparing students for work and life, preparing them for and helping them get into Job Corp, Avtec and colleges and universities, and overall preparing them for bright futures. The changes in the district were made in all aspects of their operation, from the business office to the maintenance program. This resulted in earning the Baldrige Award, presented by President Bush in early 2001. From scores of

Chugach folks I have known over the years, this was accomplished through the collaborative involvement of folks throughout the organization.

This should be Alaska's model for a turn-around district. It was and is collaborative, which not only gives insight to its success but to its sustainability as well. Nowhere in the turn-around literature are there examples of a state taking over a district or intervening in a top down manner with success. Years ago the state determined that Yupiit's scores were low, and put it on intervention status. From that time the staff and leadership at Yupiit were treated as if they had nothing to bring to the table, little expertise of value to add to the discussion, and were left virtually out of the discussion. Perhaps if Commissioner Sampson had applied his Chugach experience of utilizing, trusting and empowering his staff and leadership with intervention districts across the state, we would not be here today, and Yupiit would be achieving at far higher levels. The world offers a metaphor. DEED has operated in a manner reminiscent of "nation building", where much money is spent, quality expertise is focused, local expertise is ignored, and the results are negative, despite the huge cost.

Regarding the content coaches, we have asked that these expert folks come and live with us, serve with us, to truly enable them adequate time to work as coaches with our teachers so that they could have a deep and lasting effect on instruction. Commissioner LeDeux and his deputy replied to our requests that we would not be having any "boots on the ground." The hiring of the trustee, especially given the timing, was the wrong support for our teachers, especially given his price tag, and the fact that he came, according to him upon arrival, simply to observe. Not to work with the teachers. Not even to work with district leadership in the challenging work of turning around the district. No boots on the ground, despite paying for a trustee with boots on the ground for weeks out of the month. No boots on the ground despite receiving \$7,000,000 from the legislature at the end of the 2010 session, earmarked for intervention districts. We would have welcomed that money spent on more time with the coaches to enable them to actually make a difference. The only change we saw after the money was allocated was a trustee sent to observe us.

Our principals, curriculum director, and district leadership team are evaluating data, talking to teachers and observing instruction. We determine together what our needs are. We ask content specialists to work with staff and provide specific support. We often encounter resistance, our requests unmet. When we fail to collaborate, instruction suffers, students pay the price. If we are to make full use of these content coaches, we need to work collaboratively in how they are directed and utilized.

Why is collaboration so important? It obviously is critical for building the kind of professional relationship necessary to be successful. We are told from the business world that we should be teaching children to work collaboratively in groups to solve problems. We certainly should be able to model what it is we expect our students to do. Beyond that, it is pragmatically recognizing the value of the experience and expertise of those closest to the children, the culture and the community where the students live. If you discount the perspective and insight gained there, you will fail.

In 2008-2009 Akiak had 40% of its students proficient in language arts. In 2010-2011 only 32% were. In 2007-2008 47% were proficient in math, in 2010-2011 25% were proficient. Akiachak has remained desperately low in language arts, from 15% proficient in language arts in 2007-2008 to 14% in 2010-2011. Academic achievement, while low enough to earn a spot on the intervention list, has gone progressively lower since intervention. Our MAP (Measures of Academic Progress assessment by Northwest Evaluation Association, NWEA) scores show that over 70% of our students fall in the 1-10%ile in the RIT scores. I do not imply or believe it is all the state's fault. Much of what they have done has value. We all take responsibility for increasing academic achievement for our students. I could spend hours talking about the efforts we are making with the input and direction of our new Curriculum director. But the case can and must be made that the top down intervention process experienced by Yupiit has failed.

Outside of intervention, interactions with the state are very positive and productive. The leadership of the current commissioner has given us hope. I personally believe that had Mr. Hanley been commissioner at the beginning, it would have been initiated in a much more collaborative and mutually respectful manner. The intent of this testimony is to give statute an objective face that will serve students, regardless the personalities serving at DEED.

This is a situation where simple cooperation would go a long way to better preparing our teachers for the students they serve. The structure of intervention needs to be fixed so that the district has a chair (or two) at the table. We need mutual respect and coordination. It is a shame that so much money has been wasted due to poor planning, poor implementation, poor or lacking organization, and an overall top-down philosophy. We could argue forever over strategy, research proven practices, what should the plan or vision be, etc., but what cannot be argued is the failure of the current effort. It can be fixed, but only if everyone is at the table equally, fairly, working together collaboratively to improve our schools for our kids.

It is not so much a question of what, but how.

Alaska State Legislature

Rep. Lance Pruitt, Vice-Chairman
Rep. Sharon Cissna
Rep. Eric Feige



Rep. Peggy Wilson
Rep. Paul Seaton
Rep. Scott Kawasaki

Rep. Alan Dick, Chairman

HOUSE EDUCATION COMMITTEE

Agenda

February 3, 2012
8 a.m.

- I. Call to Order
- II. Superintendent Presentation
 - a. Scott Butterfield – Chatham School District
- III. HB 256: Repeal State Intervention in Schools
 - a. Neil Slotnick-Department of Law
 - b. Jean Mischel – Legislative Affairs Agency
- IV. Alaska Commission on Postsecondary Education – Alaska Performance Scholarship Outcomes Report
 - a. Diane Barrans, Executive Director
 - b. Brian Rae, Asst. Director of Research and Analysis
- V. State Board of Education – Annual Report to the Legislature
 - a. Esther Cox, Chairman Board of Education & Early Development
- VI. Adjourn

Dept. of Law
Neil Slotnick
re: HB256
2/3/12

**Excerpts from *Moore v. State* regarding the Need
for State Authority to Hold Local Districts Accountable**

Excerpts from the June 2007 Order:

Page 23:

The evidence at trial also indicated that neither of the legislative finance committees have undertaken to review how the school districts are spending the State funds appropriated to them.

Page 24:

The State exercises very limited oversight as to how a school district spends the money it receives from the State to educate the children that reside within that district.

Page 100:

Plaintiffs have failed to establish by a preponderance of the evidence that the services that Yupiit seeks to provide to its students could not be provided to those students through redirection of the funds that are currently provided.

Page 100:

[T]his Court finds by a preponderance of the evidence that it is a structured basic curriculum that is lacking in [Yupiit School District] that would accord to these students the opportunity to learn how to read and write in English and understand basic math.

Pages 100-101:

Although several witnesses testified to the many dedicated and well-intentioned teachers at Yupiit, and this Court has found by a preponderance of the evidence that the district is provided with sufficient resources to meet these basic educational needs, the majority of the children at Yupiit are not being provided with the opportunity to acquire the basic tools they need to succeed in both traditional and global societies.

Page 142:

Is local control working? [A] preponderance of the evidence has demonstrated that there are at least some schools in the Plaintiff school districts in which the available resources have not been adequately or effectively directed to the classroom.

Page 142:

Even at schools in which student performance has been extremely poor, and has shown no improvement for many years, the State has failed to provide an adequate oversight role with respect to either the considerable State funds that it disburses or with respect to the delivery of instruction to the children in those schools. In short, the State has failed to take meaningful action to maximize the likelihood that children at these troubled schools are accorded an adequate opportunity to acquire proficiency in the State's standards when a school has demonstrated an unwillingness or inability to correct this situation on its own

Page 143:

Under existing law, EED appears to have virtually no authority to direct how a school district uses its State funds to educate the children within a school district, no matter how poorly the district's students perform. And to the extent EED might have any such authority, it has never exercised it.

Page 144:

The State has severely restricted its own available options for providing meaningful remedial direction in underperforming school districts. . . .The other options provided by regulation are truly a last resort and, according to several witnesses at trial, would likely meet with minimal success.

Page 144:

[T]o the extent that [the Legislature] permits a school district to adopt a curriculum that is not aligned with the State's content and performance standards, or not to adopt any meaningful curriculum at all, it does not maximize the likelihood that all children within the State are going to be accorded a meaningful opportunity to achieve proficiency on the State's assessments.

Page 145:

While many witnesses testified about the benefits of local control over education, many witnesses also recognized that if a school district is not demonstrating an ability to provide a basic education to their children, then the State needs to intervene.

Page 174:

[T]he State's constitutional obligation to maintain schools has four components. . . .

First, there must be rational educational standards that set out what it is that children should be expected to learn. These standards should meet or exceed a constitutional floor of an adequate knowledge base for children.

Second there must be an adequate method of assessing whether children are actually learning what is set out in the standards.

Third, there must be adequate funding so as to accord to schools the ability to provide instruction in the standards.

And fourth, where, as here, the State has delegated the responsibility to educate children to local school districts, there must be adequate accountability and oversight by the State over those school districts so as to insure that the districts are fulfilling the State's constitutional responsibility to "establish and maintain a system of public schools" as set forth in Article VII, § 1 of Alaska's Constitution.

Page 175:

The extensive evidence presented on the State's standards all leads readily to the conclusion that these standards are thorough and appropriate educational standards for Alaska that meet or exceed the constitutional threshold of an adequate education.

Page 176:

[T]he Education Clause does not require the State to insure that each child achieves proficiency in the content and performance standards.

Page 176:

[T]he Education Clause requires the State to take ultimate responsibility for insuring that each child in this state is accorded a meaningful opportunity to achieve proficiency in reading, writing, math, and science-the four subjects encompassed within the State's performance standards.

Page 185:

[I]f a school, despite adequate funding, is failing to accord a child with a constitutionally adequate education-such as failing to give that child a meaningful opportunity to acquire proficiency in the State's own performance standards- then the concept of local control must give way because that school is not being maintained as required by the Education Clause.

Page 186:

In many respects, EED has done a truly commendable job in improving education for Alaska's children.

Page 187:

The Education Clause does not require the State to "take over" these troubled districts or fire key personnel.

Page 187:

[T]his Court finds that the efforts taken as of trial, particularly with respect to the Yupiit School District [in which the State had intervened at the time of trial], are constitutionally inadequate. While the Court recognizes that the State had taken some steps in the right direction in Yupiit as of that date, the State has not satisfied its constitutional obligation to the children in that district to accord them an adequate education. In short, the schools in Yupiit are not being adequately maintained as required by Alaska's Constitution.

Page 188:

There is "no silver bullet" in education.

Page 188:

Here, the evidence has persuasively demonstrated that more funding is not the answer.

Page 188:

For the State to fail to take a considerably more directive role in the face of chronically poor performance, at least for the children in Yupiit, amounts to an impermissible "legislative abdication" of the State's constitutional responsibility to maintain public schools in this state.

Page 189:

[T]he State must exercise considerably more oversight and provide considerably more assistance and direction to those schools that are identified as failing to meet the State's constitutional obligation, in a concerted effort to remedy the situation.

Excerpts from the February 2009 Order:

Page 8:

No evidence has been presented to this Court that the State is intervening in districts in which it should not be intervening or that the State should be intervening in other districts where it is not.

Page 9:

In the 2008 session, the Alaska State Legislature adopted SB 285. The letter of intent adopted with the legislation state as follows:

It is the intent of the Legislature that the Department of Education and Early Development (DEED) provide state oversight of public education . . . [and] that the DEED intervene in a school district when the department has evidence that intervention by the department can result in improvement in instructional practices in the school district . . .

..

Page 47

[T]he State has been ordered to take remedial action to correct an ongoing constitutional breach.

Page 50:

[T]he State's current district-level interventions have fallen considerably short of complying with [the] oversight requirement in two basic respects: first, because the remedial measures included in the interventions have not been effectively implemented and have not adequately [met] the needs they were meant to serve; and, second, because the interventions target an unjustifiably narrow range of problems, while ignoring many other educational problems that these local districts **have not adequately addressed on their own.** (Emphasis added.)

Page 56:

[T]his court finds that the Department, through the delegation from the legislature, is not currently meeting the State's constitutional responsibility to "maintain a system of public schools open to all children of the State." The schools in the chronically underperforming school districts are not constitutionally adequate; the Education Clause requires considerably more from the State in the way of oversight and assistance to those districts.

Excerpts from the March 2010 Order:

Page 5:

The lack of an aligned curriculum persists in the intervention districts.

Page 14

Considerably more work is needed for [the intervention districts' District Improvement] plans to demonstrate compliance with this Court's February 2009 Order.

Page 15:

In evaluating the State's responses at this time, the Court returns once again to the language of the Alaska Constitution, which places the responsibility "to maintain a system of public schools open to all children of the State" squarely upon the Legislature To date, **the State has not demonstrated that the delegation of this responsibility to school districts that have been identified as chronically underperforming, but which do not appear to have been accorded adequate assistance and oversight, will result in compliance with this constitutional responsibility.** (Emphasis added.)

Alaska State Legislature

Rep. Lance Pruitt, Vice-Chairman
Rep. Sharon Cissna
Rep. Eric Feige



Rep. Peggy Wilson
Rep. Paul Seaton
Rep. Scott Kawasaki

Rep. Alan Dick, Chairman **HOUSE EDUCATION COMMITTEE**

Agenda

February 1, 2012
8 a.m.

- I. Call to Order
- II. HB 256: REPEAL STATE INTERVENTION IN SCHOOLS
 - a. Representative Alan Dick, Co-Sponsor
 - b. Representative Bob Herron, Co-Sponsor *Howard Dmond - YSD*
 - c. Diane George, Assistant Superintendent, Yupiit School District
 - d. Commissioner Mike Hanley, Department of Education & Early Development
 - e. Dr. Norm Eck, Northwest Arctic Borough School District Superintendent
 - f. Dr. Kim Langton, Assistant Superintendent for Instruction Yupiit School District
- III. Recess to 3 p.m.



LAWS OF ALASKA

2008

Source
HCS CSSB 285(HES)

Chapter No.

AN ACT

Relating to the power and duties of the Department of Education and Early Development for improving instructional practices in school districts; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the power and duties of the Department of Education and Early Development for
2 improving instructional practices in school districts; and providing for an effective date.

3

4 * **Section 1.** AS 14.07.020(a) is amended to read:

5 (a) The department shall

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

8 (2) study the conditions and needs of the public schools of the state,
9 adopt or recommend plans, administer and evaluate grants to improve school
10 performance awarded under AS 14.03.125, and adopt regulations for the improvement
11 of the public schools;

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

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

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

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

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

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

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

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

28 (11) review plans for construction of new public elementary and
29 secondary schools and for additions to and major rehabilitation of existing public
30 elementary and secondary schools and, in accordance with regulations adopted by the
31 department, determine and approve the extent of eligibility for state aid of a school

1 construction or major maintenance project; for the purposes of this paragraph, "plans"
2 include educational specifications, schematic designs, and final contract documents;

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

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

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

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

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

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

19 (B) an end date for departmental intervention, as described
20 in AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates
21 three consecutive years of improvement consisting of not less than two
22 percent increases in student proficiency on standards-based assessments
23 in math, reading, and writing as provided in AS 14.03.123(f)(2)(A); and

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

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

29 * Sec. 2. AS 14.07.030 is amended to read:

30 **Sec. 14.07.030. Powers of the department.** The department may

31 (1) establish, maintain, govern, operate, discontinue, and combine area,

1 regional, and special schools;

2 (2) enter into contractual agreements with the Bureau of Indian Affairs
3 or with a school district to share boarding costs of secondary school students;

4 (3) provide for citizenship night schools when and where expedient;

5 (4) provide for the sale or other disposition of abandoned or obsolete
6 buildings and other state-owned school property;

7 (5) prescribe a classification for items of expense of school districts;

8 (6) acquire and transfer personal property, acquire real property, and
9 transfer real property to federal agencies, state agencies, or to political subdivisions;

10 (7) enter into contractual agreements with school districts to provide
11 more efficient or economical education services; reasonable fees may be charged by
12 the department to cover the costs of providing services under an agreement, including
13 costs for professional services, reproduction or printing, and mailing and distribution
14 of educational materials;

15 (8) provide for the issuance of elementary and secondary diplomas to
16 persons not in school who have completed the equivalent of an 8th or 12th grade
17 education, respectively, in accordance with standards established by the department;

18 (9) apply for, accept, and spend endowments, grants, and other private
19 money available to the state for educational purposes in accordance with AS 37.07
20 (Executive Budget Act);

21 (10) set student tuition and fees for educational and extracurricular
22 programs and services provided and schools operated by the department under the
23 provisions of (1) of this section and AS 14.07.020(a)(9), (11), and (12);

24 (11) charge fees to cover the costs of care and handling with respect to
25 the acquisition, warehousing, distribution, or transfer of donated foods;

26 (12) establish and collect fees for the rental of school facilities and for
27 other programs and services provided by the schools;

28 (13) develop a model curriculum and provide technical assistance for
29 early childhood education programs;

30 **(14) notwithstanding any other provision of this title, intervene in**
31 **a school district to improve instructional practices under standards established**

1 by the department in regulation, including directing the

2 (A) employees identified by the department to exercise
3 supervisory authority for instructional practices in the district or in a
4 specified school;

5 (B) use of appropriations under this title for distribution to
6 a district;

7 (15) notwithstanding any other provision of this title, redirect
8 public school funding under AS 14.17 appropriated for distribution to a school
9 district, after providing notice to the district and an opportunity for the district
10 to respond, when

11 (A) necessary to contract for services to improve
12 instructional practices in the district; or

13 (B) the district has failed to take an action required by the
14 department to improve instructional practices in the district; if funding is
15 redirected under this subparagraph, the department shall provide the
16 redirected funding to the district when the department has determined
17 that the required action is satisfactorily completed.

18 * **Sec. 3.** AS 14.07 is amended by adding a new section to read:

19 **Sec. 14.07.032. Definition for AS 14.07.020 - 14.07.032.** In AS 14.07.020 -
20 14.07.032, "instructional practices" means the strategies and methods used in teaching
21 or delivering information, skills, material, and student learning management tools to a
22 student to help the student achieve intended educational outcomes.

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

REASONS FOR REPEALING SB 285

- Previous to SB 285, the Department already had authority to intervene in underperforming schools. SB 285 gave more authority.
- SB 285 was in response to the Moore Case. The Moore Case has now been settled and these provisions are no longer necessary.
- Under NCLB, every school in the state will be out of compliance by 2014. This means that every school will be on the path to intervention.
- The Department has not worked collaboratively, and has violated the spirit and intent of SB 285.

HB 256: REPEAL STATE INTERVENTION IN SCHOOLS

Talking points

- In 2004, **Citizens for the Education Advancement of Alaska's Children filed suit** against the State asserting that the state needed to fulfill its responsibility under the Alaska constitution to provide an adequate education to all children. **This is the Moore case**, just recently settled.
- In **2008 as a response to the Moore case legislation, SB 285, addressed the responsibility and role of the Department of Education.**
- **SB 285 amended the powers and duties of the Department for improving instructional practices in school districts.** It was introduced as a "must have" bill that needed to move quickly through the Legislative process.
- However, during discussion of the bill, **there was concern that the Department would use the interception of school district funds as a very heavy hammer because it is a simple approach.**
- **Why DEED chooses to intervene in one district and not another is an admittedly subjective process internal to the Department.**
- The Director of the Council of School Administrators suggested to the committee that was hearing SB 285, that it **consider a collaborative approach with communities that are having difficulty meeting Adequate Yearly Progress.**
- Interestingly, a department representative said it is the Legislature's responsibility to intervene when districts are not making progress. As we know, Yupiit School District scores have not improved since it has been in Intervention with the Department. It's time for the Legislature once more to intervene in this discussion.

MINUTES FROM HEARINGS IN 2008

NEIL SLOTNICK: Her (Judge Gleason) recommendation came from testimony by Commissioner Sampson who was recognizing that as of the date of trial, DEED had, to the best of its ability, implemented the accountability system that the legislature adopted in 1998. But it's time to put more teeth in the accountability system, he said. **DEED is only asking for authority to use district funds to hire contract personnel;**

there's no intention to create more infrastructure. The idea is to do what the judge said and direct additional resources into the classroom. "That's the point of this authority that we're asking for," he said.

MR. JEANS responded the intent is to work cooperatively through local school district administrations to develop an improvement plan that will lead to increased student achievement. There is no intention for DEED to step into the local school and start directing the principal on how to run his or her school.

MR. ROSE replied that the affected districts are not going to be in favor of it. Those districts face extreme conditions like differences in language, culture and distance; they are not connected by roads. There are difficulties that even the department is going to have to face, he said, but it is a matter of interpretation in terms of what ought to be done. **He thought they would welcome the assistance, but not the heavy-handed way this is being done.** However, in some ways it is very necessary and if they can ensure that the regulations are not being abused the legislature has some responsibilities and the judge is commanding them.

CHAIR STEVENS said he appreciated that because they were concerned about not hearing from the districts. **The real problem they are facing is that this appears to be a must-have piece of legislation that needs to move through the legislature in 45 days.** He would be loath to hold the bill for another two weeks; so he encouraged her to keep commenting through the whole process.

MR. JEANS said he didn't see this as the department taking control, but rather as the legislature directing school districts to accept guidance and direction from the Department of Education. **"We absolutely intend to work collaboratively with the school district administration, with the school board, with the individual school principals, in implementing the school improvement plan."**

Senator Stevens wanted to make sure that everyone understood the intervention would not be a hostile takeover, only an opportunity to offer help and support to the school.

Senator Elton questioned the last sentence in the fiscal note from Department of Education: This law will make it clear to Alaska school district that they must cooperate with the Department of Education & Early Development or risk specific directives, delineated in regulation, regarding district personnel decisions and expenditures of district funds necessary to improve instructional practices in the district schools.

Senator Elton remarked that the language in the bill sounded like a "take-over." He contended that the schools have no choice but to allow the intervention and school decisions to be made by central administrators in the Department of Education & Early Development.

February 1, 2012

I want to thank you for allowing me to tell my story of intervention as it has unfolded in the Yup'it School District since the fall of 2005.

Please understand that it is not my intent to "pick on" any of the individuals who are currently involved in the "intervention plus" occurring in the YSD. Rather it is my intention to let people know what has been happening in our district and how the imposition of the current model has impacted the district.

In the fall of 2005 I received a phone call from then Commissioner of Education, Roger Sampson. He was dissatisfied with our district improvement plan. He felt that our district improvement plan (DIP) was not aligned well with the school improvement plans and was not appropriately focused. His plan was to send out a team to remedy our situation. We were informed that our NCLB funds would not be released until we had participated in the November 2005 training and revised our district improvement plan.

In November 2005 a team of approximately 5 individuals arrived at the YSD district office to provide 5 days of training in order to assist the district in changing its course. The principals (3), teacher leaders from each school and I participated in AIMSweb training as well as goal setting. In all honesty, I thought the goal setting was useful and the facilitator did a good job of honoring our district's perceived needs. By the end of those 5 days the first AIMSweb benchmark had taken place (all students), we had revised our district improvement plan, set some district goals and scheduled weekly collaborative meetings.

It's important to realize that the district administration and staff, prior to the intervention, had recognized that necessity of "tightening" up our literacy instruction in order to improve student learning. We were providing high quality professional development to our staff in reading and writing instruction, had hired a literacy leader for each school and had implemented the following assessments to track student progress (DIBELS – K-2 in Yup'ik and English) and Ed Formation (3-12). We also scheduled a district wide writing assessment twice yearly and had drafted a Writing Plan. I tell you this because I want everyone to understand that as a district we

recognized the educational needs of our students and were doing the best we knew how to address those issues.

During either the 2006-2007 or 2007-2008 school year the DEED assigned a district coach to our district. We were informed just prior to the beginning of the school year that the new coach would be attending our August in-service. The DEED also provided us with a district improvement plan. We did not have any input into the development of the plan. By this time the expectations for monitoring and reporting, by both me and the principals, had increased significantly. The district visits, by the coach, were infrequent and of little assistance to the district. Recollecting back to that time, I don't recall really understanding the role of the coach or the purpose of his occasional visits.

During the 2008-2009 school year the coach was in our district on a monthly basis. He and I talked frequently. I used him as a mentor and a guide. He and I worked together in planning and facilitating monthly principal meetings. During these meetings we tackled components of the district and school improvement plans such as walk-throughs and implementation of an RTI model. I think this was the most productive year (for me) of the intervention because we worked together. We collaborated. He directed his attention to building capacity among the school leaders and supporting us as we tackled difficult issues.

By this time we had functioned under the DEED imposed district improvement plan for three years. As a result of the requirements of the plan we had eliminated the district writing assessment, the DIBELS and Ed formation. We were also experiencing considerable conflict with the requirements of the DEED and the needs that we saw evident. It became increasingly difficult to provide professional development that we thought more appropriate due to the demands of the district improvement plan.

During the 2008-2009 the DEED had once again provided us with a completed district improvement plan. By the end of the year Joe Slats (superintendent), Willie Kasayulie (RSB chair) and I met, via phone, with DEED representatives in order to discuss a newly revised district improvement plan process and how the district was to provide input into that plan. We were told that we could select a few areas to focus our efforts for the upcoming year. The principals and I met for a few days and set goals for

the following school year. We chose to address the areas of curriculum and professional development.

During the ASLI (Alaska State Leadership Institute) in May 2009 I met our new district coach. The district was not consulted at any time that spring regarding the appointment of a new coach or content area specialists for the following school year.

In August 2009 Howard Diamond began his tenure as the superintendent of the YSD. In August then Commissioner Larry LeDeux met with Howard and I to discuss the DEED's continued involvement in our district (intervention plus).

The requirements related to this "Intervention Plus" status were set out in a "MOU" delivered to the District by DEED. The terms of the MOU were not developed in consultation with the District or based on any discussion with District administration about the District's needs.

The MOU indicated that the department's efforts would be coordinated and collaboratively discussed with the District in advance of implementation. I do not feel that DEED's efforts were "coordinated" with the District or collaborative towards it. We were presented with an MOU and certain requirements, even where we had been previously led to believe that specific requirements would not be in place. For instance, we had previously been told that we could choose to focus on the areas of the DIP (district improvement plan) where we felt attention was most urgently needed; the MOU required us to address all areas of the DIP (District Improvement Plan), despite a lack of resources for doing so.

In terms of the design and implementation of the MOU, there was no coordinated effort or meaningful collaboration. We were told that the content specialists would begin visiting the district, and that they would concentrate their efforts in Tuluksak. We were told when they were coming and where they were going and what they would be doing. It was neither "collaborative" nor coordinated with us.

The role of the trustee has been the most frustrating of all since the implementation of the "intervention plus". He arrives in our district (we are often unaware of his travel schedule), sleeps in the school, chats with staff and students, observes the daily goings on in the schools. We have asked for

his assistance with certain matters and have been told he is not there to assist. He is there to observe

A few key points regarding the DEED's intervention:

1. Judge Gleason is the only person who has ever asked me what assistance was needed in the district.
2. The intervention, in my opinion, has never been designed to support the district and build capacity within the district.
3. Test scores have been up and down since the DEED intervention first began and since intervention plus have declined.
4. Prior to the DEED's intervention, the district was in the process of focusing efforts on developing reading skills. We had recognized the need and were providing high quality professional development to our staff. We had a plan. We did need additional support and resources. The process was not approached in a collaborative manner.
5. The district, on its own, had secured a federal competitive Title III grant to address the needs of English language learners, prior to the DEED intervention. Due to the intervention and requirements of the DEED mandated district improvement plan, the implementation of this grant was difficult.
6. Once the DEED began mandating professional development we were no longer able to provide what we had perceived to be the necessary professional development for our staff (reading, content area literacy, strategies for teaching English language learners).
7. We were accused of being "A mile wide and an inch deep". Intervention has only exacerbated the situation.
8. The content area coaches were provided to the district without consultation.
9. The trustee observes in each school. He does not provide support or assistance in any form. His role provides no benefit to the district and is not a productive use of state funds.
10. We were specifically told that there would be "no boots on the ground" when we indicated the need for on-site, full-time support specialists.

11. Staff had to be told that Howard Diamond was the Superintendent of the YSD and in charge of the district (not the trustee) by the RSB Chair during the August 2011 in-service. This was because staff was confused by the role of the trustee.
12. Both the trustee and coaches made statements that caused confusion and undermined the authority of local administration.
13. Trustee role creates confusion among staff members. Why is this person here? What is he doing? Who is our boss?
14. Lack of a plan. No plan developed with district. "We're building the plane as we're flying it."
15. The content area coaches are knowledgeable professionals in their content areas. Their visits are too infrequent and too short in duration to positively impact student learning.

February 1, 2012

Additional thoughts:

1. What might a successful implementation of intervention look like:
 - a. Collaborative, problem-solving
 - b. The district has a "seat at the table" (or a few for that matter) when planning for change.
 - c. Viewing district administration as education professionals with knowledge of the local communities.

2. What infrastructure resources are necessary in order to improve student academic achievement?
 - a. School maintenance
 - b. Teacher housing
 - c. Curricula needs
 - d. Specialists in district year round
 - e. Culturally relevant curriculum
 - f. School safety

3. What district level staffing is required to satisfactorily support our schools to improve academic achievement:
 - a. Curriculum director, director of instruction, superintendent, special education director, content area specialists – reading/writing, math, science
 - b. Howard has built capacity (from 2 D.O administrators to 4 D.O. administrators)

4. What could be done right now that would help YSD to formulate appropriate plans and turn the District to increasing academic achievement?
 - a. Survey district needs
 - b. Remove trustee and coaches from district
 - c. Sit down with district representatives (RSB, D.O., school staff) to develop a plan to address the needs of the district.
 - d. Provide resources to support the plan.

Yupiit/Commissioner Meeting

4:00-5:30

December 4th, 2011

Purpose: To discuss a modified schedule/exit strategy for the trustee in the Yupiit district while incorporating academic benchmarks as goals.

Participants: Howard Diamond, Kim Langton, Diane George, Lexi Hill, Mike Hanley, Darrell Sanborn

Yupiit Thoughts

Legal Parameters

Trustee Schedule Consideration

Benchmark Considerations

Trustee Future Time, Role, Coordination

Benchmarks

Proof of Capacity and Growth

Considerations

Aimsweb Measurements- Kindergarten – Third Grade

Kindergarten

Move all of the students out of Tier 3 to Tier 2 in Letter Naming Fluency and Phonemic Segmentation Fluency

Move at least half of the Tier 2 students into Tier 1 in Letter Naming Fluency and Phonemic Segmentation Fluency

First Grade:

90% of the students in Tier 1 in Phonemic Segmentation Fluency

Second/Third Grade:

Reduce the number by half in Tier 3

Move all Tier 2 students to Tier 1

Four –Tenth Grades or Benchmark Grades:

Raise RIT scores for all students below proficient 8 points.

Raise RIT scores for all proficient students 5-8 points.

District focus:

10 Students per school- district choice, to show significant growth using measure of your choice.

Judge Gleason's Finding- June 2007

"For the State to fail to take a considerably more directive role in the face of chronically poor performance, at least for the children in Yupiit, amounts to an impermissible "legislative abdication" of the State's constitutional responsibility to maintain public schools in the state."

"The State must exercise considerably more oversight and provide considerably more assistance and direction to those schools that are identified as failing to meet the State's constitutional obligation in a concerted effort to remedy the situation

"The State has failed to exercise adequate supervision and oversight."

In regards to oversight and accountability: "But this Court finds that the efforts taken as of trial, particularly with respect to the Yupiit School District, are constitutionally inadequate."

"The State has failed to provide an adequate oversight role with respect to either the considerable State funds that it disburses or with respect to the delivery of the instruction to the children in those schools. In short, the State has failed to take meaningful action to maximize the likelihood that the children at these troubled schools are accorded an adequate opportunity to acquire proficiency in the State's standards when a school has demonstrated an unwillingness or inability to correct this situation on its own." Pg 142

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB256
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB256-EED-SSA-1-20-12 Dept. Affected Education & Early Development
 Title "An Act repealing the powers of the Department of Education & Early Development to intervene..." Appropriation Teaching and Learning Support
 Allocation Student & School Achievement
 Sponsor Representative Dick
 Requester House Education Committee OMB Component Number 2796

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	***	***	***	***	***	***	***	***

FUND SOURCE (Thousands of Dollars)

1002	Federal Receipts							
1003	GF Match							
1004	GF							
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		***	***	***	***	***	***	***

POSITIONS

Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES

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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial version

Prepared by Cynthia Curran, Director
 Division Teaching and Learning Support
 Approved by Mike Hanley
Commissioner

Phone 465-2857
 Date/Time 1/31/2012 4:15pm
 Date 1/31/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB256

Analysis

The fiscal effect of this bill is indeterminate because the legal effect is not clear. This bill repeals department authority to redirect district funding and to direct the personnel in charge of instructional practices. However, under the decision in *Moore v. State*, the state is still required to exercise oversight and accountability in local school districts. Further, AS 14.03.123 will still require the department to implement federal education law, which requires an accountability system and a state system of support. Federal law also requires the department to implement one or more corrective action in a school district that is identified for corrective action. If HB 256 passes it will be unclear as to what authority the department has to implement the various corrective actions provided for in federal law. In sum, the repeal of department authority, coupled with the requirement to stay compliant with the Alaska Constitution and federal law, may affect the resources needed for school improvement, but it is unclear what the effect will be.

**THE FOLLOWING DOCUMENT
HAS NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL FILE**

Alaska Standards for

Culturally Responsive Schools



Cultural Standards for:

Students
Educators
Schools
Curriculum
Communities