

HB

156

<TARGET><BILL>HB 156</BILL><SUBJECT>HB
156</SUBJECT><COMM>HFIN29</COMM></TARGET>

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSHB 156(EDC)
Fiscal Note Number:	1
(H) Publish Date:	3/24/2016

Identifier: HB156-EED-SSA-3-11-16
 Title: SCHOOL ACCOUNTABILITY MEASURES; FED.
 LAW
 Sponsor: KELLER
 Requester: House Education Committee

Department: Department of Education and Early Development
 Appropriation: Teaching and Learning Support
 Allocation: Student and School Achievement
 OMB Component Number: 2796

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2017 Request	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES	FY 2017	FY 2017					
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	***	0.0	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	0.0	***	***	***	***	***

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2016) cost: 0.0 (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
 If yes, by what date are the regulations to be adopted, amended or repealed? 09/30/16

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: Paul R. Prussing, Acting Director	Phone: (907)465-8721
Division: Teaching and Learning Support	Date: 03/11/2016 03:00 PM
Approved By: Susan McCauley, Interim Commissioner	Date: 03/11/16
Agency: Department of Education & Early Development	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

Section 1 amends AS 14.03.123, School and District Accountability, (c)(4) by removing the requirement of the commissioner to add additional performance measures in the state accountability system just to comply with federal law. Section 1 also adds a new part (c)(5), which is a specific requirement for the state to compare our public school system to other public school systems in other states and countries. The department would be required to create a new system to meet the requirements of (c)(5) with state funds. Without a clear definition of what elements are to be compared, the fiscal impact of this legislation cannot be accurately determined at this time.

Section 2 amends AS 14.03.123, School and District Accountability, (d) by stating "The improvement plan must give preference to measures that increase local control of education and parental choice and that do not require a direct increase in state or federal funding for the school or district." Current improvement plans meet this requirement.

Section 3 amends AS 14.03.123, School and District Accountability, (e) by amending the school recognition program to conform with the change made in Section 4.

Section 4 amends AS 14.03.123, School and District Accountability, (f) by removing the department's requirement to establish a state accountability system that also meets the federal Elementary and Secondary Education Act (ESEA) requirements. The current accountability system is a state driven model, which meets current federal requirements. The U.S. Department of Education reviewed and approved the Alaska specific accountability plan, which enables the state to receive federal education funds. Fiscal impact: potential loss of federal education funds under ESEA if we don't have a system compliant with state and federal law, which includes Impact Aid is currently \$200.2 million.

Section 5 amends AS 14.03.123, School and District Accountability, by adding a new subsection (h), which allows parents of students, and emancipated students or students who are 18, to opt out of assessments used for school accountability. Because participation in assessment is necessary for understanding school and student performance, for helping students improve achievement, and to be compliant with state and federal laws, this may have fiscal impacts that includes the loss of federal funds under ESEA. Additionally, this section includes limits on data that may prevent analysis sought by public policy makers and required in Section 1.

Section 6 amends AS 14.07.020, Duties of the department, (a)(16)(B) by makes a technical change.

The fiscal note is indeterminate as this legislation requires the department to establish a system of accountability that is comparable to other states and countries. Currently EED does not have the tools to build an accountability system of this design.

The effective date of this legislation is January 1, 2016.

2016 HOUSE FINANCE COMMITTEE VOTE SHEET

Report out

DATE: 4.4.2016

Amendment: CSHB 15

MEMBER

Favor

Oppose

REP. GARA		
REP. GATTIS	✓	
REP. GUTTENBERG		✓
REP. KAWASAKI		✓
REP. MUNOZ	✓	
REP. PRUITT	✓	
REP. SADDLER	✓	
REP. WILSON	✓	
REP. EDGMON	✓	
REP. THOMPSON	✓	
REP. NEUMAN		

YEA

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UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

APR - 1 2016

The Honorable Susan McCauley
Interim Commissioner
Alaska Department of Education and Early Development
801 West 10th Street, Suite 200
PO Box 110500
Juneau, AK 99811-0500

Dear Commissioner McCauley:

I am writing in response to our discussion on March 30, 2016, regarding the requirements for State assessment systems under both the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized by the No Child Left Behind Act of 2001 (NCLB), and the ESEA as reauthorized by the Every Student Succeeds Act (ESSA).

First, during the 2016-2017 school year, States will operate primarily under NCLB requirements. Under NCLB requirements, States are required to administer the same assessments to all students for purposes of Federal accountability, so the U.S. Department of Education's (ED) expectation is that, in the 2016-2017 school year, all local educational agencies (LEAs) and schools in Alaska will administer the State's single, statewide assessments in reading/language arts and mathematics to all students in each of grades 3 through 8 and once in high school, and in science at least once each in grades 3-5, 6-9, and 10-12. The ESSA takes effect in the 2017-2018 school year. The essential requirements for State assessment systems under the ESEA have not changed in the ESSA.

As outlined in my *Dear Colleague Letter* on December 18, 2015, the ESSA maintains the requirement that each State administer high-quality annual assessments in at least reading/language arts, mathematics, and science that are aligned to State-determined content standards and the State must demonstrate through the assessment peer review process that the assessment system meets nationally recognized professional and technical standards. A high-quality State assessment system that is aligned to State-determined academic standards is essential to providing information that States, districts, principals, and teachers can use to identify the academic needs of students, target resources and supports toward students who need them most, evaluate school and program effectiveness, and close achievement gaps among students. A high-quality assessment system also provides useful information to parents about their child's progress toward, and achievement of, grade-level standards.

I also want to highlight the requirements for the Title I assessment peer review process through which each State is required by the ESEA to submit evidence to demonstrate that its assessment system is consistent with relevant, nationally recognized professional and technical standards. As described in ED's letter to all States on September 25, 2015, the updated peer review process responds to important changes in the field and remains focused on ensuring that State assessments are valid and reliable and consistent with nationally

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

recognized professional and technical standards, as required by ESEA, and provides coherent and timely information about student attainment of the State's challenging academic standards. Alignment with State-determined academic standards remains a central aspect of demonstrating the technical quality and content validity of your State's assessment system. A State must demonstrate that its assessments are aligned with the full extent of its academic content standards, including higher-order thinking skills. This includes a demonstration that a State's assessment system includes items that focus on critical and analytical thinking.

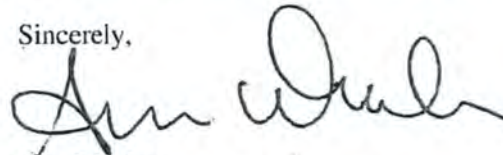
Once the ESSA takes effect in the 2017-2018 school year, section 1111(b)(2)(H) will permit LEAs to administer "a nationally recognized high school academic assessment" in lieu of a State's high school assessment, but there are several statutory steps that must occur prior to LEAs using such nationally recognized assessments in high schools to ensure these assessments are high-quality and comparable to existing Statewide assessments for high school students.

First, under the statute, States must establish technical criteria to evaluate the quality of nationally-recognized high school assessments (Section 1111(b)(2)(H)(ii)). States must then review any nationally-recognized high school assessments selected by an LEA against these criteria, including evidence that they are aligned to the State's academic content standards, address the full depth and breadth of those standards, and are equivalent (or more rigorous) in terms of content coverage, difficulty, and quality to the Statewide high school academic assessments (Section 1111(b)(2)(H)(v)(I)). Evidence must also be presented that any nationally-recognized high school assessment produces valid, reliable, and comparable data on student achievement compared to the Statewide assessments, consistent with the State's achievement standards, and that shows the nationally-recognized assessment meets other critical Title I requirements (Section 1111(b)(2)(H)(v)(II)(IV)). Under the ESSA, LEAs will not be able to use nationally-recognized high school assessments until (1) the State educational agency (SEA) reviews such assessments and approves their use, as per Section 1111(b)(2)(H)(iii) of the ESSA, and (2) the State submits such assessments to ED for peer review, as required by Section 1111(b)(2)(H)(iii)(II).

Finally, the ESSA does not offer LEAs the option of using nationally recognized assessments in lieu of the State assessments in grades 3-8. The ESSA requires States to administer the same statewide mathematics and reading/language arts assessments to all students in grades 3-8.

Please let us know if you have any questions about any of the above or about any additional assessment requirements in either the current version of the ESEA or the ESSA. We appreciate the work you are doing to improve Alaska's schools and provide a high-quality education for Alaska's students. If you have any questions, please contact Robyn Pettiford or Robert Salley of my staff at: OSS.Alaska@ed.gov.

Sincerely,



Ann Whalen

Senior Advisor to the Secretary Delegated the Duties of
Assistant Secretary for Elementary and Secondary
Education



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

FEB - 3 2014

The Honorable Mike Hanley
Commissioner of Education
Alaska Department of Education and Early Development
801 West 10th Street, Suite 200
Juneau, Alaska 99811-0500

Dear Commissioner Hanley:

This letter serves as a response to your letter dated January 20, 2015, regarding the requirements for State assessments under the Elementary and Secondary Education Act of 1965 (ESEA). Before I respond to your four specific questions, please let me emphasize the importance of the assessment requirements in the ESEA, which are focused on ensuring that parents and educators have the information they need to help every student be successful and on protecting equity for all students by maintaining a consistent measure of what students know and are able to do regardless of where they live. High-quality, annual statewide assessments are essential to providing critical information about student achievement and growth to parents, teachers, principals, and administrators at all levels. When that system is aligned with the academic content and achievement standards that a State expects all children to know and be able to do, it provides the road map for aligning instruction to the academic needs of students identified by the assessment system. High-quality, annual, statewide assessments provide information on *all* students so that educators can improve educational outcomes, close achievement gaps among subgroups of historically underserved students, increase equity, and improve instruction.

Below, I have responded to each question, providing the statutory and regulatory citations, as applicable, and noting any differences between the statutory and regulatory requirements of the ESEA and ESEA flexibility.

1. What are the Federal requirements regarding the frequency, grade levels, and content areas of State assessments? Can ED provide an outline of the requirements in section 1111(b)(3)?

ESEA section 1111(b)(3) (20 U.S.C. § 6311(b)(3)) requires a State educational agency (SEA) that receives funds under Title I, Part A of the ESEA to implement in each local educational agency (LEA) in the State a set of high-quality, yearly academic assessments that includes, at a minimum, assessments in mathematics, reading or language arts, and science. With respect to reading/language arts and mathematics, the assessments must be administered in each of grades 3 through 8 and not less than once in grades 10 through 12. With respect to science, the assessments must be administered not less than once during grades 3 through 5, grades 6 through 9, and grades 10 through 12.

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Under ESEA section 1111(b)(3)(C) (20 U.S.C. § 6311(b)(3)(C)) and 34 C.F.R. § 200.2, the State assessments must —

- Be the same academic assessments used to measure the achievement of all children (§ 1111(b)(3)(C)(i); § 200.2(b)(1));
- Be designed to be valid and accessible for use by the widest possible range of students, including students with disabilities and English Learners (§ 200.2(b)(2));
- Be aligned with the State's challenging academic content and achievement standards and provide coherent information about student attainment of the standards (§ 1111(b)(3)(C)(ii); § 200.2(b)(3));
- Be used for purposes for which they are valid and reliable and be consistent with relevant, nationally recognized professional and technical standards (§ 1111(b)(3)(C)(iii); § 200.2(b)(4));
- Be supported by evidence from the test publisher or other relevant sources that the assessment system is of adequate technical quality for each required purpose (§ 1111(b)(3)(C)(iv); § 200.2(b)(5));
- Involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include single or multiple question formats that range in cognitive complexity within a single assessment and multiple assessments within a subject area (§ 1111(b)(3)(C)(vi); § 200.2(b)(7));
- Provide for the participation of all students in the tested grades, including students with disabilities, who must be provided reasonable accommodations, and English Learners, who must be assessed in a valid and reliable manner and provided reasonable accommodations including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what those students know and can do in academic content areas until they have achieved proficiency in English (§ 1111(b)(3)(C)(ix); §§ 200.2(b)(9), 200.6);
- Assess English Learners who have been in schools in the United States for three or more consecutive years in English on the reading/language arts assessments, except that, on a case-by-case basis, an LEA may assess those students in their native language for not more than two additional years (§ 1111(b)(3)(C)(x));
- Produce individual student interpretive, descriptive, and diagnostic reports that allow parents, teachers, and principals to understand and address the specific academic needs of students (§ 1111(b)(3)(C)(xii); § 200.2(b)(11));
- Enable results to be disaggregated within each State, LEA, and school by gender, by each major racial and ethnic group, by English proficiency status, by migrant status, by students with disabilities as compared to nondisabled students, and by economically disadvantaged students compared to students who are not economically disadvantaged (§ 1111(b)(3)(C)(xiii); § 200.2(b)(10));
- Be consistent with widely accepted professional testing standards, objectively measure academic achievement, knowledge, and skills, but do not measure personal or family beliefs or attitudes (§ 1111(b)(3)(C)(xiv); § 200.2(b)(8)); and
- Enable the production of itemized score analyses (§ 1111(b)(3)(C)(xv); § 200.2(b)(12)).

For each grade and subject assessed, a State's academic assessment system must —

- Address the depth and breadth of the State's academic content standards;
- Be valid, reliable, and of high technical quality;

ESEA flexibility does not remove these requirements.

2. Do States have to administer the same general assessment to all students?

ESEA section 1111(b)(3)(C)(i) requires State assessments to "be the same academic assessments used to measure the achievement of *all* children (emphasis added)." So, with certain limited exceptions described below, the assessments an SEA develops must be the same for all students in the State. An SEA may not assess only a sample of students, even if that sample is representative of students in each LEA or the State as a whole. One reason for this is to help ensure that all students in a State are held to the same high expectations, regardless of a student's race, ethnicity, socioeconomic status, or neighborhood.

One exception to the general requirement that a State's assessment must be the same for all students is the authority in the Title I regulations for an SEA to adopt alternate academic achievement standards and alternate assessments aligned with those standards for students with the most significant cognitive disabilities. See 34 C.F.R. §§ 200.1(d), 200.6(a)(2)(ii)(B). These standards and assessments apply to a very small number of students with disabilities who, even with the very best instruction, are not likely to meet the grade-level academic achievement standards that apply to all students.

ESEA section 1111(b)(5) (20 U.S.C. § 6311(b)(5)) is another exception. It applies *only* in a State that provides evidence, satisfactory to the Secretary, that neither the SEA nor any other State government entity has sufficient authority under State law to adopt standards and assessments that would be applicable to all students enrolled in public schools in the State. In this case, the SEA may meet the requirements of ESEA section 1111(b)(3) by adopting academic standards and assessments on a statewide basis, and limiting their applicability to students served under Title I, or adopting and implementing policies that ensure the each Title I LEA in the State adopts academic content and achievement standards and aligned assessments that meet all of the requirements in section 1111(b)(3) and corresponding regulations and apply to all students in the LEA. Currently, this exemption does not apply to any States.

ESEA section 1111(b)(5) has no counterpart under ESEA flexibility; no SEA that has received ESEA flexibility is prohibited under State law from adopting a single statewide assessment system that applies to all students in the State. In other words, each SEA that has received ESEA flexibility has indicated it has authority under State law to adopt a single statewide assessment system that applies to all students in the State.

3. What are the consequences if a State or district fails to adhere to the Federal assessment requirements?

If an SEA fails to comply with the assessment requirements in either ESEA or ESEA flexibility, ED has a range of enforcement actions it can take. These include sending a written request to the SEA that it come into compliance, increasing monitoring, placing a condition on the SEA's Title

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1, Part A grant award or its ESEA flexibility request, placing the SEA on high-risk status (34 C.F.R. § 80.12), issuing a cease and desist order (GEPA section 456 (20 U.S.C. § 1234e)), entering into a compliance agreement with the SEA to secure compliance (GEPA 457 (20 U.S.C. § 1234f)), withholding all or a portion of the SEA's Title I, Part A administrative funds (ESEA section 1111(g)(2) (20 U.S.C. § 6311(g)(2))), and suspending, and then withholding, all or a portion of the State's Title I, Part A programmatic funds (GEPA section 455 (20 U.S.C. § 1234d)). An SEA has similar enforcement actions available to it with respect to noncompliance an LEA, including withholding an LEA's Title I, Part A funds. See, e.g., GEPA section 440 (20 U.S.C. § 1232c(b)).

g(b)

The specific enforcement action(s) ED would take depends on the severity of non-compliance. For example, if an SEA has developed a statewide assessment system but that system is not approvable because it fails to meet all statutory and regulatory requirements, ED might condition the SEA's Title I, Part A grant award, place the SEA on high-risk status, enter into a compliance agreement, or withhold State administrative funds. ED has, in fact, withheld Title I, Part A administrative funds under ESEA section 1111(g) (20 U.S.C. § 6311(g)) from a number of States for failure to comply with the assessment requirements in ESEA section 1111(b)(3). If an SEA or LEA refuses to implement an assessment system that meets the statutory and regulatory requirements, ED might seek to withhold programmatic funds from the State and expect the SEA to withhold from the LEA. Clearly, if an SEA or LEA fails to comply with the assessment requirements in either the ESEA or ESEA flexibility, it could place its Title I, Part A funds in jeopardy. In addition, the SEA or LEA could find itself out of compliance with a wide range of additional Federal programs that rely on statewide assessment results, putting additional funds at risk. These additional programs include those targeting students most at risk including, but not limited to: the School Improvement Grants (SIG) program; ESEA Title III; Part B of the Individuals with Disabilities Education Act (IDEA); programs for rural schools under ESEA Title VI; migrant education under ESEA Title I, Part C; and programs focused on professional development and other supports for teachers, such as ESEA Title II.

Please note that an LEA may not avoid administering the State assessments required under ESEA section 1111(b)(3) by declining to accept Title I, Part A funds. As noted above, the assessment requirements are State-level requirements that apply to any SEA that accepts Title I, Part A funds. That SEA must then administer its assessments statewide — including to students in LEAs that do not participate in Title I.

4. Would legislative language that allows parents to opt their children out of participating in statewide Federally required assessments be considered as a failure to adhere to the Federal assessment system?

Section 1111(b)(3)(A) of the ESEA requires each SEA to have a set of high-quality, yearly student academic assessments for reading/language arts and mathematics in grades three through eight and once in high school, and for science once each in grades 3-5, 6-8, and 10-12. SEAs and LEAs must provide for the participation of all students on the assessments (see ESEA section 1111(b)(3)(C)(ix)(I)) so that they can identify the learning progress of all students against the same high expectations, regardless of a student's race, ethnicity, socioeconomic status, or neighborhood. This requirement does not permit certain students or a specific percentage of students to be excluded from assessments. Rather, it sets out the rule that all students in the

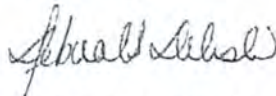
tested grades must be assessed. (ESEA section 1111(b)(2)(I)(i) permits an LEA or school to make adequate yearly progress as long as it assesses at least 95 percent of its students.)

In applying for funds under Title I, Part A of the ESEA, the SEA assured that it would administer the Title I, Part A program in accordance with all applicable statutes and regulations (see ESEA section 9304(a)(1)). Similarly, each LEA that receives Title I, Part A funds assured that it would administer its Title I, Part A program in accordance with all applicable statutes and regulations (see ESEA section 9306(a)(1)). If an SEA does not ensure that all students are assessed, ED has a range of enforcement actions it can take (as described in response to question 3 above). The SEA has similar enforcement actions available to it with respect to an LEA that does not ensure that all students participate in the State assessments, including withholding the LEA's Title I, Part A funds (20 U.S.C. § 1232c(b)). In addition, all SEAs with approved ESEA flexibility plans have included specific consequences in their accountability systems for any school that misses participation rate, and must implement this component of their accountability systems with fidelity.

As noted above, an SEA or its LEAs may find themselves out of compliance with other Federal programs that use student achievement results as well, including programs targeting students most at risk including, but not limited to: SIG; ESEA Title III; Part B of the IDEA; programs for rural schools under ESEA Title VI; migratory students under ESEA Title I, Part C; and programs focused on professional development and other supports for teachers, such as ESEA Title II.

Please do not hesitate to contact me if you need additional information or clarification. Thank you for your continued commitment to enhancing education for all of Alaska's students.

Sincerely,



Deborah S. Delisle
Assistant Secretary

ALASKA STATE LEGISLATURE

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Session:

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**REPRESENTATIVE WES KELLER
DISTRICT 10
SPONSOR STATEMENT
CS for HB 156**

The time is right to let Washington, D.C. know that Alaska has no intention of being a US Department of Education experiment. Parents, not bureaucrats have the right to control the content and standards of education for their children. When there is a conflict between education laws (federal or state) and parental educational choice, parents ultimately must always have the right to determine how to educate their children.

We as a state have a Constitutional obligation to provide a free public education, accessible to all. Beyond that obligation we need to strive to make that public education system be so good that most parents opt-in at a level where they assume ownership and engage eagerly, bringing their values with them.

HB 156 sends the message that Alaskans are not here to be a "rubber-stamp" of educational policy. Student assessment, privacy, school designators, teacher evaluation, special education, curricula selection, or education standards must be defined by Alaskans.

While HB 156 deletes statutory language that requires the Board of education to "IMPLEMENT..." federal rules it also directs the Board to work to maintain and improve the quality of Alaska's Education with local schools and districts.

HB 156 puts the current state testing infrastructure systems on hold, pending review and creation of testing based on input from local school districts. A deadline of 2020 is in place for those test to begin. This ensures parental control through elected local school board members and state legislators instead of the far-off federal government. The intent is to cause a re-evaluation and elimination of unnecessary baggage.

HB 156 includes provisions in the language allowing for methodology to compare proficiency of Alaska students with other states and nations; prioritizes local engagement in school improvement plans for struggling schools, and; ensures that the highest recognition goes to schools that demonstrate improvement.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
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Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 18, 2016

SUBJECT: Sectional summary
(CSHB 156(EDC); Work Order No. 29-LS0566\Y)

TO: Representative Wes Keller
Chair of the House Education Committee
Attn: Jim Pound

FROM: Kate S. Glover *KSG*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Requires the Department of Education and Early Development (the department) to include a performance designation for the state public school system in its annual report entitled "Alaska's Public Schools: A Report Card to the Public."

Section 2. Requires the department to inform each school district of the performance designation assigned to the state public school system.

Section 3. Requires the process for assigning performance designations to include a comparison of the state public school system to public schools in other states. Section 3 also removes the department's obligation to implement measures necessary to conform to federal law in providing for the student assessment system and process for assigning performance designations under AS 14.03.123.

Section 4. Requires improvement plans for schools with low performance designations to include measures that increase local control of education and parental choice and that do not require a direct increase in state or federal funding for the school or district.

Section 5. Modifies the criteria for recognizing schools that receive a high performance designation to require that the school demonstrate an improvement over the school's performance designation for the previous year.

Section 6. Removes the requirement for the department to implement 20 U.S.C. 6301 - 7941 (Elementary and Secondary Education Act of 1965, as amended) in the accountability system for schools and districts required under AS 14.03.123(f). Section 6 also requires the department to select student assessments with the input of teachers and school administrators.

Section 7. Authorizes the department to consult with the University of Alaska to develop secondary education requirements to improve student achievement in college preparatory courses. Also authorizes the department to consult with businesses and labor unions to develop a program to prepare students for apprenticeships or internships.

Section 8. Adds a new section prohibiting the department from requiring a school district or school to administer a statewide standards-based assessment after July 1, 2017, and before July 1, 2019. Requires the department to create a plan for developing or selecting statewide assessments that are approved by school districts for administration no later than the school year beginning in 2020. Requires the department to submit a report to the legislature on or before January 1, 2018, describing the assessment plan and making recommendations for changes in education laws or regulations that would allow school districts greater control over education policy in light of the enactment of the Every Student Succeeds Act, P.L. 114-95.

Section 9. Repeals AS 14.07.175, added by sec. 8 of the bill, on July 1, 2020.

Section 10. Allows the department to adopt regulations necessary to implement the Act. The regulations may not take effect before the effective date of the law implemented by the regulations.

Section 11. Provides an immediate effective date for sec. 10 of the bill.

Section 12. Provides that the remainder of the bill takes effect July 1, 2017.

If I may be of further assistance, please advise.



LEGISLATIVE RESEARCH SERVICES

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State Capitol, Juneau, AK 99801

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Research Brief

TO: Representative Wes Keller
FROM: Susan Haymes, Legislative Analyst
DATE: March 30, 2015
RE: State Regulations that Reference Federal Legislation
LRS Report 15.339

You asked about State regulations that implement federal law. Specifically, you wished to know when Alaska was first required to comply with federal rules for education and requested an account of the most recent promulgated State regulations related to the No Child Left Behind Act. Additionally, you asked for an estimate of the number of current state regulations that reference federal law.

Briefly, although Alaska has received federal funds for education since before Statehood, the passage of the Elementary and Secondary Education Act of 1965, largely established the role of the federal government in K-12 public education. The No Child Left Behind (NCLB) Act of 2001 substantially increased that involvement by placing numerous requirements on states that accepted federal funds. In 2013, after receiving a waiver from the NCLB Act, the Alaska State Board of Education and Early Development promulgated regulations to implement new school and district accountability measures. Through a search of the Alaska Administrative Code we identified 1,155 state regulations that reference the United States Code and/or the Code of Federal Regulations.¹

State Compliance with Federal Education Laws

Federal funds have been an important source of revenue for education in Alaska both before and after Statehood.² Not surprisingly, the provision of federal funds has come with certain requirements, which have increased markedly over time, especially since the enactment of the No Child Left Behind Act in 2001.

In 1958, Congress passed the National Defense Education Act (Public Law 85-864), which provided federal aid to the states to improve the teaching of science, mathematics, and foreign language instruction.³ In order to receive payments, states were required to submit a plan to the federal Commissioner of Education through their State educational agencies describing the projects for which the funds would be used. In 1959, the Alaska Legislature enacted AS 14.50.010, which allows the state commissioner of education, with the concurrence of the governor, to accept federal aid for education (ch 27 SLA 1959).

In 1965, Congress passed the Elementary and Secondary Education Act (ESEA), which became the primary source of federal aid to support K-12 education, and in particular programs for disadvantaged students (Public Law 89-10). The ESEA was

¹ The United States Code (U.S.C.) is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code of Federal Regulation (C.F.R.) is the codification of the general and permanent rules published in the Federal Register by federal departments and agencies.

² Dr. Nathaniel H. Cole, "A General History of Public School Finance in Alaska: Operating and Capital Costs," 1985. The report can be accessed through the Legislative Reference Library at <http://archives2.legis.state.ak.us/PublicImageServer.cgi?lib/8502000GENERAL%20HISTORY%20OF%20PUBLIC%20SCHOOL%20FINANCE%20IN%20ALASKA.pdf>.

³ The immediate catalyst for the legislation was the Soviet Union's launch of the Sputnik satellite in 1957, which was viewed at the time as a direct challenge to the scientific, technological, and military readiness of the United States. The legislation was primarily geared to provide funds for higher education, including a student loan program to increase enrollment in colleges and universities, particularly for science, mathematics, and foreign language careers.

enacted as part of President Lyndon Johnson's War on Poverty as a means to provide all children with equal access to a quality education. To receive funds, state education departments were required first to approve projects requested by local school districts and then to apply to the federal Commissioner of Education for grants to fund those projects. Once the money had been received, states were required to, among other things, report periodically to the Commissioner of Education on "objective measurements of educational achievement" to determine the effectiveness of the programs.⁴ According to Governor William Egan, the Alaska Department of Education moved quickly to implement programs that were authorized under the new law. In his address to the Fourth State Legislature on January 25, 1966, Governor Egan remarked as follows:

The far-reaching Elementary and Secondary Education Act passed by Congress last year will greatly assist the State to expand and improve its educational system, particularly in the rural areas. The Department of Education busily engaged itself in preparing required plans to insure utilization of this highly important and necessary assistance. It is anticipated that all programs authorized by the Act will be implemented this year.⁵

Since its initial passage, the ESEA has been reauthorized seven times, most notably in 1994 as the Improving America's School Act, and in 2001 as the No Child Left Behind (NCLB) Act. The 1994 reauthorization established key standards and accountability measures for state and local school districts that received federal funding under the ESEA.⁶ For example, states were required to establish standards within one year of receiving a grant, to develop state plans that described "adequate yearly progress" of schools and districts, and to develop a means to measure progress that was linked to performance on state assessments. The assessments were to be aligned with state content standards and had to be administered between grades 3 and 5, again between grades 6 and 9, and again between grades 10 and 12.⁷ As a result, in 1998, the Alaska Legislature enacted SB 36, which, among other things, established procedures to measure school and school district accountability (ch 83 SLA 1998).⁸ The State Board of Education subsequently adopted regulations to implement the accountability and assessment requirements in SB 36.⁹

The No Child Left Behind Act of 2001 led to a major expansion of the federal role in public K-12 education, primarily by increasing the accountability of public school systems and individual public schools as a means to ensure improvements in achievement outcomes of all students, especially to those who are disadvantaged. States were required to implement various standards-based assessments in reading, math, and science in all public schools and school districts; to make complex annual adequate yearly progress determinations for each public school and district; and to require teachers and aides to meet numerous qualification requirements.¹⁰ Subsequently, in 2004, the Alaska Legislature passed HB 405, which aligned Alaska's

⁴ ESEA of 1965, §§ 205(a)(5) and 206.

⁵ *Senate Journal*, Fourth Legislature, Second Session, January 25, 1966, Address by Governor Egan, p.8.

⁶ Public Law 103-382.

⁷ "Summary of the Improving America's School Act," *Education Week*, November 9, 1994, <http://www.edweek.org/ew/articles/1994/11/09/10asacht.h14.html>.

⁸ AS 14.03.120 – AS 14.03.123. More information on SB 36, which enacted the current public school funding formula, can be accessed at http://www.legis.state.ak.us/basis/get_bill.asp?session=20&bill=SB%20%2036.

⁹ 4 AAC 06.730- 4 AAC 06.739, 4 AAC 06.800 – 4 AAC 06.899.

¹⁰ Public Law 107-110. Wayne C. Riddle and Rebecca R. Skinner, "The Elementary and Secondary Education Act, as Amended by the No Child Left Behind Act: A Primer," April 2007, Congressional Research Services Report. The report is available at <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1038&context=crs>.

testing and accountability system with federal requirements laid out in the NCLB Act.¹¹ Again, the Alaska Board of Education promulgated regulations to implement the new requirements, as per statutory authority under AS 14.50.010.

Since 2011, the U.S. Department of Education has allowed states to request waivers from certain provisions of the NCLB Act. In 2013, Alaska became the 37th state to receive a waiver. Under the waiver, states agree to do the following:

- Adopt standards in English/language arts and mathematics that prepare students for education and training after high school, often referred to as college-ready and career-ready standards;
- Devise their own systems for holding schools accountable for students' academic success, including student populations that traditionally underperform; and
- Require school districts to evaluate teachers and principals partially on student achievement.¹²

In exchange for meeting these requirements, states are allowed to opt out of NCLB's accountability system known as Adequate Yearly Progress. Consequently, in June 2013, the State Board of Education and Early Development adopted new school and district accountability regulations to replace the Adequate Yearly Progress system (4 AAC 06.812 – 4 AAC 06.899). The new system is called the Alaska School Performance Index (ASPI).¹³

The Alaska DEED is currently in the process of taking public comment on Alaska's draft ESEA Flexibility Waiver Renewal. The DEED plans to submit a renewal application in order to maintain the state accountability system based on the Alaska School Performance Index and to avoid returning to the "all or nothing" system for meeting Adequate Yearly Progress.¹⁴

State Regulations that Reference Federal Laws

We identified at least 1,155 state regulations that reference the United States Code (U.S.C.) and/or the Code of Federal Regulations (C.F.R.).¹⁵ The regulations of the Departments of Environmental Conservation (a total of 306); Health and Social Services (a total of 236); and Commerce, Community and Economic Development (a total of 184) contain the majority of references to federal laws and regulations. The Department of Environmental Conservation adopts by reference many of the requirements codified in federal environmental laws such as the Clean Air Act and the Clean Water Act. Many Health and Social Services regulations reference federal eligibility criteria for public assistance programs such as food stamps, heating assistance, chronic and acute medical assistance, and Medicaid. Numerous regulations of the Department of Commerce, Community and Economic Development cite federal laws and regulations that govern the banking, insurance, and securities industries. In Table 1 we show for each Title in the Alaska Administrative Code (AAC) the number of regulations that include a U.S.C. and/or C.F.R. citation.

¹¹ Committee minutes for HB 405 can be accessed at http://www.legis.state.ak.us/basis/get_minutes.asp?chamb=B&date1=010103&date2=032515&session=23&Root=HB405.

¹² Alaska DEED Press Release, "Alaska Receives No Child Left Behind Waiver," May 20, 2013. The press release can be accessed at http://education.alaska.gov/akaccountability/esea/waiver_release_may2013.pdf.

¹³ More information on the ASPI can be accessed at <http://education.alaska.gov/akaccountability/#c3gtabs-aspi>.

¹⁴ More information on the 2012 waiver application and the 2015 draft waiver application are available at <http://education.alaska.gov/akaccountability/#c3gtabs-esea>.

¹⁵ We searched the Alaska Administrative Code using the search terms "U.S.C." and "C.F.R."

Table 1: Alaska Administrative Code References to Federal Laws				
Title	Subject	Number of References		
		U.S.C.	C.F.R.	Total
2	Administration	19	14	33
3	Commerce, Community and Economic Development	146	38	184
4	Education and Early Development	21	26	47
5	Fish and Game	9	11	20
6	Governor's Office	24	2	26
7	Health and Social Services	140	96	236
8	Labor and Workforce Development	21	31	52
10	Military and Veterans Affairs	1	0	1
11	Natural Resources	15	9	24
12	Professional Regulations (Boards and Commissions)	12	11	23
13	Public Safety	7	7	14
15	Public Works	19	25	44
17	Revenue	78	11	89
18	Environmental Conservation	119	187	306
20	Miscellaneous Boards and Commissions	29	26	55
22	Corrections	1	0	1
Total		661	494	1155
<p>Notes: The United States Code (U.S.C.) is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code of Federal Regulation (C.F.R.) is the codification of the general and permanent rules published in the Federal Register by federal departments and agencies.</p> <p>Sources: Alaska Administrative Code.</p>				

We hope this is helpful. If you have questions or need additional information, please let us know.

Key Performance Indicators

Department of Education and Early Development

- [Return to Departments](#)
- [Department of Education and Early Development website](#)

Mission

To ensure quality standards-based instruction to improve academic achievement for all students. Alaska Constitution Article 7, Sec. 1; AS 14.17

Key Performance Indicators

FY16 Management Plan as of 12/9/2015 (in thousands)

Department of Education and Early Development Totals	Funding					Positions		
	UGF Funds	DGF Funds	Other Funds	Federal Funds	Total Funds	Full Time	Part Time	Non Perm
	\$1,301,647.1	\$39,231.0	\$25,038.2	\$232,003.7	\$1,597,920.0	326	15	15

1. Distribute Public School Funding to school districts and other educational institutions

Ensure funding is appropriately distributed to recipients based on legislative appropriation and by statute and in accordance with the foundation formula, other formula programs, or legislative intent for funding outside the primary funding formulas

	Funding					Positions		
	UGF Funds	DGF Funds	Other Funds	Federal Funds	Total Funds	Full Time	Part Time	Non Perm
	\$1,260,027.4	\$13,000.0	\$0.0	\$20,791.0	\$1,293,818.4	0	0	0

- **Target: Calculate and distribute state entitlement funding based on the Base Student Allocation and formula calculations per AS 14.17.**
- **Target: Distribute Public School Funding according to legislative appropriations based on formula calculations**

2. Provide Fiscal Accountability, Compliance and Oversight

Ensure the department effectively and efficiently manages state, federal and other funding by providing comprehensive fiscal and administrative services

	Funding					Positions		
	UGF Funds	DGF Funds	Other Funds	Federal Funds	Total Funds	Full Time	Part Time	Non Perm
	\$11,685.9	\$913.7	\$2,392.5	\$206,819.8	\$221,811.9	114	0	2

- **Target: Provide efficient fiscal accountability, compliance and oversight for the Department of Education and Early Development's operating and capital budgets and programs**
- **Target: Limit the number of state and federal audit findings**

3. Develop, implement and maintain School Effectiveness Programs

Assist school districts by providing programs, technical on-site and distance-delivery support, and early intervention services in efforts to increase the statewide graduation rate

	Funding					Positions		
	UGF Funds	DGF Funds	Other Funds	Federal Funds	Total Funds	Full Time	Part Time	Non Perm
	\$13,968.8	\$12,000.0	\$0.0	\$278.5	\$26,247.3	9	0	0

- **Target: Assist school districts to improve the statewide graduation rate**
- **Target: Increase the teacher retention rate through the Alaska Statewide Mentoring Program**
- **Target: Provide a Statewide System of Support to facilitate school effectiveness measures**
- **Target: Provide support to school districts for Early Learning programs to assist communities, parents and caregivers in preparing children for school**
- **Target: Facilitate the College and Career Ready curriculum and assessment program**

- Target: Increase the numbers and percent of high school graduates qualifying for the Alaska Performance Scholarship (APS).

4. Maintain Active Partnerships for Pre-K through 20 and lifelong learning

Provide opportunities for, and collaborate with government entities, and other public and private organizations to engage in Active Partnerships in pursuit of state educational goals

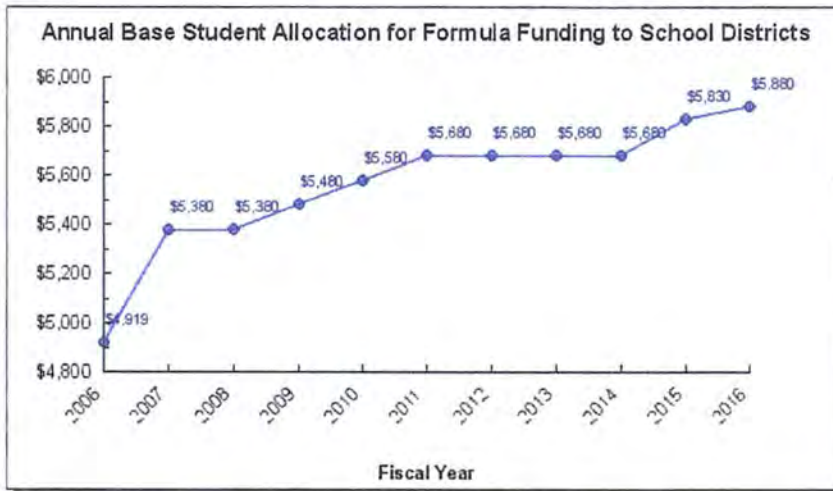
Funding					Positions		
UGF Funds	DGF Funds	Other Funds	Federal Funds	Total Funds	Full Time	Part Time	Non Perm
\$15,965.0	\$13,317.3	\$22,645.7	\$4,114.4	\$56,042.4	203	15	13

- Target: Continue to support the Alaska Native Science and Engineering Program with the University of Alaska
- Target: By 2020, growth to equal the national average of Alaska high school graduates continuing on to postsecondary education within a year of graduation.
- Target: Collaborate and coordinate with public and private entities for educational purposes

Performance Detail

1: Distribute Public School Funding to school districts and other educational institutions

Target #1: Calculate and distribute state entitlement funding based on the Base Student Allocation and formula calculations per AS 14.17.



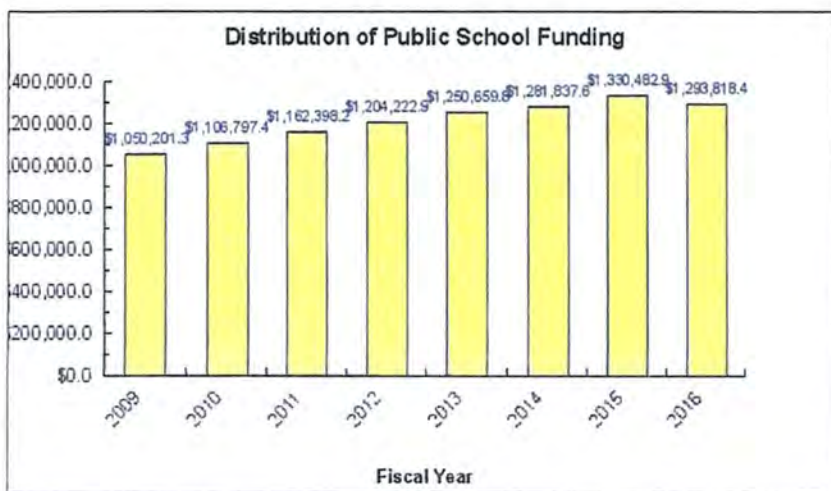
Analysis of results and challenges: The annual Base Student Allocation (BSA) amount can only be adjusted by an enacted statute change. The Department of Education and Early Development distributes Public School Funding to 53 school districts and Mt. Edgecumbe High School, the state boarding school.

The FY2016 BSA reflects a \$50 increase from FY2015 and is part of a multi-year Education Bill (Ch15, SLA2014, HB278).

Related links:

- [Education Bill - HB278, Chapter 15](#)

Target #2: Distribute Public School Funding according to legislative appropriations based on formula calculations



Methodology: Foundation and Pupil T includes the Foundation Program and Pupil Transportation
 ACYA = Alaska Challenge Youth Academy

Totals are from the Alaska Budget System (ABS) Authorized scenario.

Amounts are displayed in the thousands.

Amounts include funding as appropriated through the Foundation Program formula and outside the formula.

Distribution of Public School Funding

Fiscal Year	Foundation & Pupil T	Boarding Home Grants	Youth in Detention	Special Schools	ACYA	Total Distribution
FY 2016	\$1,281,439.6	\$7,696.4	\$1,100.0	\$3,582.4	0 0%	\$1,293,818.4
FY 2015	\$1,318,729.3	\$6,960.3	\$1,100.0	\$3,693.3	0	\$1,330,482.9
FY 2014	\$1,268,505.0	\$3,749.5	\$1,100.0	\$3,691.7	\$4,791.4	\$1,281,837.6
FY 2013	\$1,237,557.9	\$3,728.8	\$1,100.0	\$3,314.7	\$4,958.4	\$1,250,659.8
FY 2012	\$1,190,646.9	\$3,330.8	\$1,100.0	\$3,318.4	\$5,826.8	\$1,204,222.9
FY 2011	\$1,150,477.6	\$1,690.8	\$1,100.0	\$3,303.0	\$5,826.8	\$1,162,398.2
FY 2010	\$1,094,450.0	\$1,690.8	\$1,100.0	\$3,127.5	\$6,429.1	\$1,106,797.4
FY 2009	\$1,038,383.8	\$1,340.8	\$1,100.0	\$3,132.8	\$6,243.9	\$1,050,201.3

Analysis of results and challenges: FY2016: Ch23, SLA2015, HB72 and Ch1, SLA2015, HB2001 (Operating Budget); Ch38, SLA2015, SB26 (Capital Budget). FY2015 does not include the FY2016 and FY2017 Foundation Program appropriations included in the FY2015 Authorized budget (\$32,243.7 and \$19,904.2, respectively). These FY2015 appropriations were repealed in Ch38, SLA2015, SB26.

FY2015 and FY2016 include additional Charter School Grant appropriations of \$168.8 under Foundation as a result of HB278, CH15, SLA2014.

Effective January 1, 2014 the Alaska Challenge Youth Academy (ACYA) was transferred to the Department of Military and Veterans Affairs and is no longer a budgeted component within the Department of Education and Early Development.

Public school funding distributions to school districts, the state boarding school and centralized correspondence study are expended out of the Public Education Fund (AS 14.17.300). The amounts reflected above include funding appropriated within the formula and outside the formula.

AS 14.17.300 Public Education Fund (a) The public education fund is established. The fund consists of appropriations for (1) distribution to school districts, to the state boarding school, and for centralized correspondence study under this chapter; and (2) transportation of pupils under AS 14.09.010.

(b) Money appropriated to the fund may be expended without further appropriation. Money appropriated to the fund does not lapse. The money in the fund may be expended only in aid of public schools and for centralized correspondence study programs under this chapter and for transportation of pupils under AS 14.09.010. Interest earned on money held in the fund before expenditure may be appropriated to the fund by the legislature.

Related links:

- [FY2016 Enacted Budget](#)

Target #1: Provide efficient fiscal accountability, compliance and oversight for the Department of Education and Early Development's operating and capital budgets and programs



Methodology: The Total GF is displayed in the thousands.

Includes General Funds only.

Includes the following components:

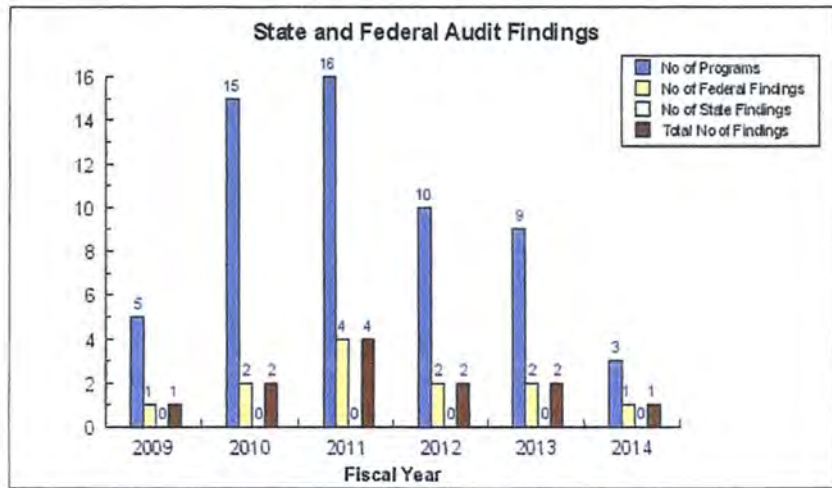
Executive Administration (except FY09 & FY10 SSoS funding), Administrative Services, Information Services, School Finance and Facilities, Student and School Achievement (except general funds that apply to other Core Services: AMEREF, ANSEP, GF/MH, Iditarod Theme-based Learning, curriculum mapping, K-3 & statewide literacy, WorkKeys, TVEP, STEM Pilot Project, Charter School Grants), Teacher Certification, Child Nutrition and State Facilities Rent.

General Fund Cost of Fiscal Accountability, Compliance and Oversight Per ADM

Fiscal Year	Total GF	ADM	Cost / ADM
FY 2016	\$11,589.4	128,495 -0.07%	\$90.19
FY 2015	\$14,237.5	128,580.18 +0.11%	\$110.73
FY 2014	\$16,548.9	128,435.21 -0.41%	\$128.85
FY 2013	\$15,996.8	128,965.51 +0.06%	\$124.04
FY 2012	\$14,738.0	128,885.84 -0.12%	\$114.35
FY 2011	\$14,156.6	129,046.71 -0.14%	\$109.70
FY 2010	\$13,774.3	129,228.67 +0.66%	\$106.59
FY 2009	\$12,906.0	128,380.75 -0.46%	\$100.53
FY 2008	\$10,360.8	128,975.24 -0.91%	\$80.33
FY 2007	\$11,852.3	130,164.21	\$91.06

Analysis of results and challenges: The change from FY2007 to FY2008 reflects reductions based on department efficiencies. There was also a decrease in the FY2008 ADM count. Increases from FY2008 - FY2012 are results of salary and health insurance bargaining unit adjustments. FY2015 includes an increase in the School Finance and Facilities component from HB278 (\$620.1).

Target #2: Limit the number of state and federal audit findings



Analysis of results and challenges: For each fiscal year, the Division of Legislative Audit conducts an audit of the State of Alaska's basic financial statements and the State's compliance with federal laws and regulations in the administration of federal financial assistance programs. The audit is conducted in accordance with auditing standards generally accepted in the United States of America, Government Auditing Standards issued by the Comptroller General of the United States, and complies with the federal Single Audit Act Amendments of 1996 and the related OMB Circular A-133 issued by the U.S. Office of Management and Budget.

Findings occur when non-compliance has been discovered during the audit process. An audit finding can be related to an individual program or multiple programs and are categorized by the degree of deficiency in the internal controls of an organization. A material weakness is a deficiency or combination of deficiencies in internal controls, such that there is a reasonable possibility that a material misstatement of an entity's financial statements will not be prevented or detected and corrected in a timely basis. A significant deficiency, or a combination of deficiencies, in internal controls is less severe than a material weakness yet important enough to merit attention by those charged with governance.

During the FY2014 Statewide Single Audit, the Division of Legislative Audit selected three federal programs that the Department of Education & Early Development administers to audit for compliance with accounting standards and applicable federal compliance standards as outlined in OMB Circular A-133. As a result of the audit, the department was issued one finding that affected two of the three federal programs audited. The one finding was concerned with compliance with federal guidelines and was a significant deficiency. The department has developed and implemented a corrective action plan to resolve this finding.

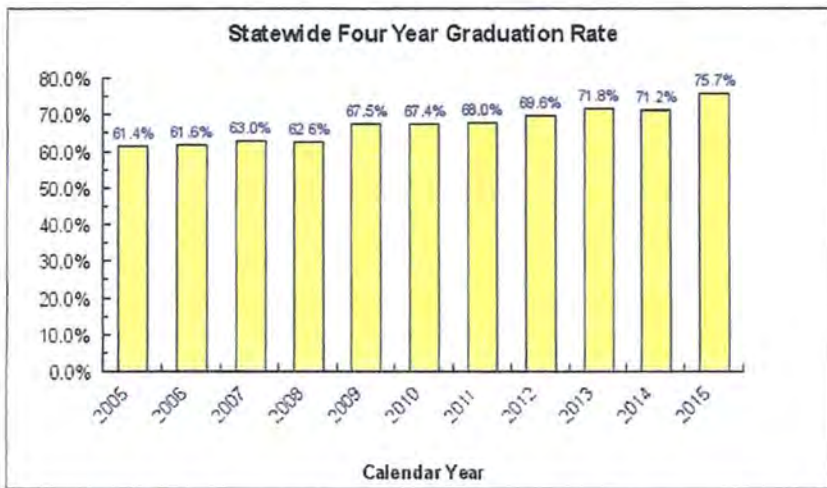
The following federal programs were audited as part of the FY2014 Statewide Single Audit:

CFDA / Program Name / Program Affected by Finding
 10.568 / Emergency Food Assistance Program (Administrative Costs) / X
 10.569 / Emergency Food Assistance Program (Commodities)
 84.010 / Title I Grants to Local Educational Agencies / X

FY2015 data will be available when the audit is complete. The final audit report is due to the Legislative Budget and Audit Committee by March 31, 2016.

3: Develop, implement and maintain School Effectiveness Programs

Target #1: Assist school districts to improve the statewide graduation rate



Methodology: The 2015 data is preliminary only, and won't be final and published until the State Report Card is released in January 2016.

The Graduation Rate methodology changed beginning with the 2010-2011 school year. Based on a federal mandate, all 50 states must report a graduation rate using the Four Year Adjusted Cohort Graduation Rate Method.

Analysis of results and challenges: The preliminary 2015 rate is 75.7% (7,324 graduates of 9,677 cohort members).

Under the Four Year Adjusted Cohort Graduation Rate method, a Cohort Year is assigned to each first time 9th grade student with the expectation that the student will graduate within four years. For instance, a student who entered 9th grade in the 2010-2011 school year would be considered part of the 2014 Cohort. A student may be added to the cohort via a transfer into the public school system or removed from the cohort upon death or upon transfer to an education program with a secondary school diploma track. A Cohort is comprised of all students active within a specific Cohort Year.

A graduate is defined as a student who has received a regular diploma from a state or district approved education program as evidenced by receipt of a secondary school diploma from school authorities. Any student who receives a diploma under a waiver from the college and career readiness assessment requirement as noted in AS 14.03.075(a), as specified by the State Board of Education and Early Development, is considered a graduate.

This change is necessary because of the repeal of the HSGQE effective July 1, 2014. Instead of passing all three sections of the HSGQE, students must "take" (i.e. receive a valid score on) one of three college- or career-ready assessments – ACT, SAT, or WorkKeys. This does not include a student who receives a certificate of achievement or a GED certificate.

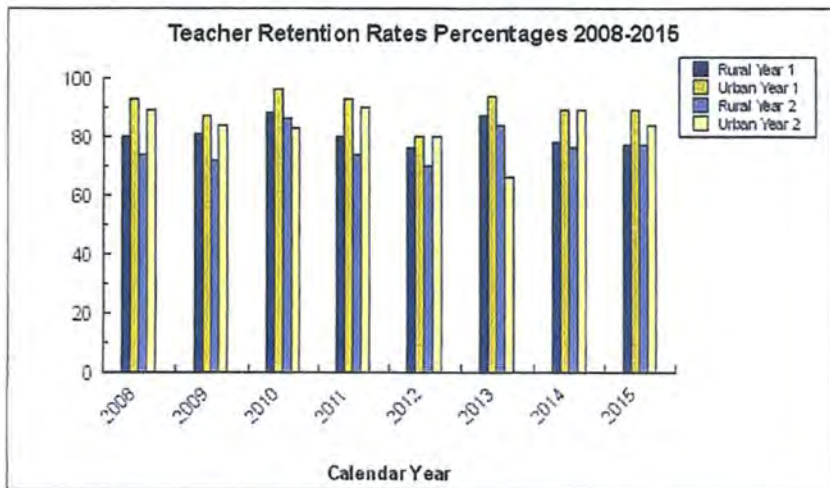
The calculation of the Statewide Graduation Rate complies with current federal regulations.

Note: The inverse of the graduation rate is not the dropout rate.

Related links:

- [Report Card to the Public](#)

Target #2: Increase the teacher retention rate through the Alaska Statewide Mentoring Program



Methodology: Data reflects Alaska Statewide Mentoring Project activity for the school year; i.e. 2008 refers to the 2007 - 2008 school year. 2013: Urban Year 2 teachers have a sample size of 3.

2015-16: In regards to the retention numbers for 2014-15 academic year, we cannot determine if an early career teacher (ECT) transferred to a 4 or 5 star ASPI rated school since these schools are not receiving ASMP mentoring services in 2015-16. In addition, two school districts, Galena and St. Mary's do not use ASMP services; hence, if an ASMP mentored ECT transferred to these districts, ASMP cannot track them unless the ECT communicated that directly to the previous year mentor. These numbers are still preliminary.

Teacher Retention Rates Percentages 2008-2015

Year	Rural Year 1	Urban Year 1	Rural Year 2	Urban Year 2
2015	77 -1.28%	89 0%	77 +1.32%	84 -5.62%
2014	78 -10.34%	89 -5.32%	76 -9.52%	89 +34.85%
2013	87 +14.47%	94 +17.5%	84 +20%	66 -17.5%
2012	76 -5%	80 -13.98%	70 -5.41%	80 -11.11%
2011	80 -9.09%	93 -3.13%	74 -13.95%	90 +8.43%
2010	88 +8.64%	96 +10.34%	86 +19.44%	83 -1.19%
2009	81 +1.25%	87 -6.45%	72 -2.7%	84 -5.62%
2008	80	93	74	89

Analysis of results and challenges: The goals of the Alaska Statewide Mentoring Project (ASMP) are to increase teacher retention and improve student achievement through quality mentoring to first- and second-year teachers (called early career teachers, or ECTs).

ASMP mentors are veteran Alaska teachers who receive formal training in eight, three-day Mentor Academies held over two years, following the New Teacher Center model. Mentors communicate with their ECTs on a weekly basis through multitude means including email, Skype and phone calls, in addition to monthly on-site visits. The focus is on building teacher capacity through the use of evidenced-based tools.

Average retention rates for teachers served by ASMP are shown in the chart based on location of district (rural, urban) and years of teaching experience (first, second). Overall, ASMP-mentored ECTs average a year-to-year retention rate of 80% from 2004-2005 through 2014-15. ASMP research has also shown promising results of closing the student achievement gap between ECTs and veteran teachers through ASMP mentoring. In the spring of 2012, K-12 Outreach Office won an Investments in Innovations grant; this five-year federally funded study will examine the effectiveness of ASMP model in five urban contexts in Alaska, as evidenced by teacher retention, teacher instructional capability and student achievement. The final report for this study should be available by December 2017.

Over the past 11 years, ASMP mentors has been invited into 52 of the 53 Alaska school districts. Project numbers since inception have remained consistent, serving on average about 391 ECTs a year. In the beginning years of the project about 75% of the ECTs served by ASMP were from rural districts with the remaining 25% from five urban districts in the state. Overall, ASMP has served over 2,400 individual ECTs through training of nearly 130 experienced Alaska teachers as high-quality mentors through AY15 (academic year).

Related links:

- Alaska Statewide Mentorship Project
- Division of Teaching and Learning Support
- Department of Education and Early Development

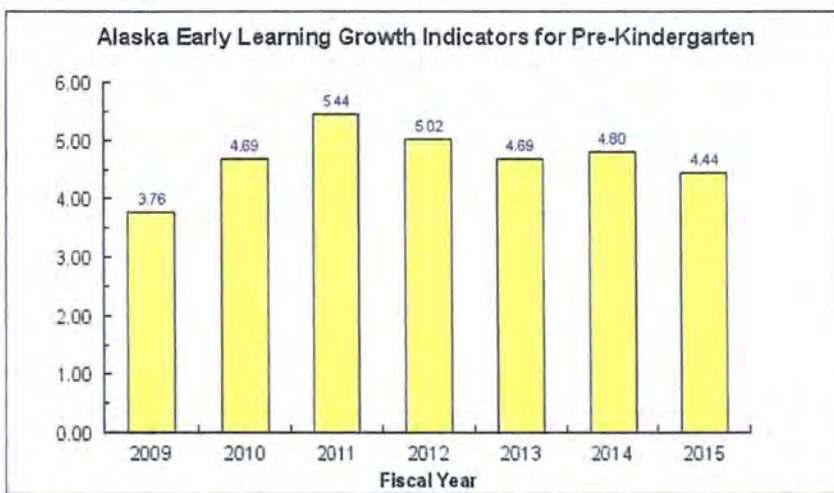
**Target #3: Provide a Statewide System of Support to facilitate school effectiveness measures
Professional Learning Support to Educators for Implementation of Statewide Initiatives**

Fiscal Year	No. of Participants
FY 2015	3,108 +34.6%
FY 2014	2,309

Methodology: FY2015 includes the number of participants receiving support through EED conference, presentations by invitation from partnering organizations, on-site and distance district-level presentations, webinars, and audio-conferences.

Analysis of results and challenges: For the past four years, the Department of Education and Early Development (DEED) measured performance for this target through attendance at an annual Teaching and Learning Support Institute sponsored by DEED. These two-day events designed to assist and support school districts in building awareness of the new English Language Arts and Mathematics standards, the new Alaska School Performance Index, and the requirements of new Educator Evaluation regulations with attendance at the Institute increasing for each of those three years. The Institute, however, is just one of many professional development supports related to implementation of statewide initiatives provided by DEED to educators across Alaska. Support to districts and organizations includes conference presentations, on-site and distance district in-service presentations, webinars, and facilitation of work groups, constituting some of the primary work conducted within DEED's Division of Teaching & Learning Support. Beginning in 2014, DEED began measuring participation in all of these professional learning support activities in terms of the number of participants. As baseline data for 2014, DEED provided professional learning support to 2,309 educators. DEED's continuing challenge will be to provide relevant, timely, and targeted support to educators across Alaska effectively meeting their varied, unique needs. In 2015, in addition to the instructional support team, the division of Teaching and Learning Support (TLS) has included support provided by the alternative schools/Health team, the special education team, the child nutrition team, and the ESEA federal programs team. If TLS includes the E-module courses provided for all district staff to meet state mandated trainings, this number jumps to 16,180.

Target #4: Provide support to school districts for Early Learning programs to assist communities, parents and caregivers in preparing children for school



Methodology: Pre-Kindergarten years represent the following:

Fall 2009

Spring 2010 - Spring 2015

Analysis of results and challenges: Pre-Kindergarten:
Alaska Pre-K Four Year Comparisons: FY2010 - FY2015
Early Childhood Environment Rating Scale-Revised Edition (ECERS-R)

The ECERS-R is designed for use in classroom-based early childhood care and education programs serving children aged two to six years. It is organized into six scales: Space and Furnishings; Personal Care Routines; Language-Reasoning; Activities; Interaction; and Program Structure. Each scale has additional subscales, with multiple items that must be passed to receive a given score. Each subscale is scored on a seven point scale, with benchmarks established for 1 = Inadequate, 3 = Minimal, 5 = Good, and 7 = Excellent. Programs that pass some of the items that are part of the benchmark for a 3, but not all of them, are scored a 2 on that subscale. Similarly programs that fall between good and excellent are scored a 6.

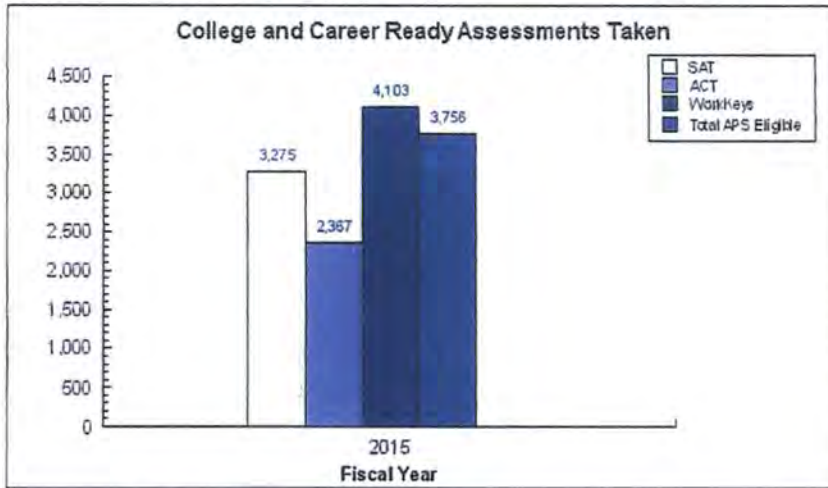
Each program site varied in their strengths and areas of improvement, but there were some trends common across all of the programs.

While all continuing programs showed improvement through the Pre-Kindergarten program, some showed dips or fall back in some areas reflecting the specific changes seen at each particular assessment. FY2014 began a new grant cycle based on a continuation from the previous year. Over half of the classrooms rated on the ECERS were returning programs and the others were new to the Alaska Pre-Kindergarten program. These new classrooms set baseline scores in a range between above minimal (3) to approaching excellent (7).

Related links:

- Early Learning

Target #5: Facilitate the College and Career Ready curriculum and assessment program



Methodology: Graph displays total number of state-paid assessments taken and APS qualifying scores

APS = Alaska Performance Scholarship

WorkKeys = a career-readiness assessment administered by ACT, Inc.

ACT = a college-readiness assessment administered by ACT, Inc.

SAT = a college-readiness assessment administered by The College Board

College and Career Ready Assessments Taken

Fiscal Year	SAT	ACT	WorkKeys	Total APS Eligible
FY 2015	3,275	2,367	4,103	3,756

Analysis of results and challenges: Changes in Alaska's College and Career Readiness Assessments (CCRA) were dictated by legislation that went into effect on July 1, 2014 (HB278, Ch15, SLA2014). These changes were implemented during the 2014-15 school year. The law requires all grade 11 students to take a CCRA. Students must take a CCRA prior to receiving a regular diploma from an Alaska public school. Students have the option of taking either a career-readiness assessment (WorkKeys) or a college-readiness assessment (ACT or SAT) during the school day.

Students may qualify for the Alaska Performance Scholarship (APS) by achieving a certain test score on either the ACT, SAT, or WorkKeys assessment in combination with minimum curriculum and grade point average (GPA) requirements. In the 2014-15 school year:

- 4,103 students took the WorkKeys assessment of which 39% (1,597 students) achieved qualifying APS scores
- 2,367 students took the ACT assessment of which 38% (898 students) achieved qualifying APS scores
- 3,275 students took the SAT assessment of which 39% (1,261 students) achieved qualifying APS scores

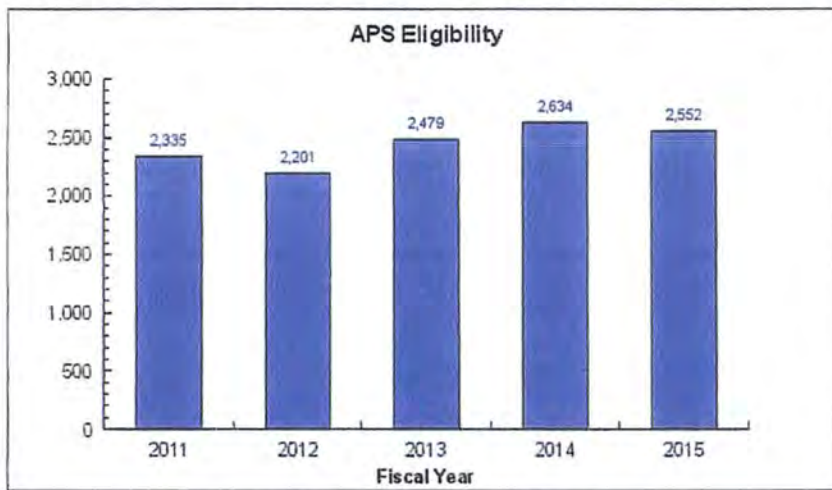
To be eligible for the Career and Technical Education (CTE) APS award, a student must receive a combined WorkKeys score of 13 or higher, with no score below 4 in Applied Mathematics, Locating Information, and Reading for Information. A CTE APS award can be used for attendance in a CTE certificate program, but not for an associate's or other degree program, at approved postsecondary institutions and training centers in Alaska. To be eligible for the Collegiate APS award, a student must receive either an ACT composite score of 21 or higher or a combined SAT score of 1450 or higher. A Collegiate APS award can be used for attendance in a certificate or degree program at approved postsecondary institutions and training centers in Alaska.

The Department of Education and Early Development (DEED) is working continuously to address implementation challenges including technology, student and staff scheduling concerns, as well as providing comprehensive training to teachers, school counselors, and district test coordinators. DEED continues to expand and build upon partnerships with Alaska's public schools and postsecondary providers, and assessment vendors to better assist students in educational and workforce achievement.

Related links:

- Assessment - Accountability and Student Information
- College and Career Readiness Assessments (CCRA)
- Department of Education & Early Development

Target #6: Increase the numbers and percent of high school graduates qualifying for the Alaska Performance Scholarship (APS).



Methodology: Table represents APS eligibility, receipts during first year, and since graduation, by graduation year.

APS Eligibility

Fiscal Year	Graduates	APS Eligible	Received 1st Year	Ever Received
FY 2015	8,260 +7.75%	2,552 -3.11%	827 -6.45%	827 -17.63%
FY 2014	7,666 -2.42%	2,634 +6.25%	884 -0.9%	1,004 +1.93%
FY 2013	7,856 -1.55%	2,479 +12.63%	892 +1.71%	985 -4%
FY 2012	7,980 -0.99%	2,201 -5.74%	877 -2.12%	1,026 -6.98%
FY 2011	8,060	2,335	896	1,103

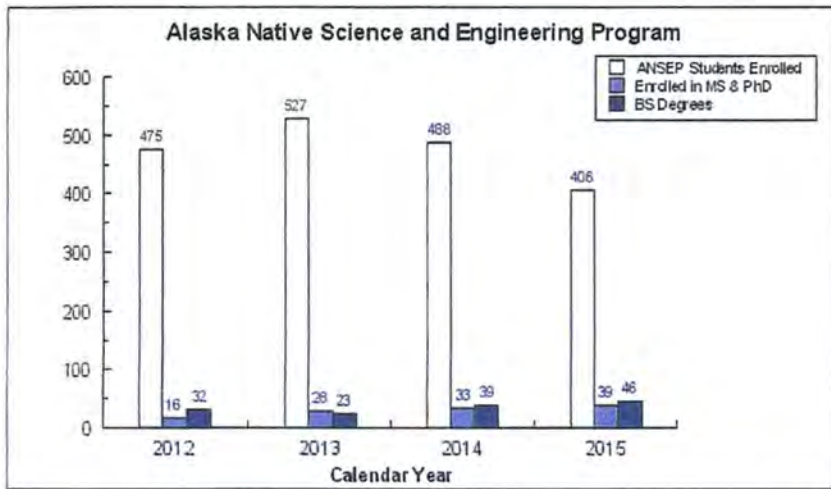
Analysis of results and challenges: FY2015 information in the table and chart is based on the fall term only, and numbers are expected to rise during the remainder of the academic year. Analyses to date reflect that APS is producing positive results, with APS-eligible students enrolling and persisting in postsecondary education at substantially higher rates than their non-eligible peers, as well as requiring less remediation. The 2016 program report will reflect the first cohort of APS college graduates, and include information on their participation in the Alaska workforce. Note that the increase in 2015 high school graduates is at least partially attributable to elimination of Alaska's graduation exam requirement (HSGQE) and includes students who completed their studies in both AY14 (academic year) and AY15 but had not previously passed the HSGQE. Detailed information about program outcomes is available in ACPE's annual APS Outcomes Reports, which can be found online at http://acpe.alaska.gov/REPORTS/Reports/APS_Outcomes_Report.

Related links:

- [Alaska Performance Scholarship](#)
- [APS Outcomes Report](#)

4: Maintain Active Partnerships for Pre-K through 20 and lifelong learning

Target #1: Continue to support the Alaska Native Science and Engineering Program with the University of Alaska



Methodology: Information provided by the University of Alaska.

Analysis of results and challenges: Since inception in 1995, the Alaska Native Science and Engineering Program (ANSEP) has evolved into a longitudinal education model that provides a continuous string of components that begins with students in sixth grade and continues on through high school, into undergraduate degree programs, and through graduate school to earn PhDs. ANSEP inspires students to complete the preparatory science and math coursework necessary for success in BS degree programs in science and engineering at the University of Alaska. The focus at each level is to provide excitement and empowerment around these careers. ANSEP's objective is to effect systemic change in the hiring patterns of Alaska Natives in science and engineering by placing students on a career path to leadership.

By successfully completing ANSEP components, every student in Alaska can become eligible for the Alaska Performance Scholarship regardless of where they live. ANSEP works with students from nearly 100 communities across Alaska.

ANSEP University Success: As of fall 2015, there are 406 Alaska Native students enrolled in science and engineering BS degree programs at University of Alaska campuses. Forty-six Alaska Natives earned BS degrees in science and engineering during the 2014-2015 academic year. There have been 375 Alaska Natives awarded BS degrees in science and engineering since 2002. There are currently 39 Alaska Native students enrolled in MS and PhD programs in science and engineering. ANSEP graduates successfully transition to careers in the science or engineering professions, or to graduate and PhD programs.

ANSEP Summer Bridge: Summer Bridge is a fast-paced, challenging experience with the opportunity to earn scholarship support and build networking opportunities for future internships for recent high school graduates. Since 2010, 150 students completed the Summer Bridge component and of those participants, ninety-five percent of the participants continued on to engineering or science BS degree programs at the University of Alaska. During summer 2015 there were 26 Summer Bridge students.

ANSEP Acceleration Academy: For a high school student, the benefits of having direct access to a college environment, university faculty, and an encouraging peer group are invaluable. Since 2010, approximately 375 students have participated in the Acceleration Academy. Ninety-five percent of the high school students benefit by advancing in one level or more in math or science each summer. In summer 2015, 115 students participated in two separate five week, residential academy at the University of Alaska Anchorage.

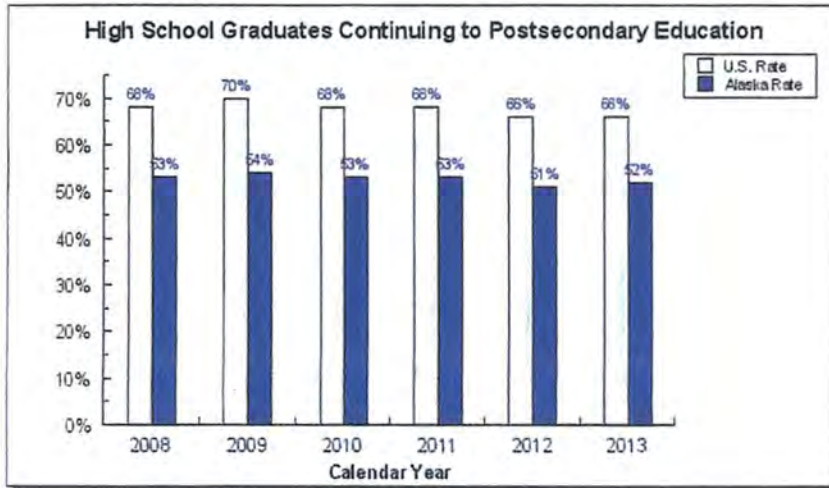
ANSEP Middle School Academy: Since 2010, rising 6th, 7th, and 8th grade students have attended this two week, residential, science and engineering experience. Seventy-seven percent of the ANSEP Middle School Academy students graduate 8th grade in a math level of Algebra 1 or higher. During 2015 there were 344 Middle School Academy students. ANSEP continued to engage in 141 Middle School Academy Students with a 5-day STEM projects academy.

Analysis provided by the University of Alaska.

Related links:

- [Alaska Native Science and Engineering Program \(ANSEP\)](#)

Target #2: By 2020, growth to equal the national average of Alaska high school graduates continuing on to postsecondary education within a year of graduation.



Methodology: Alaska's students' enrollment in college the Fall following graduation is reported by the National Student Clearinghouse and published by National Center for Education Statistics.

Analysis of results and challenges: Alaska's poor postsecondary education participation rates are of significant concern with the state performance remaining at the lowest level for this measure.

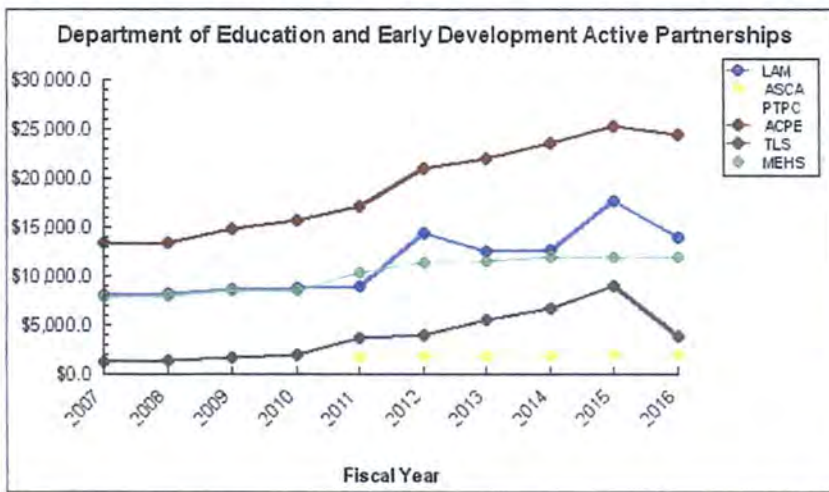
ACPE's mission is to provide Alaska's students, parents, and teachers/mentors with the information and financial aid resources necessary to access, and successfully complete higher education. ACPE mission-related services include 1) outreach to increase public awareness of the importance of postsecondary education and training and the critical steps leading to success; 2) statewide programs that incent students to aspire to education beyond high school that leads to a well-paying career in the Alaska workforce; 3) financial aid programs for Alaska students pursuing higher education; and, 4) building Alaska's research capacity to report on of the state's return on investment of public funding for education/workforce training programs and services.

The desired results from these strategies go beyond an increase in the numbers; they include a trained, competitive Alaska citizenry able to replace a graying workforce and an economy strengthened through attracting business and industry investment in our state. By primarily targeting programs and services to elementary and secondary students, ACPE intends to provide families with the information they need to succeed in college and career training.

Related links:

- [National Center for Education Statistics](#)

Target #3: Collaborate and coordinate with public and private entities for educational purposes



Methodology: Amounts are reported in the thousands.

Total Department Active Partnerships includes:

LAM - Libraries, Archives, Museums

ASCA - Alaska State Council on the Arts

PTPC - Professional Teaching Practices Commission

ACPE - Alaska Commission on Postsecondary Education (includes WWAMI and Loan Servicing)

TLS - Partnerships within the Teaching & Learning Support division (AMEREF, TVEP, GF/MH, MHTAAR, SDPR, I/A, ANSEP, STEM Pilot Project, Best Beginnings, Parents as Teachers, Online with Libraries, Live Homework Help, Alaska Learning Network)
MEHS - Mt. Edgecumbe High School (includes State Facilities Maintenance)

Department of Education and Early Development Active Partnerships

Fiscal Year	LAM	ASCA	PTPC	ACPE	TLS	MEHS
FY 2016	\$13,958.5	\$2,004.1	\$303.9	\$24,491.0	\$3,808.7	\$11,996.2
FY 2015	\$17,663.6	\$2,071.1	\$299.8	\$25,318.7	\$8,970.7	\$11,960.9
FY 2014	\$12,706.3	\$1,912.3	\$299.7	\$23,535.2	\$6,768.1	\$11,937.2
FY 2013	\$12,574.4	\$1,820.7	\$295.8	\$22,031.5	\$5,569.0	\$11,525.7
FY 2012	\$14,366.2	\$1,798.0	\$290.0	\$21,019.6	\$4,066.0	\$11,443.5
FY 2011	\$9,060.6	\$1,691.8	\$282.3	\$17,072.9	\$3,680.8	\$10,455.9
FY 2010	\$8,842.7	\$1,895.3	\$275.0	\$15,759.9	\$2,060.5	\$8,505.5
FY 2009	\$8,656.6	\$1,532.8	\$267.7	\$14,802.6	\$1,660.2	\$8,576.9
FY 2008	\$8,251.3	\$1,465.2	\$254.7	\$13,428.9	\$1,382.0	\$8,009.4
FY 2007	\$8,193.6	\$1,335.6	\$251.9	\$13,404.5	\$1,332.7	\$7,848.3

Analysis of results and challenges: FY2011: The Student and School Achievement (S&SA) component received general fund base funding for the partnership with the University of Alaska for the Alaska Native Science and Engineering Program (ANSEP).

FY2012: The Library Operations component received federal and statutory designated program receipt authorization for the ARRA Broadband Technologies Opportunities Program.

The Alaska Commission on Postsecondary Education (ACPE) received general fund base funding for the AlaskAdvantage Education Grant program and federal receipt authorization for the College Access Challenge Grant program.

FY2013: The S&SA component received general funds for Best Beginnings, Parents as Teachers, year three of three of the Iditarod theme-based learning project, and one-time funds for a grant to the North Slope Borough School District for curriculum alignment, integration and mapping.

FY2014: Three new components were created under TLS: Online With Libraries, Live Homework Help and Alaska Learning Network; ASCA received additional SDPR authorization for Rasmuson Foundation grants; MEHS received an increase to support Dormitory Management Services; ACPE received an increase in Interagency Receipts authorization for the Longitudinal Data System project.

FY2015: HB278 (Education Bill) initiatives - TLS received STEM Pilot Project funding and Library Operations received Broadband support funding for school districts. Additional increases include funding for the Alaska Performance Scholarship and Alaska Education Grant, and ASCA received additional SDPR authorization for Rasmuson Foundation grants.

FY2016: Online with Libraries and Live Homework Help transferred to the Division of Libraries, Archives and Museums (LAM). Statewide unallocated reduction in LAM, ASCA, TLS - S&SA.

Related links:

- [Department of Education and Early Development](#)

Current as of December 3, 2015

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29th Alaska State Legislature
 House Finance Budget Subcommittee
 Department of Education and Early Development
 FY17 Operating Budget

Chair:

Rep. Lynn Gattis
 Capitol Room 500
 465-4833

Members:

Rep. Dave Talerico
 Capitol Room 104
 465-4527

Rep. Wes Keller
 Capitol Room 403
 465-2186

Rep. Neil Foster
 Capitol Room 434
 465-3789

Rep. Mike Hawker
 Capitol Room 502
 465-4949

Rep. Dan Ortiz
 Capitol Room 114
 465-3824

Rep. Sam Kito
 Capitol Room 422
 465-4766

Committee Aide

Tyson Gallagher
 465 3973

**DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
 FY2017 HOUSE FINANCE BUDGET SUBCOMMITTEE NARRATIVE REPORT
 February 23, 2016**

RECOMMENDATIONS:

The House Finance Budget Subcommittee for the Department of Education and Early Development submits a recommended operating budget for FY2017 to the House Finance Committee as follows:

Fund Source: (dollars are in thousands)	
Unrestricted General Funds (UGF)	\$44,099.3
Designated General Funds (DGF)	\$54,691.9
Other Funds	\$38,821.2
Federal Funds	<u>\$241,939.7</u>
Total	\$379,552.1

The Unrestricted General Fund difference from FY16 Management Plan to the House Subcommittee budget recommendation is a reduction of \$10,068.0, which is a 15.5% reduction.

The subcommittee recommends a total increase from the FY2017 adjusted base of \$17,814.7 in all fund sources.

Positions:	
Permanent Full-time	317
Permanent Part-time	15
Temporary	<u>7</u>
Total	339

BUDGET ACTION:

The House Finance Budget Subcommittee for the Department of Education and Early Development held 6 meetings with the Department. The Subcommittee reviewed the FY2017 Governor's amended budget request and made its own recommendations, which include these highlights:

- **Deny Governor's Request to Restore Funding for Pre-Kindergarten Programs <\$2,820> 1004 UGF.** At a time when we are dealing with massive, multi-billion dollar budget deficits, the subcommittee feels these programs fall outside of "mission-critical" when it comes to the constitutional mandate of education in Alaska. Additionally, we have been charged by the co-chairs with reducing the number of programs the state of Alaska offers, and adding more programs is not acceptable at this time.
- **Eliminate, ANSEP Grant Funding <\$1,000.0> 1004 UGF.** This funding was part of a three year grant included in House Bill 278 that initially provided ANSEP with \$2 million per year to offer STEM courses and put students on a "track" beginning in middle school to get into the ANSEP program. At a reduced funding level the program isn't able to establish the size and scope of the middle school program that was originally envisioned. Additionally, ANSEP's annual total budget is in excess of \$6 million when including the funds they get from Federal Grants and the University System.
- **Eliminate, Statewide Mentoring Program <\$1,000.0> 1004 UGF and <\$500.0> 1226 Higher Ed Fund.** This program was added at a time when the state was experiencing significant revenue surpluses, and therein was adding additional programs that supplemented their core mission efforts. Now, as the state faces multi -billion dollar budget deficits, we're having to remove funding for some of these programs as departments refocus on mission critical services.
- **Reduction, UGF Portion of Broadband Access Grants <\$917.3> UGF.** This funding was originally included in House Bill 278 at an initial UGF level of \$5 million annually. Over the last few years, that amount has been trimmed back. The subcommittee proposes to remove the remaining UGF portion of Broadband Access Grant funding, leaving \$1.8 million (from the Higher Education Fund) to be granted out to schools in FY17. Please note – this program is being paid for by many districts at a local level. The state funding that has been included in recent years goes to districts that were not willing to spend a portion of their funding on Broadband.
- **Reduction, Travel, Services, and Commodities Lines <1,320.9> UGF.** With annual budget deficits approaching \$4 billion, there is a major need to reduce non-essential spending in state government. The subcommittee has proposed reductions to the travel, services, and commodities lines of each allocation. With Governor Walker's issuance of a travel freeze, the subcommittee has eliminated out of state travel and reduced in-state travel by 33%. This will provide a savings to the state in addition to retaining a small amount of funds for the department conduct travel that is deemed absolutely mission critical. Additionally, the subcommittee has reduced the services and commodities lines by reducing budgets for items such as: conference fees, subscriptions, long distance phone budgets, Central Mail, and office supplies and furniture.

- **Added Intent Language for Alaska Commission on Postsecondary Education.** It is the intent of the Legislature that the Alaska Commission on Postsecondary Education review all services offered in relation to its mission and core services, and report back to the Legislature no later than January 21, 2017 with recommendations on statute changes that would reduce the number of services offered by the Commission.
- **Recommendation to House Finance Committee for WWAMI.** The subcommittee recommends that the full House Finance Committee take up legislation addressing two changes to WWAMI statutes. The first change is to change the repayment amount from 50% of the state's contribution per student to 100% of the state's contribution per student. The second part is to reroute the payments from the General Fund (where they are currently deposited) directly into the WWAMI program in an effort to make the program partially self sustaining.

ATTACHED REPORTS:

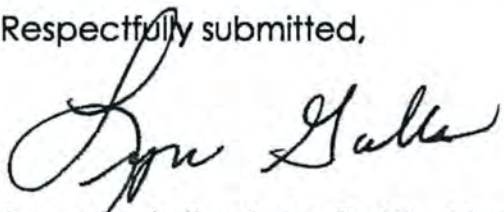
The House Finance Budget Subcommittee for the Department of Administration adopts the attached reports:

2016 Legislative Finance Division Reports – FY17 House Structure (Numbers Only)

1. Multi –Year Agency Totals – FY2017 Operating Budget
2. Multi –Year Allocation Summary (All Funds)
3. Multi –Year Allocation Summary (UGF Only)
4. Transaction Compare between Adjusted Base (17Adj Base) and House Subcommittee (H Sub)
5. Transaction Compare between Governor Amended (17Gov Amd) and House Subcommittee (H Sub)
6. Wordage Report – FY2017 Operating Budget

The Budget Action Worksheet is attached for informational purposes.

Respectfully submitted,



Representative Lynn Gattis, Chair
House Finance Budget Subcommittee for the Department of Education and Early
Development

Key lawmakers close to deal on education law

Mary Troyan, USA Today 6:31 p.m. EDT March 9, 2015



Senate Health, Education, Labor and Pensions Committee Chairman Sen. Lamar Alexander, R-Tenn., and ranking member Sen. Patty Murray, D-Wash., listen to testimony during a hearing on the No Child Left Behind law on Capitol Hill on Jan. 21, 2015. (Photo: Susan Walsh, AP)

WASHINGTON — A bipartisan deal to overhaul the No Child Left Behind education law is nearly complete and will be ready for a committee vote on April 13, two key Senate lawmakers said Monday.

Sen. Lamar Alexander, R-Tenn., chairman of the Senate Health, Education, Labor and Pensions committee, has been working with the top Democrat on the panel, Sen. Patty Murray of Washington.

"We are making significant progress in our negotiations," the pair said in a joint statement.

The current K-12 education law expired in 2007 and has grown increasingly unpopular for its focus on high-stakes standardized testing and the strong role played by the federal government.

The committee has held several hearings, and staff continue to negotiate behind the scenes on a proposal designed to win support from Republicans and Democrats in the Senate.

The bipartisan Senate process offers a stark contrast to the House effort, where a Republican bill was opposed by Democrats and drew a veto threat from the White House, in part because it would allow federal money to be shifted away from poorer school districts.

Republican leaders had scheduled a floor vote in late February but withdrew the bill from consideration when some conservatives complained it wouldn't do enough to diminish the power of the U.S. Department of Education.

Senate panel rewriting federal education law

Mary Troyan, USA Today 8:49 a.m. EST January 14, 2015



Sen. Lamar Alexander, R-Tenn. speaks on Capitol Hill on Nov. 14, 2014. Alexander chairs the Senate Health, Education, Labor and Pensions Committee, which is responsible for proposing legislation to renew the No Child Left Behind law. (Photo: Manuel Balce Ceneta, AP)

WASHINGTON — The U.S. Department of Education would no longer be able to pressure schools to adopt certain tests or academic standards under a proposal released Tuesday night by the chairman of a key Senate committee.

Republican Sen. Lamar Alexander of Tennessee said his first task as chairman of the Senate Health, Education, Labor and Pensions Committee is to rewrite the federal law for K-12 public schools, which expired in 2007.

He introduced a draft proposal Tuesday to kick off meetings with Democrats and Republicans and a series of public hearings in the coming weeks.

Alexander's ideas take direct aim at the authority of the Education Department, the agency he led under former president George H.W. Bush.

"The department has, in effect, become a national school board," Alexander said.

Under his proposal, federal education officials would not be allowed to push local and state school officials into adopting certain policies in exchange for waivers from the federal No Child Left Behind law, or to qualify for extra financial incentives.

Throughout President Obama's tenure, Education Secretary Arne Duncan has helped shape student testing, teacher evaluations and academic standards by requiring specific reforms in exchange for flexibility or competitive grants.

"The secretary really has had states over a barrel and they've had to do what he told them to do ... in order to keep their schools from being labeled failing schools," Alexander said.

Alexander's proposal would rewrite No Child Left Behind, signed into law by Bush in 2002. The law is intensely unpopular among parents and educators who say it focuses too rigidly on test scores and contains unreachable achievement targets.

Testing is likely to be controversial within Alexander's committee and the White House. Duncan said Monday a regular testing regime provides important information to parents, teachers and taxpayers about their schools' quality.

Sen. Patty Murray of Washington, the top Democrat on the Senate education committee, agrees the No Child Left Behind law needs to be fixed and testing policies should be reviewed.

"We need to work to reduce redundant and unnecessary testing," Murray said.

Alexander was somewhat neutral on what the new law should mandate on tests.

"Are there too many? Are they redundant? Are they the right tests? I'm open on the question," he said.

He said he wants to retain a requirement that testing data be broken out by subgroups such as race, ethnicity, social-economic level and English-speaking skills.

Murray, echoing administration concerns, said the bill should include expanded access to pre-K and a continued focus on equity by improving school systems with high numbers of minority or lower-income students.

"We need to make sure we're meeting all of our obligations to all of our students," Murray said.

Alexander said his proposal would allow states to decide for themselves whether to adopt the voluntary Common Core academic standards initiated by governors.

"If Tennessee wants Common Core, it should have it. If not, it shouldn't have it," he said.

Study: Education waivers could leave behind at-risk students

AP 6:02 p.m. EDT August 27, 2013



Secretary of Education Arne Duncan speaks on CBS's "Face the Nation" in Washington. (Photo: Chris Usher, AP)

WASHINGTON (AP) — Millions of at-risk students could fall through the cracks as the Education Department gives states permission to ignore parts of No Child Left Behind, according to a study education advocates released Tuesday.

The Education Department has been giving some states waivers from the education law's requirements, including those to collect and publish data about students and then use the results to pinpoint problem schools. The resulting patchwork of rules — from Miami to Seattle — has given states more freedom to carry out plans to boost education but has allowed almost 2,300 schools to shed their label of seriously troubled, according to numbers compiled at the Campaign for High School Equity.

"It appears to us that waivers could lead to fewer students of color receiving the support they need," said Rufina Hernandez, executive director for the Campaign for High School Equity.

Her coalition of education reformers, civil rights activists and policy analysts studied the 34 states and the District of Columbia that had received waivers from No Child Left Behind before April.

Since then, another six states and a collection of individual districts in California have won waivers. Illinois, Iowa, Texas and Wyoming are still waiting for Education Secretary Arnie Duncan's verdict for their applications.

The results show students who are at the highest risk of dropping out — those from poor families, students whose native language is not English, those with learning disabilities and minority students — are often no longer tracked as carefully as they were before Duncan began

exempting states from some requirements if they promised to better prepare their students for college or careers.

An Education Department spokesman declined to comment on the report.

For his part, Duncan has said the existing law does not allow school leaders to use common sense to determine what schools are failing and which are statistical anomalies. That lack of flexibility, Duncan has told lawmakers, has forced states to target too many schools.

Duncan has been vocal in calling for a replacement to No Child Left Behind that would render his waivers moot.

Under the original No Child Left Behind, schools that failed to teach at-risk students would be flagged if one group wasn't keeping pace. If one of the subgroups failed to meet its performance targets for two consecutive years, officials were required to stage an intervention to turn the entire school around.

But the advocates' review finds those in-depth reporting requirements have fallen by the wayside under the waivers. An intervention is no longer automatically triggered in as many as 19 states, meaning those efforts that once were at the center of the law are now optional. In 16 states, student groups are lumped together and treated as one bloc of at-risk pupils, essentially scrapping the reporting of at-risk groups by label.

The waivers make it easier to mask stumbles.

"The No Child Left Behind system itself was far from perfect," said Phillip Lovell, vice president for federal advocacy with the Alliance for Excellent Education. "Where it succeeded was shining the spotlight on the subgroups."

That spotlight now has dimmed, he said.

Take, for instance, Ohio. In that state, 856 schools failed to meet their performance benchmarks for at-risk students two years in a row. Under the waiver Duncan approved, the number of schools called troubled schools fell to 445. Of that smaller sum, only 162 schools were deemed an urgent priority.

That's not necessarily a bad thing, said Mike Petrilli, who has studied No Child Left Behind as a leader of the reform-minded Fordham Institute.

"The waivers allow states to prioritize. We should be saving the toughest interventions for schools that have low proficiency and low progress," said Petrilli, a former official at the Education Department. "The spirit of the law is to make sure that kids don't get left behind."

In all, 2,292 schools nationwide were deemed no longer needing special attention for improvement in states operating under waivers. In 13 states, the number of schools identified for intervention has dropped by more than 100 schools.

Duncan's department can adjust this, though, when states return to the Education Department seeking to continue running their schools outside of No Child Left Behind's rules. Duncan's hall passes only last one year and states face the threat of returning to No Child Left Behind's requirements if they don't execute their improvements plans.

The Education Department has already warned Kansas, Oregon and Washington state that their exemptions are at risk for the 2014-15 academic year if the schools there don't deliver on their applications' promises.

"They can get stricter to make sure the accountability happens in states and trigger the interventions that were in place under No Child Left Behind," said Hernandez, whose coalition includes the NAACP, the National Urban League and the National Council of La Raza.

In 2011, the Education Department announced that states could petition Duncan for waivers from No Child Left Behind's ambitious requirements, such as having all students read and count at grade level by 2014 or else risk their federal funding.

Duncan had hoped the specter of waivers would compel Congress to update No Child Left Behind, which expired in 2007 without renewal.


"The same year that No Child Left Behind came out, the iPod came out," Petrilli said. "We're still on No Child Left Behind, version 1.0, and we've had new versions of the iPod, iPhone, iPad."

Various rewrites of the law have been discussed but none has made its way to the White House for a president's signature. The Republican-led House has passed a version; a rewrite has been completed in the Senate education panel but no vote of the full body has been scheduled.

"NCLB is six years overdue for an update, and nearly all agree that it should be replaced with a law that gives systems and educators greater freedom while continuing to fulfill the law's original promise," Duncan wrote in Sunday's Washington Post.

"In the months ahead, I will ask Congress to listen to those doing the real work of education change," he added.

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School Improvement Grant MAP

Alaska

State Application

- [FY2009 \(/programs/sif/summary/akapp.pdf\)](/programs/sif/summary/akapp.pdf)
- [FY2010 \(/programs/sif/summary2010/akapp10.pdf\)](/programs/sif/summary2010/akapp10.pdf)
- [FY2011 \(/programs/sif/apps2011/akapp11.pdf\)](/programs/sif/apps2011/akapp11.pdf)
- [FY2012 \(/programs/sif/apps2012/akapp12.pdf\)](/programs/sif/apps2012/akapp12.pdf)
- [FY2013 \(/programs/sif/apps2013/akapp13.pdf\)](/programs/sif/apps2013/akapp13.pdf)

State Allocation

- FY2009: \$1,655,369
 - ARRA: \$9,071,222
- FY2010: \$1,636,914
- FY2011: \$1,561,442

State Waivers

- [Teacher and Principal Evaluation Timeline Waiver \(/programs/sif/summary2010/akinitedltr.pdf\)](/programs/sif/summary2010/akinitedltr.pdf)
- [FY 2009 Conditional Waiver of 25% Carryover Requirement \(/programs/sif/summary/akcolrt.pdf\)](/programs/sif/summary/akcolrt.pdf)

[State School Improvement Grant Website \(http://www.eed.state.ak.us/stim/home2.html\)](http://www.eed.state.ak.us/stim/home2.html)

[Back to State Map | Home \(/programs/sif/index.html\)](/programs/sif/index.html)



</print/programs/sif/map/ak.html> [Printable view \(/print/programs/sif/map/ak.html\)](/print/programs/sif/map/ak.html)



<http://www.addthis.com/bookmark.php?v=250>

Last Modified: 01/09/2015

How Do I Find...

- [Student loans, forgiveness \(/fund/grants-college.html?src=rn\)](/fund/grants-college.html?src=rn)
- [College accreditation \(http://ope.ed.gov/accreditation/\)](http://ope.ed.gov/accreditation/)
- [No Child Left Behind \(/nclb/landing.jhtml?src=rn\)](/nclb/landing.jhtml?src=rn)

What happens IF... And There

IF we were to decide to no longer abide by the terms of the waiver, the feds would null and void the waiver.

IF the waiver is determined to be null and void then NCLB kicks back in. No money loss at first

IF we decide to not abide by NCLB the feds may or may not cut funding. No state has ever done this.

IF the Feds decide to cut funding it falls primarily under *Title 1,2,3,4, and 10.

IF we cut assessments that falls under Title 6 which is additional funding in the formula.

IF we stop reporting on our progress there could be additional cuts as well.

There are also other programs that could be affected.

IDEA -language is different from standard Education money.

There is also a possibility of violation under the Civil Rights Act.

There is no precedent for this so the reality is we do not know what will happen.

*IF there are cuts initially \$69,015 million could go away.

IDEA - Individual with Disabilities Education Act

Annual Testing Shackles Schools and Students

To the Editor:

The No Child Left Behind Act, which mandated annual standardized testing in U.S. public schools, states that National Assessment of Educational Progress scores will be used to evaluate its effectiveness. My organization's analysis of NAEP results, however, shows that overall student achievement was rising faster before NCLB went into effect. The rate of score gains for African-Americans, English-language learners, and students with disabilities generally slowed under NCLB.

These results refute claims by defenders of the test-every-kid-every-year status quo, who **argue that NCLB's annual-exam mandate helps public schools.**

NCLB's failure to raise scores on independent standardized exams is significant in light of widespread curriculum-narrowing resulting from the need for classroom time for test preparation. Other serious problems, such as pushing low scorers out of school and widespread cheating, are also part of NCLB's legacy.

Annual testing has flunked out based on its own standards. Congress must limit federal testing requirements to one grade each in elementary, middle, and high school, as in the pre-No Child Left Behind era. There is no justification for continuing to shackle schools with every-grade testing.

Robert A. Schaeffer
Public Education Director
National Center for Fair & Open Testing
Boston, Mass.

Don't Become a Teacher, Advises Award-Winner Nancie Atwell

By Jordan Moeny on March 23, 2015 3:57 PM

An influential language arts teacher who recently won a \$1 million international teaching prize has some surprising advice for young people considering joining the profession: Don't.

On March 15, Nancie Atwell, who has been teaching reading and writing for 42 years and has written several prominent books on language arts instruction, was **awarded** the first annual \$1 million Global Teacher Prize by the Varkey Foundation, based in Dubai, United Arab Emirates. The prize, which has been lauded by the likes of **Bill Gates** and Bill Clinton, who is the honorary chairman of the Varkey Foundation, aims to improve the public image of the teaching profession by highlighting the work of excellent educators.

Upon receiving the award, Atwell, who teaches at the Center for Teaching and Learning, a nonprofit demonstration school she helped found in Edgecomb, Maine, in 1990, said she was honored to represent her profession and that she felt "validated every day just by the experiences I have with children in the classroom."

But she doesn't seem keen on encouraging others to follow in her footsteps.

Following the award ceremony, Atwell **appeared on CNN's New Day** to talk about the award and the state of education. When asked what she would tell a student considering a career in teaching, she said that she would discourage them unless they could find a job in a private school.

"Public school teachers are so constrained right now by the common core standards and the tests that are developed to monitor what teachers are doing with them," she said. "If you're a creative, smart young person, I don't think this is the time to go into teaching unless an independent school would suit you."

In an interview with HuffPost Live Atwell reiterated her reservations about the Common Core State Standards, which Gates' own foundation has played a central role in supporting. "The new

common core curriculum and the tests that accompany it are tending to treat teachers as mere technicians," she said. "They open the box and they read the script, and that's not what good teaching is about. It's an intellectual enterprise, and that's been stripped from it by the current climate."

The Maine educator also agreed with HuffPost Live host Marc Lamont Hill's suggestion that the common core and the "hyper-testing, hyper-accountability climate" teachers face could be contributing to high attrition rates. She compared the demands on teachers to "straitjackets when it comes to how [teachers] interact with kids, what they ask of kids, what they bring to the classroom."

With respect to language arts in particular, Atwell said that schools' emphasis on test preparation leaves little room to emphasize the benefits of reading and writing. "It's just become a series of rig—not even rigorous, almost *ridiculous* exercises that don't have any connection with the enjoyment of stories or the exercise of self-expression," she said.

Atwell suggested that she would like to see a greater emphasis on performance assessments in schools. "We really need to be looking at what individual kids are achieving in the disciplines, authentically and personally," she said, citing her school's evaluation method, which involves students creating portfolios and reflecting on their own work, as an alternative to standardized assessment.

At the time this was posted, the Varkey Foundation and the Bill & Melinda Gates Foundation had not responded to requests for comments on Atwell's statements about the state of teaching today.