

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2878 SCOMM 125: HOUSE SPECIAL COMMITTEE ON EDUCATION 2001-02

- ❖ **Facilitated meeting with Delta Career Pathways participants**, a group of Alaskan teachers and counselors working to develop K-8 web-based curriculum connected to Alaskan Content Standards. Project partners included:

- Delta Greely School District*
- Fairbanks North Star Borough School District*
- Kenai Borough School District*
- Matanuska Susitna Borough School District*
- North Slope Borough School District*
- Northwest Arctic Borough School District*

- ❖ **Coordinated business/industry involvement with Delta Career Pathways Curriculum Project** at meeting in Fairbanks. Industry representatives viewed curriculum project and provided feedback and support for the project. Meeting included representatives from:

- Alaska Department of Education and Early Development – Career and Technical Education*
- Alaska Department of Labor and Workforce Development – School to Work Office*
- Alaska Hospitality*
- Alaska Native Tribal Health Consortium*
- Alaska Process Industry Career Consortium (APICC)*
- Alaska Science and Technology Foundation*
- Alaska State Hospital and Nursing Home Association (ASHNHA)*
- Anchorage School District, Wonder Park Elementary School*
- Associated General Contractors*
- Painters and Allied Trades Local Union #1555*
- PetroStar Refinery*
- Providence Health System*
- Williams Petroleum*

- ❖ **Conducted “The Nuts and Bolts of Work Based Learning” training** for business people in Dillingham and King Salmon. Oriented the following employers on how to organize a meaningful job shadow and internship for students in local high schools:

Dillingham

- Bristol Bay Native Association Workforce Development*
- City of Dillingham*
- Department of Public Safety*
- Southwest Region Schools*

King Salmon

- Bristol Bay Tours*
- Bristol Bay School and Newhalen School*
- King Salmon Chapel*
- Lake and Peninsula School District*
- Tundra Sub*
- US Fish and Wildlife*
- US Park Service*

Public Relations: Provided information about ABEC services and gained information about education and industry needs the ABEC might help to fill.

❖ **Conducted sessions and provided ABEC information** at the following conferences:

Alaska Education Summit
Alaska Federation of Natives Conference
Alaska Miners State Conference
Alaska Principals Conference
Association of Alaska School Boards Conference
Professional Development Conference

- ❖ **Designed materials** on ABEC services
- ❖ **Sent membership renewal** letter and applications.

Web Site: www.akbec.com

- ❖ **Started ABEC web site** with assistance from partner *Northwest Technical Services*.
- ❖ **Began research on internships/scholarships** available for Alaskans through partnership with:
Alyeska Pipeline Service Company,
King Career Center intern, and
Alaska Pacific University intern.
- ❖ **Added membership web sites** to ABEC site
- ❖ **Researched Career and Job Fairs** to add to ABEC calendar of events
- ❖ **Added Science in a Technical World threaded** chat to web site through partnership with *Delta Mine Training Center*.

Administration: Worked with ABEC Board of Directors to provide leadership and focus to the organization. Notes from meetings can be seen on the ABEC web site, www.akbec.com

- ❖ Conducted five full Board of Directors Meetings.
- ❖ Conducted two Executive Committee Meetings.
- ❖ Coordinated eleven committee meetings.

Science in a Technical World Curriculum Project

This project provides a way for classroom teachers to work directly with industry partners to supplement standard high school chemistry, biology, earth science, or physics textbooks. Curriculum modules include Upgrading the Wastewater Treatment Plant, Petroleum Refining, and Carbonated Beverage Industry. Through this project, a new, web-based module on Mineral and Petroleum Exploration is also being developed.

The project is funded through a grant from the First Alaskans Foundation.

Participating partners include:

- ▶ Alyeska Pipeline Service Company
- ▶ Anchorage School District
- ▶ BP
- ▶ Delta Greely School District
- ▶ Delta Mine Training Center
- ▶ Golden Heart Utilities
- ▶ Kuspuk School District
- ▶ Matanuska-Susitna Borough School District
- ▶ North Slope Borough School District
- ▶ Williams Refinery

For more information, visit our website at www.akbec.com or call 907-278-7567

Alaska
Business Education
Impact

How employers can prepare Alaska's youth for work and lifelong learning

Working with students

- ▶ Speak in the classroom
- ▶ Participate in career fairs
- ▶ Host a tour of the work place
- ▶ Host students for job shadowing
- ▶ Provide paid or unpaid internships
- ▶ Provide cooperative work experiences
- ▶ Be a student mentor

Working with educators

- ▶ Host teacher visits to the work place
- ▶ Assist with curriculum development
- ▶ Share industry skill standards with educators for use in education instruction
- ▶ Invite educators to participate in work place training workshops and seminars
- ▶ Provide access to technology
- ▶ Become a partner with your local university to offer business and management training and invite educators to participate in the training.

Strengthening company practices

- ▶ Establish policies and practices that encourage and support employee involvement in the schools
- ▶ Create management briefings on company commitment to high standards, work force development and community involvement
- ▶ Focus volunteer efforts on education partnerships
- ▶ Implement hiring practices that require applicant to demonstrate academic achievement and work place experience through school-based records
- ▶ Use local education and training institutions as suppliers for the work force
- ▶ Prepare employees to supervise students in work based learning opportunities, and recognize the efforts of employees who supervise students
- ▶ Maintain a safe, healthy and legal work place and train employees who supervise students to attend to student safety, health and legal issues.

For more information, visit our website at www.akbec.com or call 907-278-7567

Alaska
Business Education
Impact



Through CHOICES, volunteer presenters from the business community work with students using highly participatory exercises to help students learn how to take control of their lives by making wise choices. Since the project began, over 60 business leaders from throughout Alaska have been trained to deliver the seminars, and over 1,900 rural and urban students have participated in workshops.

If you are interested in becoming a CHOICES seminar leader in your community, or if you would like information on receiving a CHOICES seminar in your school, please contact us at akbec@alaska.net or call 907-278-7567.



Alaska Region

Through this project, Alaskan teachers and counselors have developed web-based curriculum connected to Alaska Content Standards. The curriculum includes career awareness activities for grades K–6 and career exploration activities and career planning for grade 6–8. Each lesson also includes ideas for involving business and industry partners.

This project is funded through a grant from the Alaska Department of Labor and Workforce Development. Project partners include:

- ▶ Alaska Business Education Compact (ABEC)
- ▶ Alaska Process Industries Career Consortium (APICC)
- ▶ Delta Greely School District
- ▶ Delta Mine Training Center
- ▶ Fairbanks North Star Borough School District
- ▶ Ilisagvik College
- ▶ Matanuska Susitna Borough School District
- ▶ North Slope Borough School District
- ▶ Northwest Arctic Borough School District
- ▶ University of Alaska, Tanana Valley Campus

For more information, visit our website at www.akbec.com or call 907-278-7567.

Alaska Business Education Impact

AT print Shop

Education Criteria for Performance Excellence



accomplishment



recognition

DRIGE



**Participants List
House Special Committee on Education
March 21, 2001**

HB 94, "Pupil Competency Test; Annual Education Report"

1) Alaska Teachers of the Year regarding preparation of students for the High School Competency Test:

Via Teleconference:

Daniel Walker, 1999 Alaska Teacher of the Year, Kenai Borough Peninsula School District

In Person:

Sonja Schmidt, 1998 Alaska Teacher of the Year, Denali Borough School District

Marilyn Rosene, 2000 Alaska Teacher of the Year, Dillingham City School District

Patricia Truman, 2001 Alaska Teacher of the Year, Mat-Su Borough School District

2) Alaska Business Education Council regarding educational excellence and improvement

Dave Rees, Immediate Past President, ABEC

Tom Hamill, 1st Vice President of ABEC & Assistant Superintendent of the Chugach School District

John Hart, Treasurer of ABEC

3) Department of Education regarding the Content Review Team and DEED's plan to use any delay in the effective date of the High School Competency Test.

Bruce Johnson, Deputy Commissioner, DEED

**1998 - 2001 Teachers of the Year
Presentation on the High School Competency Test, Standards, and HB 94**

The 1998 - 2001 Teachers of the Year, appearing courtesy of NEA-Alaska, are available to the committee today to assist us in our consideration of HB 94. I asked them to prepare remarks that would address the following questions:

- 1) What are their reactions to the State Performance Standards?
- 2) How are they preparing their students to meet those standards?
- 3) What are they not doing now that they would do in four years?

Via Teleconference:

Daniel Walker

1999 Teacher of the Year

7th Grade Teacher

Seward, AK

Kenai Borough Peninsula School District

In Person:

Sonja Schmidt

1998 Teacher of the Year

6th - 8th Grade Teacher

Social Studies & Language Arts

Healy, AK

Denali Borough School District

Marilyn Rosene

2000 Teacher of the Year

5th Grade Teacher

Dillingham, AK

Dillingham City School District

Patricia Truman

2001 Teacher of the Year

8th Grade Language Arts Teacher

Palmer

Mat-Su Borough School District

Dan Walker, 1999 Teacher of the Year

My reactions to the State Performance Standards:

Mission Map, not a recipe for success but a menu.

- 1) The performance standards and the super structure of the Content standards should be considered "under construction" and reviewed on a regular basis; they reflect the current best thinking at the time they were written.
- 2) The content standards (to which the performance standards are written) provide important guidance to the teachers, districts, parents, and students, defining our job as teachers.
- 3) The standards are a menu not a recipe. The recipe is "Best Practices" of teaching carried out by skilled teachers just as skilled chef will use a his skill and a good recipe to create the items on a restaurant menu.
The gap between the ideal of the standards and the high stakes assessment of the HSQE is broad and deep. We have given a great deal of attention to writing the standards, HSQE and the benchmark tests, but little attention has been given to the teaching and learning that must take place for students to succeed.
- 4) The standards should be written, and some are as broad statements of accomplishment with in which there is a range of success possible.
- 5) I helped write the performance standards for geography and in that experience I became convinced that for them to be truly utilized in the classroom requires comprehensive training and commitment.
- 6) Performance standards have been overshadowed by the HSQE. The test may become the curriculum.
- 7) By not testing some standards they have been minimalized.
- 8) Some students are not capable of meeting every standard. Some students who pass the HSQE will be able to meet the standards in other ways.
- 9) When we create a new element or component for our institution it should be a requirement that we eliminate one. Some of the parts of the educational institution don't fit together.
- 10) When we create a new element or component for our institution it should be a requirement that we eliminate one. Some of the parts of the educational institution don't fit together.

How are you preparing your students to meet those standards?

- 1) The standards define what I teach. The standards define some elements of how I teach.
- 2) The performance standards, if correctly written, identify tasks that can be completed to demonstrate competency. Therefore it is reasonable to provide extensive practice in performing such tasks.
- 3) The application of sound pedagogy to an area of learning is the best way to achieve success. For example, teaching students to write well means providing a rich, supportive environment in which they can write.
- 4) We create special leaning programs for students at risk, students who are not meeting standards at their age level.
- 5) I am teaching students to understand the concept of standards, so that they know why they are in school.
- 6) I am collecting samples of student work in portfolios so that other teachers can assess the needs of students.
- 7) I am setting high expectations for students and provide challenges and high level thinking activities.
- 8) I am promoting an understanding of standards based instruction with other teachers.
- 9) Increasing my understanding of the brain how learning and memory intact to create mental constructs.
- 10) Few teachers have the training or expertise to do these things.

What are you not doing now (to prepare the students) that you would do four years from now?

- 1) The future can be viewed in a pessimistic or optimist light. I could be struggling with large classes with many unsuccessful students without the resources to help or . . .
- 2) Four years from now I could be working as a mentor to younger, less experienced teacher to guide them in their growth. Each building needs mentor teachers who can help develop the potential of teacher at that site. A modern principal hasn't the time to be the instructional leader.
- 3) Four years from now I could be working with my colleagues during team planning time to solve student problems, design quality instruction, and assess student progress.
- 4) Four years from now I could be participating in ongoing staff development programs that supported professional growth for teachers specifically geared toward standards-based instruction.
- 5) Four years from now I could work with teachers that had been trained in standards based instruction and who were familiar with essential skills required for all our students.
- 6) Four years from now I could be working with administrators that thoroughly understand the challenges and nuances of standards based instruction.
- 7) Four years from now I could have access to a resource room where students in need of help can take extra reading, writing or math instruction.
- 8) Four years from now I could reassure struggling students that the HSQE was a test of essential skills that are within their grasp not a college entrance exam.
- 9) Four years from now I could be working with a grading/ assessment system that reflected students' ability to meet the performance standards.
- 10) Or, four years from now I could be where I am today, better informed than most of my associate about the standards and their relationship with our curriculum and assessment; working without sufficient planning time and support to meet the needs of my students; unable to reconcile how a student can pass their high school classes and fail the HSQE.

Conclusion - Focus on things for the next several years.

- ① check standards for those that are essential, and test those.
- ② align curriculum to standards & grades to likelihood of passing test
- ③ recruit, train & retrain teachers.
- ④ positive work environment - good salaries & benefits, respect in environment for teachers.
- ⑤ State, DOE, UA & schools must communicate better for teacher training.
- ⑥ programs for student remediation - resource rooms, tutors, teacher training

**Marilyn Rosene, 2000 Alaska Teacher of the Year
Dillingham City School District**

*Notes
on reverse*

Thank you for the opportunity to speak to this committee. It is my hope that we can open a dialog between the hallways of our state capitol and the hallways of our schools. I appreciate the fact that these issues have been hashed and rehashed, cussed and discussed. It is a mixed blessing to be in the limelight. My hope is that a wider vision, will, in the end, benefit the future workers and leaders of our state and country.

What are your reactions to the State Performance Standards?

On the whole, I believe that performance standards are a good idea for students and district staff. A goal of educators is to help every student achieve to his or her maximum potential. I am supportive of accountability- fair accountability- of all our children. Fair does not always mean equal. Our country's schools reach far beyond those of most other countries. I liken our system to that of a huge funnel, very wide at the top, where we welcome each and every young person that comes to us, from preschool age, through high school, and beyond.

I believe that the standards will help teachers maintain a focus in instruction once they have a clear understanding of what the Performance Standards are, and what they look like in the classroom.

Each student possesses unique skills, abilities, and needs. Standards should also have some margin of variation for acceptable standards for some of our students. I am not interested in our education money being spent in courtrooms across the state because we have violated confidentiality or legal rights of students.

How are you preparing your students to meet those standards?

As a teacher, I know I'll do better when I feel comfortable about what a Standards Based Classroom looks like. Standards are an acceptable buzzword for any number of organizations. The legislature has adopted standards for conduct, but how does its organization and procedures differ from when standards were not on the books?

Day to day procedures may not be vastly different, but as the awareness has been raised, and people discussed the importance of these standards, their relevance was elevated. Perhaps new legislators understand the new rules better than the seasoned veterans. The same may be true in our schools. What kind of training is available for legislators to know how to recognize high standards of conduct? It is incumbent on the school districts, and the state to assure that all teachers have received staff development on standards based instruction. That will take time and funding. Standards have been matched to some curricular areas, but I certainly don't feel that my district has a plan for Standards Based Instruction. Staff development was listed as one of the implications for schools and districts when Alaska ventured forth with discussion of the HSGQE in 1998. There needs to be a plan. A plan is difficult without continuity...

What are you not doing now (to prepare the students) that you would do four years from now?

Here's where I will get out my crystal ball...This is what I would like to tell you in four years...

I will begin by saying I believe the students will be taught by teachers who have been and will be mentored through their beginning years.

I will be more knowledgeable about the standards and how they are aligned to the curriculum. I will see that my district has a training plan in place for new and returning staff to feel comfortable with the curriculum and how it is aligned with the state standards...

Marilyn Rosene, 2000 Teacher of the Year

CORRECTION

**THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION**



Central Microfilm Services
Department of Education & Early Development
State of Alaska

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- ⑤ state, DOE, UA & schools must communicate better for teacher training.
- ⑥ programs for student remediation - resource rooms, tutors, teacher training

Q & A:

Stevens: Is a 2 year delay enough for teacher training?:

W - Programs should be school based & would take a couple of years. Use time over summer & then inservice.

**Marilyn Rosene, 2000 Alaska Teacher of the Year
Dillingham City School District**

Notes
on reverse

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I will be more knowledgeable about the standards and how they are aligned to the curriculum. I will see that my district has a training plan in place for new and returning staff to feel comfortable with the curriculum and how it is aligned with the state standards...

I will be more knowledgeable about a variety of rubrics to be used with writing, projects, math assessments, and reading.

My students will have experiences with one benchmark test, and I will be able to help them use that as a springboard for preparation for class activities as well as the benchmark they will take in 6th grade.

Most of all, I will feel confident that I am working with colleagues who feel they are valued through the training and encouragement they are receiving from the school district. We will be a team, work together, and help our students achieve to their maximum potential as a young person.

- ① Believes she had standards before the state required them.
- ② Students are not all the same. They have lots of kids that needs lots of extra help.
- ③ Benchmarks serve as extra flag for checking progress.
- ④ Her 5th graders have no Benchmark experience. She is trying to prepare them for next year. Her district is small & teacher turnover is high. Job fairs aren't getting as much interest.
- ⑤ Can remediate teachers & students. Accountability is important, & she has high standards which admin doesn't always appreciate.
- ⑥ Her students are not worried about test. Teachers are finding out what they need to know & helping them get there.
- ⑦ Curric. alignment still needs work & training.
- ⑧ Hopes for opportunities for new teacher mentoring. Teachers who don't have classrooms but who can provide guidance & training.
- ⑨ Has worked w/ 7 principals & 6 superintendents since 1982 - turnover in leadership, too.

Stevens - How can training be provided?

R - UA training, district orientation is helping.
 extended school years
 concentrated inservice.
 mentoring during school year.

Joule - How much inservice do you get? 10 days for every topic.
 State requires some topics.

To: Karen/Rep. Con Bunde
FAX: 907-465-3871
House Special Committee on Education
Talking Points for Hearing 8:00 a.m. Wednesday, March 21

From:
Sonja Schmidt
Alaska Teacher of the Year 1998
Tri-Valley School
Denali Borough School District
Healy, Alaska

Talking Points: In response to questions about the Alaska State Performance Standards, I will be elaborating on these points. These are my notes for your consideration.

The introduction of performance standards is not new to classroom teachers. Good teaching practice has always dictated that content must be translated into performance activities that demonstrate a student has knowledge of that content.

Assessment of skills and knowledge gained is not something new to classroom teachers. Good teachers always check, assess, and ensure that students are mastering material that has been taught. That has always been best practice. We check on competency of what we've taught, provide remediation to those students who didn't master it. We have used such words as "mastery" "instructional level," "spiraling of skills," "scope and sequence" to describe what we teach.

Today, however, we are making a shift. Some consider it a philosophical shift, others only a way in which schools are accountable for what is being taught. There should be no mistake, though, that a fundamental shift is needed in order for our educational system to respond to performance standards as we use them today.

The difference between past educational practice and today's performance standards reform is that the emphasis is **not on what content a teacher must cover, but on what a student can do.** Although this may seem like only a semantic difference, making the shift in thought and classroom practice becomes complex and a variety of areas need to be addressed.

Some considerations at the classroom level are:

Past Practice

Standards-Based

• School District Curriculum Guide states the content to be taught

• Curriculum Guide reflects both the content standards and the performance standards students must meet

• Instructional materials and units of instruction reflect content to be covered. Activities are selected based on relationship to unit or topic

• Instructional materials, units and teaching strategies reflect content and performance standards

Past Practice

- Teachers assess and evaluate on content that has been taught
- Teachers communicate immediate lesson goals to students
- Students receive review and reteaching of content not mastered. If a majority of students pass, teacher moves on in instruction.
- Communication with parents and others tend to be about content mastery. Grades often reflect class work completed.

Standards-Based Instruction

- Students are assessed on what they demonstrate
- Students see long term goals through the understanding of standards
- Students receive remediation in standards not passed until proficient.
- Communication with students, parents, and others are about progress on performance standards

These are just some of the areas in which a shift is needed at the classroom level. At each point, the school district and school administration must be making the changes needed for the classroom teacher to succeed. Parents and students must be making the shift as well. Entire communities and those fiscally responsible for the management of schools will need to be part of the change. The change in approaches and substance in the classroom will take time and patience on the part of everyone. It is my hope that through open communication, such as we are doing here today, you will come to understand the hard work that moving to a standards-based educational system entails.

The success of students is the classroom teacher's goal. The Alaska State Performance Standards hope to assure that all students will be successful in reading, writing and math at a level that will prepare them for their future. We need everyone's support to make sure that happens.

PATRICIA A. TRUMAN, NBCT**Alaska Teacher of the Year**

Education is not the filling of a pail,
but the lighting of a fire.



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E-mail: patruman@alaska.com

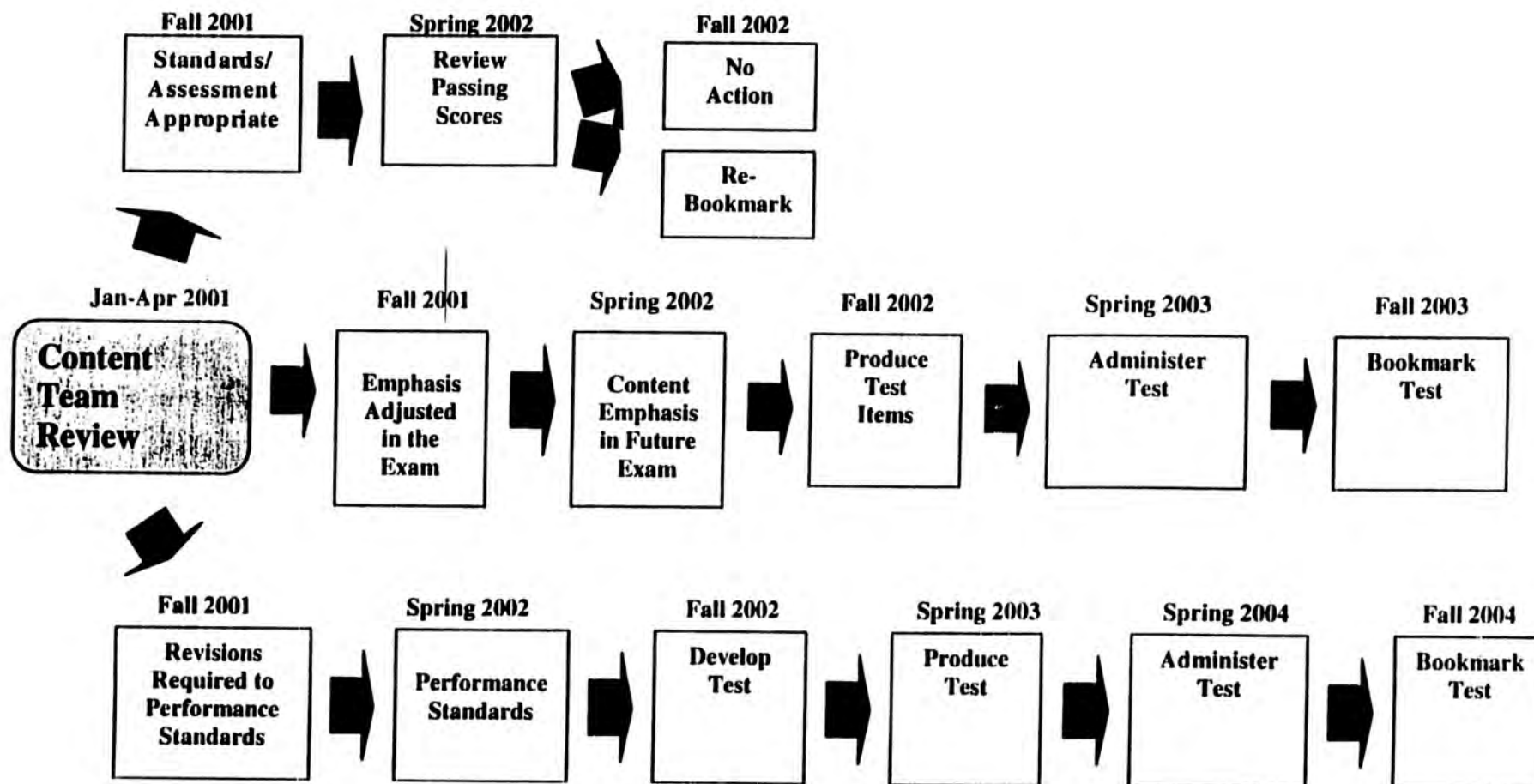
TO: Karen McCartney
FROM: Patricia Truman
RE: Talking Points/Testimony (3/21/01)
DATE: March 20, 2001

Talking points of my testimony follow. I apologize for sending them at the last minute, but I just arrived in Anchorage last night from New York where I was attending a conference. It is my intention for this outline to provide a "sense" of my testimony and to provoke questions.

- I. Introduction
 - a. Brief bio
 - b. Educational focus
- II. Reaction to Performance Standards
 - a. Create context (Where do I come from?)
 - b. Expectations (What do I expect from standards? What do standards expect from me?)
 - c. Content of performance standards- go beyond the essential (What are students really expected to know? What is reasonable?)
 - d. Bottom line - All students - are standards right and fair?
- III. Presently Preparing Students to meet Standards
 - a. Realign curriculum - weeding - cultivating
 - b. Redesign assessment
 - c. Integrate curriculum
 - d. Involve parents
 - e. Collaborate with the community
 - f. Integrate employability skills/affective learning
 - g. Implement test-taking strategies
 - h. Audit instruction
 - i. Realign professional development/redirect professional conversation
 - j. Remove obstacles that slow progress - class size, outdated materials
- IV. Future
 - a. Issues to consider (student numbers, teacher/administrator quality, teacher retention/recruitment, redirection of teacher preparation (preservice/continuing education), community involvement... etc.)
 - b. Big Question - Delay or not to delay? (Food for Thought)

Alaska Standards-Based Assessment Initiative

FRAMEWORK FOR CONTINUOUS RENEWAL



Essential Skills as a sub set of the Targeted and Taught Curriculum

State performance standards list and describe the "targeted and taught skills and content" in reading, writing and math. These standards describe what we "want our students to know and be able to do." The state performance standards are a guide to good instruction and solid curriculum.



The "Essential Skills and Content" is a sub set of the targeted skills and content. These are the skills and knowledge that a person would need to have or know to function at a basic or introductory level in our society.

To determine if a given performance standard or exam question reflected an **essential** skill or content," the committee asked the following question: would you deny a diploma to a person if he or she did not have that skill or know that content?

"Target and Taught Skills and Content" versus "Essential Skills and Content"

For each of the skills or content in a discipline or field of study, we can ask the question – is this something we want our students to know and be able to do.... The answers to this question provide direction and content for our schools' curriculum and instruction. Those skills and content are identified and described by content and performance standards. The *Alaska State Performance Standards* list and describe what we want our students to know and be able to do in reading, writing and math. The *Alaska State Performance Standards* identify the targeted and taught skills and content in our schools. The *Alaska State Performance Standards* are a guide to good instruction and solid curriculum.

The "Essential Skills and Content" is a sub set of the targeted skills and content. These are the skills and knowledge that a person would need to have or know to function at a basic or introductory level in our society.

To determine if a given performance standard or exam question reflected an **essential** skill or content," a committee of community members, business people, and educators asked the following question: would you deny a diploma to a person if he or she did not have that skill or know that content?

These are two different questions (1) what do we want our students to know, be able to do? (2) would you deny a diploma to a student if he or she did not have that skill or know that content?

These two questions are being confused with each other in the current AK HSGQE debate.

The following diagram provides an overview of the relationship of the targeted skills and content (described by the performance standards) and the foundational / essential skills and content.

Implications of the Shift from Past Educational Practice to a Standards-Based Approach

Past Practice

- School District Curriculum Guide states the content to be taught

- Instructional materials and units of instruction reflect content to be covered. Activities are selected based on relationship to unit or topic

- Teachers assess and evaluate on content that has been taught

- Teachers communicate immediate lesson goals to students

- Students receive review and reteaching of content not mastered. If a majority of students pass, teacher moves on in instruction.

- Communication with parents and others tend to be about content mastery. Grades often reflect class work completed.

- Teachers participate in professional development to improve teaching

Implications

Curriculum guides need to be rewritten to be the descriptive documents they are intended to be. They are the guides for teachers.

Textbooks are the frameworks of teaching. Current texts need to be aligned to the state/district standards. Most texts in use in our classrooms do not reflect national standards. The text industry is changing, and so texts must be updated by districts in order to be used by teachers.

New assessments must be designed to measure a student's progress on the standards on a continual basis. Classroom instruction needs to be aligned to reflect the standards assessed.

Students must be taught how to understand what the standards mean. Students need to be able to articulate and to be able to participate in the evaluation of their abilities. Learning becomes student-centered, not teacher-centered.

Time and personnel need to be identified to provide needed remedial service in order for a student to gain proficiency on the standards. It becomes a management problem for large classes and schools with limited number of personnel.

New forms of reporting need to be developed. Old style report cards are unlikely to address the progress on performance standards.

Professional development needs to be tailored to the level of knowledge of and experience with teaching to standards.

Standards-Based

- Curriculum Guide reflects both the content standards and the performance standards students must meet

- Instructional materials, units and teaching strategies reflect content and performance standards

- Students are assessed on what they demonstrate

- Students see long term goals through the understanding of standards

- Students receive remediation in standards not passed until proficient.

- Communication with students, parents, and others are about progress on performance standards

- Teachers participate in professional development to improve student performance

SCOMM

125:29



Alaska State Legislature

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SECTIONAL ANALYSIS CSHB 94 (EDU) Version F Dated 3/27/01

Title Change: From "An Act relating to initiatives for quality schools; relating to pupil competency testing and the issuance of secondary school diplomas; relating to certain reports regarding academic performance of schools; and providing for an effective date." to "An Act relating to pupil competency testing, to the issuance of secondary school diplomas, and to certain reports regarding academic performance of schools; and providing for an effective date."

Section 1: Intent Language added to the uncodified, or temporary, state law.

Section 2: Amends the 1997 Competency Test law so that the Competency Test is truly a diagnostic tool from 10th to 12th grade. Allows adults to retake the test in order to earn a diploma.

- a) deletes Certificate of Attendance language.
- b) requires all students to take the failed portions of the Competency Test at least once a year unless the student's IEP team recommends against that.
- c) deletes language that prevented reexaminations from occurring more than once every three months and required that reexaminations of students who are no longer in attendance occur within three years.

Section 3: Amends the 1997 Competency Test law to assure that all non-severely cognitively disabled special education students receive an opportunity to learn the state performance standards and are responsible for demonstrating mastery of them. Provides non-severely cognitively disabled special education students the opportunity to demonstrate the standards in other ways. Provides that students who are unable to pass all sections of the Competency Test are recognized for the qualifications they do offer to employers and institutions of higher learning.

- a) a student with an I.E.P. may qualify for a diploma by 1) passing all portions of the test without accommodations, 2) passing all portions with accommodations described in their I.E.P., or 3) demonstrating mastery of the state performance standards with a portfolio of work.
- b) provides a provision for reciprocity for those students who have transferred, during high school, from another state. Those students shall receive a diploma if they meet their Alaskan high school's graduation requirements and passed a competency test in the state from which they transferred.
- c) This section also establishes a Certificate of Achievement for those students who do not pass all sections of the Competency Test in high school or through reexamination. A Certificate of Achievement may include the portions of the test that were passed, the student's attendance record, and other information about the student's qualifications that the school district determines to be appropriate.

Section 4: Requires the Department of Education to submit a report to the Legislature by January 15 of each year regarding the progress of each school district toward high academic performance by all students. This report is intended to give the Legislature and Alaskans additional accountability for the funding provided through the Foundation Formula and the Quality Schools Initiative. The report must include, at a minimum:

- a) the number of students in each school who pass the Competency Test and the number who pass each section of the Competency Test.
- b) the progress of the Department in implementing the school designator system
- c) the progress of the Department in assisting high schools to become accredited
- d) a description of the resources provided to each school district for coordinated school improvement activities and staff training
- e) each district's progress in aligning curriculum to state performance standards
- f) a description of the Department's efforts to assist those schools designated to be deficient or in crisis
- g) a description of each school district's efforts to provide intervention for students who are not passing the Benchmark Tests or the Competency Test.

Section 5: Amends the 1997 Competency Test law by postponing the effective date to February 1, 2004. This change will protect those students who, for whatever reason, graduate at the end of the fall semester rather than the spring semester, provide students with additional opportunity to learn, and provide districts additional opportunity to align curriculum and train staff.

Section 6: Provides provisions for Competency Testing between February 1, 2002 and January 31, 2004. This section is added to the uncoded, or temporary, state law.

- a) As directed by the Board of Education, the test will be given at least twice a school year.
- b) Students' final results will be reflected in their transcript and diploma as directed by the Board of Education.
- c) Students will be re-tested at least once each school year on those portions the student has not passed, unless the student's I.E.P. team recommends against it.

Section 7: The effective date of Section 3 takes effect on February 1, 2004.

Section 8: Except for Section 3, this Act takes effect immediately.

Side by Side Comparison of HB 94 and CSHB 94 (EDU) Version F

HB 94 (Governor)		CSHB 94 (EDU)	
Section 1	Intent Language	Section 1	Intent Language
Section 2	Requires DoE to submit a report to the Legislature by January 15 of each year regarding the progress of each school toward high academic performance for all students.	Section 4	Requires same report and lists seven indicators that must be included that show the progress of schools toward high academic performance for all students and the Department's assistance to that goal.
Section 3	Allows the Board of Education to determine the requirements for a special education student with an I.E.P. to qualify for a diploma.	Section 3	A special education student with an I.E.P. will qualify for a diploma if the student passed the Competency Test without accommodations, with accommodations, or by demonstrating mastery of the state performance standards through a portfolio of work.
	No similar provision in HB 94.	Section 3	Provides that students who transfer into high school from another state to be granted a diploma if they have passed the competency test in the state from which they transferred and fulfilled the Alaskan district's requirements.
	No similar provision in HB 94.	Section 3	Establishes a Certificate of Achievement for students who do not pass all sections of the test. The Certificate may include the portions of the test that were passed, the student's attendance record, other information indicating the qualifications of the student as the district sees as appropriate.
Section 4	Students will be required to pass the Competency Test by January 1, 2006 in order to be granted a diploma.	Section 5	Students will be required to pass the Competency Test by February 1, 2004 in order to be granted a diploma.
Section 5	The Board of Education shall recommend a different effective date than January 1, 2006 if they feel that would be reasonable, fair and in the best interest of Alaska students.		This provision is deleted in CSHB 94 (EDU).
Section 6	Interim Competency Testing - the results of the test shall be reflected in the student's transcript as directed by the Board of Education.	Section 6	Interim Competency Testing - the results of the test shall be reflected in the students transcript and on the diploma as directed by the Board of Education. The student will be re-tested once per year unless the student's I.E.P. team recommends against that.
	No similar provision in HB 94.	Section 2	Deletes language from original law limiting the number of times the test may be given per year and for how many years after a student leaves school. Adds language requiring students to take the test at least once a year unless the student's I.E.P. team recommends against that.

Waivers / Alternative Assessments / Certificates
State Requirements and Recommendations for Students / Students with Disabilities
March 23, 2001

STATE	Does the state grant waivers? If so to whom and under what conditions?	Special Education Students Requirements/ Provisions	Severely Cognitively Disabled Students Requirements / Provisions
New Jersey	No provision for waivers in the state statute.	In order for a student with disabilities to participate in a statewide assessment at a high school level they must take it their junior year for the first time, or if they are not assigned a grade, at age 18. The IEP team may determine that a student with a disability will not take the HSPT (exam) until senior year. Accommodations and/or modifications are allowed to enable the student to participate if they take the exam.	Students with disabilities, who will not participate in all or part of the existing statewide assessment as determined by the IEP team, will participate in other assessments selected by the IEP team. They must measure the student's progress in the general education curriculum and the Core Curriculum Standards.
New Mexico	No provision for waivers in the state statute.	IEP team is responsible for the student's program of study making them eligible for a diploma or certificate. A special ed. student can receive a diploma if the program of study meets or surpasses NM standards with or without reasonable modification. New Mexico Code 6.30.2	IEP team is responsible for the student's program of study making them eligible for a diploma or certificate. No special provision mentioned for severely cognitively disabled students. A student can receive a certificate and be eligible for special education services to the age of 22. New Mexico Code 6.30.2
Nevada	No provision for waivers in the state statute. They provide 3 types of diplomas (standard, adjusted and a certificate of attendance) that were not defined in the state statute.	Requires IEP for each disabled student. Has an adjusted diploma for those who meet the standards set by the IEP, and also has a certificate of attendance.	The state statute makes no mention of waivers or requirements of severely cognitively disabled students.
Arizona	No provision for waivers in the state statute. Arizona Educ. Code 17-702	Accommodations may be used for students who have necessity in a particular content area. (i.e. math or writing) Decisions about providing accommodation with/ or exempting a student from the exam must be clearly documented in the student's IEP or 504 plan. They should be based on the student's needs, and they should be neither disability specific nor based on performance expectations or reporting predictions. This is so all students can be included in assessment.	The only exemption from the exam will be for the students (1-2%) whose IEPs exempt them from performing in the exam, even with accommodations available. These students have disabilities so significant that they cannot participate meaningfully in the traditional assessment. Alternate assessments will be constructed by the school districts for these students as required by their IEPs.
Texas	No provision for waivers in the state statute. However a student can graduate if they complete curriculum requirements, have an IEP, or the board can issue a certificate to participate in a graduation ceremony even if the student fails to perform satisfactorily on the assessment instruments specified, if the student completes curriculum requirements. The transcript will state whether the student received a diploma, or a certificate of course work completed. Tex. Educ. Code 28.025 All special ed. students for whom the TAAS is an appropriate measure of their academic achievement will take TAAS. Tex Edu. Code 39.023	Graduation with a regular diploma terminates a student's eligibility for special education services. The special education student may graduate and receive a diploma if they have completed the minimum academic requirements for special ed. students, including satisfactory performance on a exit level assessment, or the student completes the minimum academic requirements and has been exempted from the exit level assessment because modifications and accommodations provided during instruction would render the result invalid. Tex Edu. Code 89.1070	The special education students can receive a diploma if they complete the minimum academic requirements and have been exempted from the exit level assessment because modifications and accommodations provided during instruction would render the result invalid. Tex Edu. Code 89.1070
Tennessee	No provision for waivers in the state statute. However, the student who does not pass the exam can receive a certificate of attendance or certificate of less-than-satisfactory performance. Tenn. Code. Ann. 49-6-6001	Special ed. students who successfully complete their IEP and pass the three Gateway tests will earn a high school diploma. If they complete the IEP and fail any of the tests they will be issued a special education diploma. Special Conditions: Accommodations may be used by students receiving special ed services who have the need documented in their IEPs.	The state statute makes no mention of waivers or requirements of severely cognitively disabled students.

(These states were selected based upon the similarities to our statutes and competency exam.)
(Information provided by the Education Commission of the States)

22-GH1006F
Ford
3/27/01

CS FOR HOUSE BILL NO. 94(EDU)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON EDUCATION

**Offered:
Referred:**

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

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to pupil competency testing, to the issuance of secondary school
2 diplomas, and to certain reports regarding academic performance of schools; and
3 providing for an effective date."

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

5 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
6 to read:

7 **PURPOSE.** (a) As part of the state's quality schools initiative, the purpose of this Act
8 is to maximize the opportunity for the success of all public school pupils by (1) continuing to
9 measure pupil performance through appropriate testing based on specific standards; (2)
10 allowing the Department of Education and Early Development to continue to develop and
11 perfect the testing method; and (3) ensuring that school districts and families receive
12 performance data from standards-based assessments of pupils. The performance data is to be
13 used to better determine appropriate academic intervention and support for pupils.

14 (b) The purpose of the change of date made by sec. 5 of this Act is to

1 (1) allow for specific high standards to be set and maintained for public
2 schools in the state; and

3 (2) ensure maximum opportunity for all pupils to learn and for school districts
4 to improve.

5 * **Sec. 2.** AS 14.03.075, enacted by sec. 1, ch. 58, SLA 1997, is amended to read:

6 **Sec. 14.03.075. Secondary pupil competency testing.** (a) A pupil may not
7 be issued a secondary school diploma unless the pupil passes a competency
8 examination in the areas of reading, English, and mathematics. The department shall
9 determine the form and contents of the examination and shall score completed
10 examinations. [A PUPIL WHO FAILS TO PASS THE EXAMINATION REQUIRED
11 UNDER THIS SUBSECTION AND WHO IS NO LONGER IN ATTENDANCE
12 SHALL RECEIVE A CERTIFICATE OF ATTENDANCE FROM THE SCHOOL
13 DISTRICT INDICATING THE YEARS OF ATTENDANCE AND THAT THE
14 PUPIL HAS NOT PASSED A COMPETENCY EXAMINATION OR RECEIVED A
15 DIPLOMA.]

16 (b) A pupil who fails the examination required under this section **shall be**
17 **retested at least once during a school year on those portions of the examination**
18 **that the pupil has not passed** [MAY BE REEXAMINED. A REEXAMINATION
19 MAY NOT BE OFFERED MORE OFTEN THAN ONCE EVERY THREE
20 MONTHS AND MUST OCCUR WITHIN THREE YEARS AFTER THE DATE
21 THE PUPIL IS NO LONGER IN ATTENDANCE]. A pupil who passes the
22 reexamination and who meets any other graduation requirements shall receive a
23 diploma from the school district. **This subsection does not apply to a pupil who is a**
24 **child with a disability if the pupil's individualized education program team**
25 **recommends that the pupil not be retested.**

26 * **Sec. 3.** AS 14.03.075, enacted by sec. 1, ch. 58, SLA 1997, is amended by adding new
27 subsections to read:

28 (c) Notwithstanding (a) of this section,

29 (1) a child with a disability who is receiving educational services
30 through an individualized educational program under AS 14.30.278 may qualify for
31 the issuance of a secondary school diploma by

1 (A) passing all portions of the examination described under (a)
2 of this section;

3 (B) passing all portions of the examination described under (a)
4 of this section with the accommodations approved by the pupil's individualized
5 education program team; or

6 (C) demonstrating, through a portfolio of work, mastery of
7 state performance standards established by the board; and

8 (2) a pupil who transfers into a public high school in this state shall
9 receive a diploma if the pupil

10 (A) meets graduation requirements imposed by the governing
11 body and the state; and

12 (B) has passed a competency examination in the state from
13 which the pupil transferred.

14 (d) A pupil who fails to pass the examination required under (a) of this section
15 or a reexamination under (b) of this section shall be awarded a certificate of
16 achievement. A certificate of achievement may include the following information:

17 (1) the portions of the examination described under (a) of this section
18 that were passed;

19 (2) the pupil's attendance record; and

20 (3) other information indicating the qualifications of the pupil that the
21 governing body determines appropriate.

22 (e) In this section,

23 (1) "child with a disability" has the meaning given "children with
24 disabilities" in AS 14.30.350;

25 (2) "individualized education program team" has the meaning given in
26 AS 14.30.350.

27 * **Sec. 4.** AS 14.03 is amended by adding a new section to read:

28 **Sec. 14.03.078. Report.** The department shall provide to the legislature by
29 January 15 of each year an annual report regarding the progress of each school toward
30 high academic performance by all pupils. The report required under this section must
31 include

1 (1) the number of pupils in each school who pass the examination
2 required under AS 14.03.075, and the number who pass each section of the
3 examination;

4 (2) progress of the department

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

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

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

10 (4) each school district's progress in aligning curriculum with state
11 education performance standards;

12 (5) a description of the efforts by the department to assist a public
13 school that receives a designation of deficient or in crisis;

14 (6) a description of intervention efforts by each school district for
15 students who are not meeting minimal competency standards.

16 * **Sec. 5.** Section 3, ch. 58, SLA 1997, is amended to read:

17 Sec. 3. Section 1 of this Act takes effect **February 1, 2004** [JANUARY 1,
18 2002].

19 * **Sec. 6.** The uncoded law of the State of Alaska is amended by adding a new section to
20 read:

21 INTERIM PUPIL COMPETENCY TESTING. (a) Beginning February 1, 2002, and
22 ending January 31, 2004, and as directed by the state Board of Education and Early
23 Development, the governing body of each school district in the state shall give the
24 competency examination described in sec. 1, ch. 58, SLA 1997, at least twice each school
25 year. The results of the examination of a pupil under this section shall be reflected in that
26 pupil's transcript and diploma as directed by the state Board of Education and Early
27 Development.

28 (b) A pupil shall be retested at least once during a school year on those portions of the
29 competency examination described in sec. 1, ch. 58, SLA 1997, that the pupil has not passed.
30 This subsection does not apply to a pupil who is a child with a disability if the pupil's
31 individualized education program team recommends that the pupil not be retested. In this

1 subsection,

2 (1) "child with a disability" has the meaning given "children with disabilities"
3 in AS 14.30.350;

4 (2) "individualized education program team" has the meaning given in
5 AS 14.30.350.

6 * **Sec. 7.** Section 3 of this Act takes effect on the effective date of sec. 1, ch. 58, SLA 1997,
7 as amended by this Act.

8 * **Sec. 8.** Except as provided in sec. 7 of this Act, this Act takes effect immediately under
9 AS 01.10.070(c).

22-LS0607\O

Ford

3/15/01

Moved, with two adopted amendments, 3/16/01.

CS FOR SENATE BILL NO. 133(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:

Referred:

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to a two-year transition for implementation of the public high school
2 competency examination and to establishing a secondary student competency
3 examination as a high school graduation requirement; and providing for an effective
4 date."

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

6 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
7 to read:

8 **INTENT.** It is the intent of this Act

9 (1) to encourage schools and school districts to develop and promote
10 endorsements and awards that document high levels of academic, artistic, or vocational
11 achievement on the part of graduating students;

12 (2) to implement testing procedures that are reasonable, fair, and in the best
13 interest of students who are being tested; and

14 (3) that the secondary school student competency examination focus on skills

1 in the areas of reading, English, and mathematics that the general community would expect a
2 student to have or know in order to function in our society.

3 * Sec. 2. AS 14.03.075, added by sec. 1, ch. 58, SLA 1997, is amended to read: (Effective 2/1/04)

4 **Sec. 14.03.075. Secondary student [PUPIL] competency examination**
5 **[TESTING].** (a) A student [PUPIL] may not be issued a secondary school diploma
6 unless the student [PUPIL] passes a high school student competency examination in
7 the areas of reading, English, and mathematics or receives a waiver from the
8 governing body. The department shall determine the form and contents of the
9 examination and shall score completed examinations. [A PUPIL WHO FAILS TO
10 PASS THE EXAMINATION REQUIRED UNDER THIS SUBSECTION AND
11 WHO IS NO LONGER IN ATTENDANCE SHALL RECEIVE A CERTIFICATE
12 OF ATTENDANCE FROM THE SCHOOL DISTRICT INDICATING THE YEARS
13 OF ATTENDANCE AND THAT THE PUPIL HAS NOT PASSED A
14 COMPETENCY EXAMINATION OR RECEIVED A DIPLOMA.]

15 (b) A student [PUPIL] who fails the examination required under this section
16 may be reexamined under procedures established by the department. A
17 reexamination may not be offered more often than once every three months [AND
18 MUST OCCUR WITHIN THREE YEARS AFTER THE DATE THE PUPIL IS NO
19 LONGER IN ATTENDANCE. A PUPIL WHO PASSES THE REEXAMINATION
20 AND WHO MEETS ANY OTHER GRADUATION REQUIREMENTS SHALL
21 RECEIVE A DIPLOMA FROM THE SCHOOL DISTRICT].

22 * Sec. 3. AS 14.03.075, added by sec. 1, ch. 58, SLA 1997, is amended by adding new
23 subsections to read: (Effective 2/1/04)

24 (c) A student shall receive an endorsement on the student's diploma and
25 transcript identifying the areas of the examination successfully passed.

26 (d) A student who is a child with a disability and who does not achieve a
27 passing score on the examination required under (a) of this section is eligible to
28 receive a diploma if the student

29 (1) successfully completes an alternative assessment program required
30 by the student's individualized education program or required in the education plan
31 developed for the student under 29 U.S.C. 794; and

(2) meets other requirements for graduation imposed by the board.

(e) The department shall by regulation establish

(1) uniform standards for

(A) pre-examination study materials;

(B) procedures to be followed during administration of an examination;

(C) awarding a waiver under (a) of this section; and

(2) procedures for recording examination results on a student's transcripts.

(f) In this section,

(1) "child with a disability" has the meaning given "children with disabilities" in AS 14.30.350;

(2) "individualized education program" means a program described under AS 14.30.278.

* Sec. 4. AS 14.07.165 is amended to read: *Effective 2/1/04*

Sec. 14.07.165. Duties. The board shall adopt

(1) statewide goals and require each governing body to adopt written goals that are consistent with local needs;

(2) regulations regarding the application for and award of grants under AS 14.03.125;

(3) regulations implementing provisions of AS 14.11.014(b);

(4) regulations requiring approval by the board before a charter school, state boarding school, or a public school may provide domiciliary services;

(5) regulations implementing the secondary school student competency examination provisions of AS 14.03.075, including the criteria and procedure under which a governing body uses a waiver to grant a diploma to a student.

* Sec. 5. Section 3, ch. 58, SLA 1997, is amended to read: *(Takes effect immediately)*

Sec. 3. This Act takes effect **February 1, 2004** [JANUARY 1, 2002].

* Sec. 6. The uncoded law of the State of Alaska is amended by adding a new section to read:

1 APPLICABILITY. The academic standards and requirements required by
2 AS 14.03.075, as amended by secs. 2 and 3 of this Act, apply to students who graduate on or
3 after February 1, 2004.

4 * Sec. 7. The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 TRANSITION: ACADEMIC STANDARDS FOR PUBLIC HIGH SCHOOL
7 GRADUATION. (a) Beginning February 1, 2002, and ending January 31, 2004, before
8 graduating from public high school, each student is required to

9 (1) take a competency examination or an alternative assessment approved by
10 the student's individualized education program in the areas of reading, English, and
11 mathematics; and

12 (2) meet academic requirements established by the state and the school board
13 of the borough or city school district or regional educational attendance area in which the
14 student is enrolled.

15 (b) The Department of Education and Early Development shall determine the form
16 and contents of the competency examination and shall score completed examinations.

17 (c) A student shall receive an endorsement on the student's diploma and transcript
18 identifying the areas of the examination successfully passed.

19 (d) In this section, "individualized education program" means a program described
20 under AS 14.30.278.

21 * Sec. 8. The uncodified law of the State of Alaska is amended by adding a new section to
22 read: *(Takes effect immediately)*

23 TRANSITION: REGULATIONS. The Department of Education and Early
24 Development may immediately proceed to adopt regulations necessary to implement the
25 changes made by this Act, including the adoption of uniform standards for awarding an
26 endorsement required under sec. ^{8C}~~7(c)~~ of this Act. The regulations take effect under AS 44.62
27 (Administrative Procedure Act), but not before the effective date of the applicable statutory
28 change.

29 * Sec. 9. Sections 2 - ⁵~~7~~ of this Act take effect February 1, 2004.

30 * Sec. 10. Sections ⁶~~8~~ and ⁹~~8~~ of this Act take effect immediately under AS 01.10.070(c).

31 * Sec. 11. Except as provided in secs. ~~9 and 10~~ of this Act, this Act takes effect February 1,

10 = 11

WORK DRAFT

WORK DRAFT

22-LS0607\O

1 2002.

Senate HES just passed CSSB 133 (HES) out of committee with two amendments regarding waivers. The two amendments require that:

- 1) DoE report to the Legislature by January 31, 2003 their proposed criteria and procedures under which districts could grant waivers,
- 2) districts will report how many diplomas were granted with waivers,
- 3) criteria regarding granting waivers must include provisions requiring that the student satisfied the performance standards to the maximum extent possible, and
- 4) some technical section numbering changes.

CSSB 133 (HES) now includes:

- Section 1: Intent language
- Section 2:
- a) Students must pass the "high school student competency examination" or receive a waiver in order to get a diploma
 - b) Takes out the Certificate of Attendance language
 - c) Limit on number of years students may be reexamined after graduation was removed
- Section 3:
- a) Students get an endorsement on the diploma and transcripts for the sections of the test they pass.
 - b) Students with disabilities who don't pass the test are eligible to receive a diploma if they successfully complete an alternative assessment program required by the IEP or Section 504 Plan
 - c) Meets other requirements imposed by the board
 - d) DoE shall establish regulations for pre-exam study materials, procedures for administration of the exam, awarding a waiver, recording results on transcripts
- Section 4:
- a) The board will adopt regulations implementing the competency test provisions, including criteria and procedures for districts to grant waivers
 - b) Waiver criteria must include provisions requiring that a student satisfied the performance standards to the maximum extent possible.
- Section 5:
- a) This Act takes effect February 1, 2004.
- Section 6:
- a) Standards and requirements of AS 14.03.075 as amended by Sections 2 and 3, apply to students who graduate on or after February 1, 2004.
- Section 7:
- a) Between February 1, 2002 and January 31, 2004, each student is required to, before graduating, take the Competency Test or alternative assessment and meet requirements established by the state and local school boards.
 - b) DoE will determine the form and contents of the test and score it.
 - c) Students shall receive endorsements on diploma and transcripts identifying portions of the test that were passed.
- Section 8: DoE may immediately proceed to adopt regulations necessary to implement changes in this Act, including those for endorsements.
- Section 9: Sections 2 through 5 take effect February 1, 2004.
- Section 10: Sections 6 & 7 take effect immediately.
- Section 11: This Act takes effect February 1, 2002, except for Sections 10 and 11.

CSSB 133 (HES) is scheduled to go to Senate Finance next. Senator Green's office is waiting for the Fiscal Note before sending the bill to the Senate Secretary's office for its further referrals. Beth Nordlund of DoE expects a zero fiscal note. A waiver from Senate Finance is not out of the question, to my knowledge.

adopted

22-LS0362J.2

Ford

3/27/01

AMENDMENT #9

OFFERED IN THE HOUSE
TO: CSHB 166(EDU)

BY REPRESENTATIVE BUNDE

1 Page 5, following line 5:

2 Insert a new bill section to read:

3 "* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 **REQUIRED REPORT.** The Department of Education and Early Development shall,
6 by January 14, 2002, report back to the Alaska State Legislature with recommendations for

7 (1) establishing a process that allows issuance of a high school diploma to a
8 child with a disability based on a portfolio of work, as described under
9 AS 14.03.075(c)(1)(C), enacted in sec. 3 of this Act; and

10 (2) evaluating the process described under (1) of this section."
11

12 Renumber the following bill sections accordingly.
13

14 Page 5, line 8:

15 Delete "sec. 7"

16 Insert "sec. 8"

adopted

AMENDMENT #8

OFFERED IN THE HOUSE
TO: CSHB 166(EDU)

BY REPRESENTATIVE BUNDE

1 Page 5, following line 5:

2 Insert a new bill section to read:

3 **"* Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 **REQUIRED REPORT.** The Department of Education and Early Development shall,
6 by January 14, 2002, report back to the Alaska State Legislature with recommendations for

7 (1) a competency examination waiver process for pupils who enter the school
8 system late and for other pupils with rare or unusual circumstances that merit a waiver; and

9 (2) an appeals process for a pupil who is denied a high school diploma."
10

11 Renumber the following bill sections accordingly.
12

13 Page 5, line 8:

14 Delete "sec. 7"

15 Insert "sec. 8"

*A waiver may include
a portfolio of work.*

*intent is to provide review outside the board room and
that DOE suggest firm circumstances under which
waiver would be granted Asking for sideboard to
waivers.*

Stakeholder Contacts List

Send the amended version of CSHB 94 and SB 133 to the following groups with an updated Sectional Analysis and Side by Side.

<u>Group:</u>	<u>Fax Number:</u>
Alaska Association of School Administrators.....	874-3137
Alaska Association of Secondary School Principals.....	746-9301
Alaska Business Education Compact.....	278-4932
Alaska Council of School Administrators.....	586-5879
Association of Alaska School Boards.....	586-2995
Disability Law Center.....	586-1627
Governor's Council of Disabilities and Special Education.....	269-8995
Department of Education.....	4156
NEA - Alaska.....	586-2744
Juneau L.I.O. for distribution to all L.I.O.s.....	2864
Parents for Effective Reading Curriculum (Doug and Barb Lefler).....	call 243-1539
Parents, Inc.....	586-6433
Al Johnson, Ketchikan School Board.....	e-mail at ajohnson@ktn.net

Waivers / Alternative Assessments / Certificates
State Requirements and Recommendations for Students / Students with Disabilities
March 23, 2001

STATE	Does the state grant waivers? If so to whom and under what conditions?	Special Education Students Requirements/ Provisions	Severely Cognitively Disabled Students Requirements / Provisions
New Jersey	No provision for waivers in the state statute.	In order for a student with disabilities to participate in a statewide assessment at a high school level they must take it their junior year for the first time, or if they are not assigned a grade, at age 18. The IEP team may determine that a student with a disability will not take the HSPT (exam) until senior year. Accommodations and/or modifications are allowed to enable the student to participate if they take the exam.	Students with disabilities, who will not participate in all or part of the existing statewide assessment as determined by the IEP team, will participate in other assessments selected by the IEP team. They must measure the student's progress in the general education curriculum and the Core Curriculum Standards.
New Mexico	No provision for waivers in the state statute.	IEP team is responsible for the student's program of study making them eligible for a diploma or certificate. A special ed. student can receive a diploma if the program of study meets or surpasses NM standards with or without reasonable modification. New Mexico Code 6.30.2	IEP team is responsible for the student's program of study making them eligible for a diploma or certificate. No special provision mentioned for severely cognitively disabled students. A student can receive a certificate and be eligible for special education services to the age of 22. New Mexico Code 6.30.2
Nevada	No provision for waivers in the state statute. They provide 3 types of diplomas (standard, adjusted and a certificate of attendance) that were not defined in the state statute.	Requires IEP for each disabled student. Has an adjusted diploma for those who meet the standards set by the IEP, and also has a certificate of attendance.	The state statute makes no mention of waivers or requirements of severely cognitively disabled students.
Arizona	No provision for waivers in the state statute. Arizona Educ. Code 17-702	Accommodations may be used for students who have necessity in a particular content area. (i.e. math or writing) Decisions about providing accommodation and/ or exempting a student from the exam must be clearly documented in the student's IEP or 504 plan. They should be based on the student's needs, and they should be neither disability specific nor based on performance expectations or reporting predictions. This is so all students can be included in assessment.	The only exemption from the exam will be for the students (1-2%) whose IEPs exempt them from performing in the exam, even with accommodations available. These students have disabilities so significant that they cannot participate meaningfully in the traditional assessment. Alternate assessments will be constructed by the school districts for these students as required by their IEPs.
Texas	No provision for waivers in the state statute. However a student can graduate if they complete curriculum requirements, have an IEP, or the board can issue a certificate to participate in a graduation ceremony even if the student fails to perform satisfactorily on the assessment instruments specified, if the student completes curriculum requirements. The transcript will state whether the student received a diploma, or a certificate of course work completed. Tex. Educ. Code 28.025 All special ed. students for whom the TAAS is an appropriate measure of their academic achievement will take TAAS. Tex Edu. Code 39.023	Graduation with a regular diploma terminates a student's eligibility for special education services. The special education student may graduate and receive a diploma if they have completed the minimum academic requirements for special ed. students, including satisfactory performance on a exit level assessment, or the student completes the minimum academic requirements and has been exempted from the exit level assessment because modifications and accommodations provided during instruction would render the result invalid. Tex Edu. Code 89.1070	The special education students can receive a diploma if they complete the minimum academic requirements and have been exempted from the exit level assessment because modifications and accommodations provided during instruction would render the result invalid. Tex Edu. Code 89.1070
Tennessee	No provision for waivers in the state statute. However, the student who does not pass the exam can receive a certificate of attendance or certificate of less-than-satisfactory performance. Tenn. Code. Ann. 49-6-6001	Special ed. students who successfully complete their IEP and pass the three Gateway tests will earn a high school diploma. If they complete the IEP and fail any of the tests they will be issued a special education diploma. Special Conditions: Accommodations may be used by students receiving special ed services who have the need documented in their IEPs.	The state statute makes no mention of waivers or requirements of severely cognitively disabled students.

(These states were selected based upon the similarities to our statutes and competency exam.)
(Information provided by the Education Commission of the States)

22-GH1006(F)
Ford
3/27/01

*Karen's
marked up
copy*

CS FOR HOUSE BILL NO. 94(EDU)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON EDUCATION

**Offered:
Referred:**

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

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to pupil competency testing, to the issuance of secondary school
2 diplomas, and to certain reports regarding academic performance of schools; and
3 providing for an effective date."

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

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 **PURPOSE.** (a) As part of the state's quality schools initiative, the purpose of this Act
8 is to maximize the opportunity for the success of all public school pupils by (1) continuing to
9 measure pupil performance through appropriate testing based on specific standards; (2)
10 allowing the Department of Education and Early Development to continue to develop and
11 perfect the testing method; and (3) ensuring that school districts and families receive
12 performance data from standards-based assessments of pupils. The performance data is to be
13 used to better determine appropriate academic intervention and support for pupils.

14 (b) The purpose of the change of date made by sec. 5 of this Act is to

(1) allow for specific high standards to be set and maintained for public schools in the state; and

(2) ensure maximum opportunity for all pupils to learn and for school districts to improve.

* **Sec. 2.** AS 14.03.075, enacted by sec. 1, ch. 58, SLA 1997, is amended to read:

Sec. 14.03.075. Secondary pupil competency testing. (a) A pupil may not be issued a secondary school diploma unless the pupil passes a competency examination in the areas of reading, English, and mathematics. The department shall determine the form and contents of the examination and shall score completed examinations. [A PUPIL WHO FAILS TO PASS THE EXAMINATION REQUIRED UNDER THIS SUBSECTION AND WHO IS NO LONGER IN ATTENDANCE SHALL RECEIVE A CERTIFICATE OF ATTENDANCE FROM THE SCHOOL DISTRICT INDICATING THE YEARS OF ATTENDANCE AND THAT THE PUPIL HAS NOT PASSED A COMPETENCY EXAMINATION OR RECEIVED A DIPLOMA.]

(b) A pupil who fails the examination required under this section shall be retested at least once during a school year on those portions of the examination that the pupil has not passed [MAY BE REEXAMINED. A REEXAMINATION MAY NOT BE OFFERED MORE OFTEN THAN ONCE EVERY THREE MONTHS AND MUST OCCUR WITHIN THREE YEARS AFTER THE DATE THE PUPIL IS NO LONGER IN ATTENDANCE]. A pupil who passes the reexamination and who meets any other graduation requirements shall receive a diploma from the school district. This subsection does not apply to a pupil who is a child with a disability if the pupil's individualized education program team recommends that the pupil not be retested.

Amended. A student who passes any portion of the test may not re-take that portion.

* **Sec. 3.** AS 14.03.075, enacted by sec. 1, ch. 58, SLA 1997, is amended by adding new subsections to read:

(c) Notwithstanding (a) of this section,

(1) a child with a disability who is receiving educational services through an individualized educational program under AS 14.30.278 may qualify for the issuance of a secondary school diploma by

1 (A) passing all portions of the examination described under (a)
2 of this section;

3 (B) passing all portions of the examination described under (a)
4 of this section with the accommodations approved by the pupil's individualized
5 education program team; or

6 (C) demonstrating, through a portfolio of work, mastery of
7 state performance standards established by the board; and

8 (2) a pupil who transfers into a public high school in this state shall
9 receive a diploma if the pupil

10 (A) meets graduation requirements imposed by the governing
11 body and the state; and

12 (B) has passed a competency examination in the state from
13 which the pupil transferred.

14 (d) A pupil who fails to pass the examination required under (a) of this section
15 or a reexamination under (b) of this section shall be awarded a certificate of
16 achievement. A certificate of achievement may include the following information:

17 (1) the portions of the examination described under (a) of this section
18 that were passed;

19 (2) the pupil's attendance record; and

20 (3) other information indicating the qualifications of the pupil that the
21 governing body determines appropriate.

22 (e) In this section,

23 (1) "child with a disability" has the meaning given "children with
24 disabilities" in AS 14.30.350;

25 (2) "individualized education program team" has the meaning given in
26 AS 14.30.350.

27 * **Sec. 4.** AS 14.03 is amended by adding a new section to read:

28 **Sec. 14.03.078. Report.** The department shall provide to the legislature by
29 January 15 of each year an annual report regarding the progress of each school toward
30 high academic performance by all pupils. The report required under this section must
31 include

(1) the number of pupils in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination;

(2) progress of the department

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

(B) in assisting high schools to become accredited;

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

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

(5) a description of the efforts by the department to assist a public school that receives a designation of deficient or in crisis;

(6) a description of intervention efforts by each school district for students who are not meeting minimal competency standards.

* **Sec. 5.** Section 3, ch. 58, SLA 1997, is amended to read:

Sec. 3. Section 1 of this Act takes effect February 1, 2004 [JANUARY 1, 2002].

* **Sec. 6.** The uncoded law of the State of Alaska is amended by adding a new section to read:

INTERIM PUPIL COMPETENCY TESTING. (a) Beginning February 1, 2002, and ending January 31, 2004, and as directed by the state Board of Education and Early Development, the governing body of each school district in the state shall give the competency examination described in sec. 1, ch. 58, SLA 1997, at least twice each school year. The results of the examination of a pupil under this section shall be reflected in that pupil's transcript and diploma as directed by the state Board of Education and Early Development.

(b) A pupil shall be retested at least once during a school year on those portions of the competency examination described in sec. 1, ch. 58, SLA 1997, that the pupil has not passed. This subsection does not apply to a pupil who is a child with a disability if the pupil's individualized education program team recommends that the pupil not be retested. In this

1 subsection,

2 (1) "child with a disability" has the meaning given "children with disabilities"
3 in AS 14.30.350;

4 (2) "individualized education program team" has the meaning given in
5 AS 14.30.350.

6 * **Sec. 7.** Section 3 of this Act takes effect on the effective date of sec. 1, ch. 58, SLA 1997,
7 as amended by this Act.

8 * **Sec. 8.** Except as provided in sec. 7 of this Act, this Act takes effect immediately under
9 AS 01.10.070(c).

Subject: suggested amendments

Date: Fri, 30 Mar 2001 10:40:39 -0900

From: Beth Nordlund <Beth_Nordlund@eed.state.ak.us>

To: hans R Neidig <Hans_Neidig@legis.state.ak.us>,
representative Con Bunde <Representative_Con_Bunde@legis.state.ak.us>

OK. These really only work if the vehicle is HB 94. Sorry--should have found out which one you were using!

The main issues are adding the wavier language back it of course, and adding the ability for students to take the assessment with modifications. SB 133 does that, but we thought if you are using the CS for HB 94 we could just give you clarifying language.

If you then add the waiver position and the modification position, then we like keeping the endorsements on transcripts into the future to add incentive for high achievement.

 <u>AMENDMENTS B TO CSHB94b.doc</u>	Name: AMENDMENTS B TO CSHB94b.doc Type: Microsoft Word Document (application/msword) Encoding: base64 Download Status: Not downloaded with message
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Department of Education & Early Development

AMENDMENTS TO CSHB94 – VERSION 22-GH1006V

Page 2, line 8; after "... reading, English, and mathematics" insert:

" , or receives a waiver from the governing body. The governing body may not grant a waiver to a student before the student's final semester of attendance."

No

Explanation: Incorporates the waiver provision from SB133 as enacted by the Senate.

Page 2, line 10; after "...examination." add:

"Each district shall ensure that, to the maximum extent practicable, each student enrolled as a sophomore in the district schools shall take the examination during the spring offering of the student's sophomore year."

no

Page 3, lines 6 - 7; replace "accommodations" with "modifications", and delete "team" in order that AS 14.03.075(c)(1)(B) reads:

"(B) passing all portions of the examination described under (a) of this section with the modifications approved by the pupil's individualized education program; or"

Explanation: The current proposed paragraph (B) -- using the term "accommodations" -- is redundant. By definition an "accommodation" does not affect the validity of the examination, and so passing the exam with accommodations is no different than passing the exam without accommodations. Thus a student who passes with accommodations is included under paragraph (A). Modifications, on the other hand, do (by definition) impact the validity of the examination. By replacing "accommodations" with "modifications", paragraph (B) may serve to encourage IEP teams to utilize the examination to the extent that it reasonably tests to the student's IEP curriculum, while acknowledging that

no

some parts of the exam may be outside the scope of the individualized education program that the student has been provided throughout their years of public education.

Page 3, lines 8 – 9; amend AS 14.03.075(c)(1)(C) to read:

NO
“(C) demonstrating, through a portfolio of work, satisfactory completion of goals and objectives set out in the pupil’s individualized education program that conform to the maximum extent practicable with the state performance standards established by the board; and”

Explanation: The exit exam is intended to show a basic level mastery of the state performance standards. We understand that the intent of this paragraph is to allow a special education student to receive a diploma for achieving the individualized standards that are set for the student in their IEP. The proposed language “demonstrating, through a portfolio, mastery of state performance standards . . .” appears to apply essentially the same exam standards to a special ed student as a regular ed student, which would in some cases be a higher standard than the IEP standard. *wrong*

Page 3, line 16; insert a new (d) to read:

“(d) Each student shall receive an endorsement on the student’s transcript identifying the areas of the examination successfully passed.”

Explanation: This is intended to provide an incentive for students who may qualify for earning a diploma without passing the examination to strive to pass the regular assessment in order to receive endorsements on the transcript. *argued*

Page 3, line 16 -- 17; re letter the proposed AS 14.03.075(d) to (e), and amend the first sentence to read:

“(d) A pupil who fails to qualify for issuance of a diploma under this section shall be awarded a certificate of achievement.” *good*

Explanation: We expect that it is not intended that a pupil who receives a diploma would also receive a certificate of achievement.

Page 4, line 23; insert a new bill section 5 to read:

***Sec. 5.** AS 14.07.165 is amended to read:

Sec. 14.07.165. Duties. The board shall adopt

- (1) statewide goals and require each governing body to adopt written goals that are consistent with local needs;
- (2) regulations regarding the application for and award of grants under AS 14.03.125;
- (3) regulations implementing provisions of AS 14.11.014(b);
- (4) regulations requiring approval by the board before a charter school, state boarding school, or a public school may provide domiciliary services;

(5) regulations implementing the secondary school student competency examination provisions of AS 14.03.075, including the criteria and procedure under which a governing body uses a waiver to grant a diploma to a student; criteria regarding granting a waiver must include provisions requiring that a student satisfy the performance standards developed under AS 14.07.020(b) to the maximum extent possible.

10

Explanation: This provision expressly requires the State Board to adopt regulations that define under what circumstances a local governing body (district school board) may grant a waiver under AS 14.03.075(a). This is language from CS SB 133 (HES) am.

Pages 4 and 5; renumber subsequent bill sections.

WORK DRAFT - HOUSE EDU AND HOUSE HES VERSION

HOUSE CS FOR CS FOR SENATE BILL NO. 133 (HES) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Amended: 3/28/01

Offered: 3.20.01

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES

A BILL

FOR AN ACT ENTITLED

SB 133 "An Act relating to a two-year transition for implementation of the public high school competency examination, to certain reports regarding academic performance of schools, and to establishing a secondary student competency examination as a high school requirement; and providing for an effective date."

Title change - can't change it w/o Resolution to Waive Uniform Rules. Mike

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

will advise if that's necessary

SECTION 1. The uncoded law of the State of Alaska is amended by adding a new section to read:

HB 94 INTENT. ~~It is the intent of this Act~~

(1) As part of the state's quality schools initiative, the purpose of this Act is to maximize the opportunity for the success of all public school pupils by (a) continuing to measure pupil performance through appropriate testing based on specific standards; (b) allow the Department of Education and Early Development to continue to develop and perfect the test to measure minimum competencies and testing method; (c) ensure that school districts and families receive performance data from standards-based assessments of pupils. The performance data is to be used to better determine appropriate academic intervention and support for pupils. and (d) to encourage schools and school districts to develop and promote endorsements and awards that

SB 133

document high levels of academic, artistic, or vocational achievement on the part of graduating students.

41E
414
(2) The purpose of the change of date made by sec. 5 of this Act is to (a) allow for specific standards to be set and maintained for public schools in the state; and (b) ensure maximum opportunity for all pupils to learn and for school districts to improve.

HB 94 **SECTION 2.** AS 14.03.075, enacted by sec.1, ch. 58, SLA 1997, is amended to read:

Sec. 14.03.075. Secondary pupil competency testing. (a) A pupil may not be issued a secondary school diploma unless the pupil passes a competency examination in the areas of reading, English, and mathematics. The department shall determine the form and contents of the examination and shall score completed examinations. [A PUPIL WHO FAILS TO PASS THE EXAMINATION REQUIRED UNDER THIS SUBSECTION AND WHO IS NO LONGER IN ATTENDANCE SHALL RECEIVE A CERTIFICATE OF ATTENDANCE FROM THE SCHOOL DISTRICT INDICATING THE YEARS OF ATTENDANCE AND THAT THE PUPIL HAS NOT PASSED A COMPETENCY EXAMINATION OR RECEIVED A DIPLOMA.]

(b) A pupil who fails the examination required under this section shall be retested at least once during a school year on those portions of the examination that the pupil has not passed. A student who passes any portion of the test may not retake that portion of the test [MAY BE REEXAMINED. A REEXAMINATION MAY NOT BE OFFERED MORE OFTEN THAN ONCE EVERY THREE MONTHS AND MUST OCCUR WITHIN THREE YEARS AFTER THE DATE THE PUPIL IS NO LONGER IN ATTENDANCE]. A pupil who, when retested, passes the portions of the test not previously passed [REEXAMINATION] and who meets any other graduation requirements shall receive a diploma from the school district. This subsection does not apply to a pupil who is a child with a disability if the pupil's individualized education program team recommends that the pupil not be retested.

HB 94 **SECTION 3:** AS 14.03.075, enacted by sec. 1, ch. 58, SLA 1997, is amended by adding new subsections to read:

(c) Notwithstanding (a) of this section,

(1) a child with a disability who is receiving educational services through an individualized educational program under AS 14.30.278 may qualify for the issuance of a secondary school diploma by

(A) passing all portions of the examination described under (a) of this section;

(B) passing all portions of the examination described under (a) of this section with the accommodations approved by the pupil's individualized education program team; or

(C) demonstrating, through a portfolio of work, mastery of state performance standards established by the board; and

(2) a pupil who transfers into a public high school in this state shall receive a diploma if the pupil

(A) meets graduation requirement imposed by the governing body and the state; and

(B) has passed a competency examination in the state from which the pupil transferred.

(d) A pupil who fails to ^{DOE} qualify for the issuance of a diploma under (a) of this section or a retest under (b) of this section shall be awarded a certificate of achievement. A certificate of achievement may include the following information:

(1) the portions of the examination described under (a) of this section that were passed;

(2) the pupil's attendance record; and

(3) other information indicating the qualifications of the pupil that the governing body determines appropriate.

(e) In this section,

(1) "child with a disability has the meaning given "children with disabilities" in AS 14.30.350;

(2) "individualized education program team" has the meaning given in AS 14.30.350.

HB 44 SECTION 4. AS 14.30 is amended by adding a new section to read:

Sec. 14.03.078. Report. The department shall provide to the legislature by January 15 of each year an annual report regarding the progress of each school toward high academic performance by all pupils. The report required under this section must include

(1) the number of pupils in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination;

(2) the progress of the department

(A) toward implementing the school accountability provisions of AS 124.03.123; and

(B) in assisting high schools to become accredited;

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

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

(5) a description of the efforts by the department to assist a public school that receives a designation of deficient or in crisis;

(6) a description of intervention efforts by each school district and school for students who are not meeting minimal competency standards;

(7) the number and percentage of turnover in certificated personnel and superintendents;

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

Both SECTION 5. Section 3, ch. 58, SLA 1997, is amended to read:

Sec. 3. Section 1 of this Act takes effect February 1, 2004 [JANUARY 1, 2002]

HB 44 SECTION 6. The uncodified law of the State of Alaska is amended by adding a new section read:

HB 594 INTERIM PUPIL COMPETENCY TESTING. (a) Beginning February 1, 2002, and ending January 31, 2004, and as directed by the state Board of Education and Early Development, the governing body of each school district in the state shall give the competency examination described in sec. 1, ch. 58, SLA 1997, at least twice each school year. The results of the examination of a pupil under this section shall be reflected (1) in that pupil's transcript in a manner than indicates which sections of the examination were passed and which were failed; and (2) as endorsements on the pupil's diploma that reflect the sections of the examination that were passed, as directed by the state Board of Education and Early Development.

(b) A pupil shall be retested at least once during a school year on those portions of the competency examination described in sec. 1, ch. 58, SLA 1997, that the pupil has not passed. This subsection does not apply to a pupil who is a child with a disability if the pupil's individualized education program team recommends that the pupil not be retested. In this subsection,

(1) "child with a disability" has the meaning given "children with disabilities" in AS 14.30.350;

(2) "individualized education program team" has the meaning given in AS 14.30.350.

HB94 **SECTION 7.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REQUIRED REPORT. The Department of Education and Early Development shall, by January 14, 2002, report back to the Alaska State Legislature with recommendations for

(1) a competency examination waiver process for pupils who enter the school system late and for other pupils with rare or unusual circumstances that merit a waiver;

(2) an appeals process for a pupil who is denied a high school diploma;

(3) establishing a process that allows issuance of a high school diploma to a child with a disability based on a portfolio of work, as described under AS 14.03.075(c)(1)(C), enacted in sec. 3 of this Act; and

(4) evaluating the process described under (3) of this section.

BB133 **SECTION 8:** as 14.03.075, added by sec. 1, ch. 58, SLA 1997, is amended by adding a new subsection to read:

(e) The department shall by regulation establish

(1) uniform standards for

(A) pre-examination study materials; and

(B) procedures to be followed during administration of an examination.

RENUMBERED
FROM
11B94 **SECTION 9.** Section 3 of this Act takes effect on the effective date of sec. 1, ch. 58, SLA 1997, as amended by this Act.

SECTION 10. Except as provided in Sec. 8 of this Act, this Act takes effect immediately under AS 01.10.070(c).

Subject: Bill 133**Date:** Thu, 29 Mar 2001 20:47:06 -0900**From:** Barbara Lefler <lefler@alaska.net>**To:** Representative Con Bunde <Representative_Con_Bunde@legis.state.ak.us>

Dear Representative Bunde,

Thank you for this opportunity to express our thoughts and concerns regarding Bill 133, which was recently passed by the senate.

Just when we, as parents, were hoping for some serious accountability from the Department of Education and our school districts, this bill pops up. We have stated more than once that we believe that the students with specific learning disabilities are capable of passing the competency exam. . .when they are provided the appropriate curriculum which addresses their needs.

Now we learn that Sec.3 AS14.03.075 states "(d) A student who is a child with a disability and *who does not achieve a passing score on the examination* required under (a) of this section is eligible to receive a diploma if the student

(1) successfully completes an alternative assessment program required by the student's IEP or required in the education plan developed for the student under 29 U.S.C 794; " etc. . . so the question is, where is the accountability? Senator Green said that this section applies only to those students with developmental disabilities. Unfortunately, that is not what the bill says. This section opens the door for ANY student with an IEP to be subject to recommendations by the 'team' to settle for the IEP diploma if they "do not achieve a passing score on the examination"! We emphatically oppose this language.

Furthermore, we do not understand the need for endorsements on the diploma or the transcript regarding the various levels of accomplishments. The bill states, "(c) A student shall receive an endorsement on the student's diploma and transcript identifying the areas of the examination successfully passed." If the purpose of the exam is to demonstrate ". . .skills in areas of reading, English , and mathematics that the general community would expect a student to have or know in order to function in our society" we do not see the purpose of endorsements. Students either have been taught the skills in these areas or they have not.

Although it is not mentioned in the bill, we are also concerned that any agreed upon accommodation used to 'level the playing field' will, in some way, be noted on a transcript in the form of a flag. It has already been established, by law, that flagging accommodations is illegal and discriminatory.

Finally, the issue of providing waivers in place of passing the exam is very disturbing. It may be understandable that students who move in from another state late in their schooling or have a profound medical emergency, might be considered for a waiver. However, when Barbara specifically asked Senator Green who would be monitoring the distribution of waivers, we DO know that it will not be the legislature. However, we are still not clear about who will be making sure that the waiver process will not be abused. If by chance the DEED is monitoring the districts on this matter, it would be another case of the proverbial 'fox guarding the hen house'. Again, where is the accountability we have all been hoping for?

Representative Bunde, we implore the house to carefully consider this package known as Bill 133. You can see, from the disaggregated scores of the students with learning disabilities, their entire education is in desperate need of revamping. If this bill passes in the house, parents will be back to square one. We will have no leverage to insure an appropriate education when the districts can recommend an IEP diploma or worse. . .a waiver. Thank you for requesting our comments.

Sincerely,

Doug and Barbara Lefler



NEA-ALASKA

Affiliated with the National Education Association

TO: House Special Committee on Education
FROM: Rich Kronberg
President, NEA-Alaska
DATE: March 29, 2001
RE: CSHB 54 94

NEA-Alaska wants to thank the committee members, and in particular Chairman Bunde, for the seriousness with which they have approached the issue of delaying the effective date of the High School Graduation Qualifying Examination. The long weeks of listening to testimony are very clearly reflected in the thoughtful approach to the issue taken by HB 54.

NEA-Alaska does support a delay in the effective date of the examination until February 1, 2006. Our Delegate Assembly adopted this position. Our delegates wanted to provide all students in the state with the necessary ingredients for success in meeting or exceeding standards. We have, in prior testimony, articulated a fairly comprehensive list of those ingredients. You have heard from many others, in particular from four Alaskan Teachers of the Year, support for those ingredients. Chief among them are:

- ❖ aligned curricula,
- ❖ quality teachers for all our students,
- ❖ safe and orderly classrooms,
- ❖ opportunities for remediation,
- ❖ alternative ways to demonstrate mastery of standards that do not punish special education students,
- ❖ up to date textbooks,
- ❖ well-maintained facilities, and
- ❖ reasonable class sizes

While you are not delaying the effective date until 2006, we are satisfied that the members of this committee have listened very carefully to the testimony that has been presented. In particular we are pleased to note the approach the committee has taken to move our schools forward towards success, and not allow a delay in the effective date to be misused. The reporting requirements that are a major component of the Committee Substitute for HB 54 are a very positive step. They reflect the concerns we have heard from our members, and will keep all of us in education focused on the changes that need to take place for all our students to be successful. In particular, the impact of staff turnover and teaching out of area

of licensure need to be considered as we move forward to raise student performance. Your reporting requirements will appropriately focus districts on the issue.

We believe you have adequately addressed the issue of appropriate assessment for special education students. We hope that as we move into other discussions you are mindful that this places an additional responsibility on special educators. The whole issue of attracting and retaining special educators is not one that is directly tied to this legislation but it is not something we can forget as we move forward on this issue.

The issue of how we deal with extraordinary circumstances could be particularly thorny. We believe the opportunity to spend more time in crafting solutions to this issue is one that ought to be taken. The input of the Department and the State Board of Education are important and allowing them additional time to craft a response before legislative action takes place is a good one.

We do want to urge you to reconsider the effective date, and we want to once again thank the members of the committee for their thoughtful efforts on this issue.

Subject: Comments on Exit Exam

Date: Fri, 30 Mar 2001 15:40:33 -0900

From: "Tim Weiss" <tim@parentsinc.org>

To: <Representative_Con_Bunde@legis.state.ak.us>

3/30/01

PARENTS, Inc Comments on HB 94 and SB 133

Prepared by Tim Weiss

Section 1

HB 94 is nice in the way it focuses in on the intent of maximizing students success rather than testing for the sake of testing. It also recognizes that this is not a one-time thing, but an on-going process of improvement in assessment and standards. SB 133 has a nice section in its intent that specifies that the exam should focus on skills that the general community expects students to know in order to function in society. This is much better than the current test developed by Alaska Department of Education and Early Development that is written and graded at almost a "college prep" level.

Section 2

I applaud the removal of the Certificate of Attendance.

Section 3

I like the endorsement on the diploma or transcripts.

I like the provisions in SB 133 better than HB 94 that state that a child with a disability who does not pass the competency test may receive a diploma if he successfully complete an alternative program required in his IEP, 504 plan, and meets the other requirements of the Board of Ed. HB 94 only states that students with disabilities who do not pass the test can only pass through demonstration through portfolio work. This assumes that all students who cannot pass the standardized test can only pass through a portfolio and not through some other means of testing that may be more appropriate. Also, the Department of Education has already given assurances that students tested through portfolio methods (and currently not eligible for a diploma) would only be the most severely disabled students. There are a large number of students in between who can prove themselves through alternative means devised by their IEP team and not through a State developed portfolio system.

HB 94 does however, give a Certificate of Achievement for those who cannot pass by any means. This is preferable to the Certificate of Attendance, but all means must be used to ensure that students are tested appropriately to their unique learning styles and differences.

Subject: SB 133**Date:** Fri, 30 Mar 2001 19:58:39 -0900**From:** "Jeff Friedman" <jfriedman@alaska.com>**To:** "Con Bunde" <Representative_Con_Bunde@legis.state.ak.us>

Let's hope this works:

The big problem I see is in Section 1. The test is supposed to focus on the "essential and foundational skills in the areas of reading, English, and Mathematics that the general community would expect a student to have or know in order to function in society."

What are the essential and foundational skills that the general community expects? Are they the same in Anchorage and Wrangel? What about Kotzebue? I think there are some basic and essential skills that should be the same throughout Alaska, but I don't think we as a state have reached a consensus agreement as to what those are. People who want to be pastry chefs or auto mechanics need different skills than those who want to be civil engineers, but I do think there are some basic skills that all groups need. I just don't think there is agreement yet as to what those are. (I should add that probably the most important High School class I ever took was a "business" class designed for non-college bound students. It was more of a consumer awareness class that taught us about the stock market, how to write checks, interest on credit cards, and other basic real life skills. I use that knowledge daily, while I hardly ever solve a quadratic equation.)

Other thoughts:

I like the idea of administering the test on a day other than a day in session. (I assume this means in addition to the 180 day school year.) But that costs money. Anchorage has about 50,000 students. Assuming about 10% take the test on any given day, that means 5,000 are taking the test. Broken down into groups of 30, that means 167 classroom teachers (not counting the hall monitors). At \$150 per day, that is about \$25,000 for each of the three testing days. Not a huge amount in terms of the overall budget, but still significant.

How will the department determine the standards for the waiver? As I read it, waivers are available for students other than those who get diplomas as students with disabilities. Depending on how the waiver rule is implemented, it could swallow the testing rule.

To me, this proposal does little more than push back the inevitable for two years. The Department did not do a good job of defining what should be tested the first time around, and there is no reason to think they will do a better job the second time. In addition, I am concerned that the waiver provision will be abused.

I am not a fan of standardized tests. I think they can be a good tool in assessing whether a school as a whole is doing a good job. They can also help identify particular problem areas for individual students. I don't think they do a good job of determining whether an individual student should get a diploma. (Look at some of the people who were able to pass the Alaska Bar exam). If standardized tests are to be used, then I would prefer tests at each grade level starting with 8th grade and a requirement that the student pass a certain percentage of those tests.

That said, I realize that money and politics may make my views unrealistic. (that many tests would be expensive). The High School Qualifying Test can be made to work if there are two tiers. The tier one diploma would be for those who attend and pass the required classes and pass a relatively basic test level. The tier two diploma would be for those college bound students who can pass the more difficult test (maybe the existing test). Of course, that still doesn't solve the problem of deciding what constitutes the tier one knowledge. I suspect, however, that if there were two tiers, the professionals who developed the standards the first time would have a better chance of getting it right the second time. They would be focused on the distinction between what all High School graduates should know and what a college bound student should know.

The more I look at this problem, and the more I read about it, the more uncertain I become. This is a tough issue. I don't want students graduating who can not read or write. For that matter, I want them to understand basic statistics, probability, and logic. (Those math concepts are far more relevant than geometry and algebra.) At the same time, students should not be denied a diploma when we haven't even required them to take a course on a tested subject. In the long run, I think the debate on this topic has been good for Alaska. I only hope that the renewed focus on the importance of education will translate into additional funding. Throwing dollars at a problem, by itself, is not a guarantee of success, but money can buy improved quality when it is spent wisely. I know that the Anchorage School District has been cutting its budget for long enough that increased funding would be spent wisely. I suspect

the same is true for most other districts.

Probably more than you wanted to hear on this, but after a glass of wine I do tend to ramble on.

----- Original Message -----

From: Senator Taylor

To: Jeff Friedman

Sent: Tuesday, March 27, 2001 8:27 PM

Subject: Re: High School Exit Exam

Dear Jeff:

Please check out SB 133 and give me your good thoughts.

Sen. Robin Taylor

Subject: TESTIMONY--CSHB 94 AND CSSB 133

Date: Mon, 2 Apr 2001 00:22:00 -0800

From: "FAMILY" <family@ptialaska.net>

To: "Con Bunde" <Representative_Con_Bunde@legis.state.ak.us>,
"Fred Dyson" <Representative_Fred_Dyson@legis.state.ak.us>,
"Gary Stevens" <Representative_Gary_Stevens@legis.state.ak.us>,
"Gretchen Guess" <Representative_Gretchen_Guess@legis.state.ak.us>,
"Joe Green" <Representative_Joe_Green@legis.state.ak.us>,
"Peggy Wilson" <Representative_Peggy_Wilson@legis.state.ak.us>,
"Reggie Joule" <Representative_Reggie_Joule@legis.state.ak.us>,
<Representative_Brian_Porter@legis.state.ak.us>,
"Rep. Bill Williams" <Representative_Bill_Williams@legis.state.ak.us>,
"Senator Robin Taylor" <Senator_Robin_Taylor@legis.state.ak.us>,
"Sen. Lyda Green" <Senator_Lyda_Green@legis.state.ak.us>,
"Sen. Loren Leman" <Senator_Loren_Leman@legis.state.ak.us>

I understand there is a conference Monday morning to reconcile CSHB94 and CSSB133. I am sending this email to be entered into the record and taken into consideration. I would still direct you to my original comments on the HSQE but I understand this process is to reconcile the bills and not to change the bills significantly.

I am concerned with the decreased accountability in the exit exam bills. There appears to be many loopholes that let teachers, districts and DEED "off the hook". ALL students should be required to demonstrate proficiency on the competencies to receive a diploma.

State statutory language should not allow IEP teams to set lower standards for a diploma. Accommodations to demonstrate proficiency is different and are already part of federal laws and should continue to be set by IEP teams. This should be done objectively following federal and state guidelines. These cannot be accommodations just for this test but true accommodations that have been objectively determined to be needed in the classroom and during all tests that this student encounters.

I agree with placing the specific competencies that have been passed on the transcript. I do not know that it is necessary on the diploma. If the student does not pass all the competencies but has completed the course requirements for high school (or IEP including transition) they should receive a certificate of completion. Their transcript will show what competencies were passed, if any, along with the types of classes that were taken and passed.

In the bills, you have noted a "Certificate of Achievement". What does this represent? What do they have to achieve to receive this? Will a student as a junior age 17 who has passed 2 or even all 3 competencies receive a certificate of achievement if they decide to quit school and go to college, vocational training, or work. Will a 19 year old senior who has not passed any of the competencies and has not completed the course requirements receive this certificate? It is not clear what this certificate represents. It is not clear for who, or when, it will be awarded or made available.

I again would recommend a **"Certificate of Completion"**, a **"Diploma"**, and I would look at creating an **"Honors Diploma"**. If the goal, now, is to have everyone receive a Diploma when we haven't changed the achievement level, we have failed and wasted a lot of time and taxpayers money.

It also undermines the goals of the competencies to have language that encourages IEP teams to opt students out of the assessment process. The data from standards-based assessments are the ammunition parents need to pressure the system to change and provide appropriate and timely intervention. Otherwise the pressure comes from the district, the teacher, and other team members to settle for less. This also allows a district, and the DEED, a process to be unaccountable (off the hook) in providing appropriate services that give each child the **"Opportunity to Learn"**. It also provides the opportunity to manipulate statistics and create a perception of improvement. It could even move a district to a higher ranking among other school districts.

There are serious concerns with allowing a portfolio to demonstrate mastery of state performance standards. Classically portfolio's are highly subjective and inter-evaluator reliability is poor. They usually lack qualitative factors. For example: Two students have a perfect paper that is identical in nature. The first was written in a 10 minute fast write with no drafts or corrections of errors allowed. The second, equal in nature, took three months to write, was edited five times by the teacher with suggested corrections for the student to make each time. Do both of these in a portfolio of two separate students indicate mastery? No! One represents teacher scaffolding which is appropriate as an instructional model, but inappropriate for determining if a student has mastered the standards.

The following represents some other questions and comments on some of the specific sections in the side by side comparisons.

Section 1

Under CSSB133 I don't agree with the endorsements including artistic and vocational and I have concerns with the language #3 "exam should focus on reading, English and math skills **that the general community expects students to know in order to function in society**" This is a clear step toward a minimum competency, not high standards that the child **NEEDS to COMPETE** in a world economy that requires higher skills by all in technology, mathematics, reading, writing and oral communication. If that is the intent then clearly state from now on that this is a minimum competency. **Don't join DEED in deceiving the public. To set a high standard but not test it, or testing a lower level, is public deception.**

Section 2

Why are you deleting the number of years after a student leaves school that he may retake the exam?

Section 3

I am not in favor of waivers or a diploma given to someone who completes an alternate program! Standards have to be standards or we are all playing a game of smoke and mirrors.

The kids no longer have an unskilled labor market to go into if they fail to get an education. Are districts providing appropriate opportunities for the students to still learn the skills to pass the competencies through age 19 for regular ed and 22 for special ed? This would be some interesting data. We should be creating

vision for these students by working with the University campuses.

Thank you for this opportunity to provide comment.

Dr Bill

Dr William Pfeifer
2901 Baranof Ave
Ketchikan, AK 99901

907-225-9090

Re: [Fwd: URGENT:Written testimony for April 2, 2001]

Subject: Re: [Fwd: URGENT:Written testimony for April 2, 2001]

Date: Sun, 01 Apr 2001 18:43:30 -0900

From: Al Johnson <ajohnson@ktn.net>

To: Louise Parish <bells@alaska.net>,

Con Bunde <Representative_Con_Bunde@legis.state.ak.us>,

Fred Dyson <Representative_Fred_Dyson@legis.state.ak.us>,

Gary Stevens <Representative_Gary_Stevens@legis.state.ak.us>,

Gretchen Guess <Representative_Gretchen_Guess@legis.state.ak.us>,

Joe Green <Representative_Joe_Green@legis.state.ak.us>,

Peggy Wilson <Representative_Peggy_Wilson@legis.state.ak.us>,

Reggie Joule <Representative_Reggie_Joule@legis.state.ak.us>

CC: lefler@alaska.net, "Sen. Lyda Green" <Senator_Lyda_Green@legis.state.ak.us>,

Amy Headrick <aheadrick@dlc.ak.org>,

Debbie Ossiander <ossiander_debbie@msmail.asd.k12.ak.us>,

"family@ptialaska.net" <family@ptialaska.net>, Gigi Pilcher <warriorwoman@kpunet.net>,

HARRY MARTIN <martinh@kgbsd.org>, Jay Page <jaypage@gci.net>,

John Harrington <johnharrington@kpunet.net>, John Laird <lairdj@kgbsd.org>,

Kit Roberts <kitroberts@hotmail.com>, Marc Grober <marc@interak.com>,

Mary Kauffman <kauffman@ptialaska.net>, "plbickford@att.net" <plbickford@att.net>,

Shirley Holloway <Shirley_Holloway@eed.state.ak.us>, Sue Pickrell <spickrell@kictribe.org>

Dear members of the HESS committee.

I have received and reviewed the side by side for 133 and 94. Louise has put a better finish than I could on the concerns. We share the same views on this issue and I wish to be recorded as in full support of her efforts. She is to be commended for her personal involvement and tenacity in pursuing for the benefit of ALL children that are being mis-categorized. (All at her personal expense and time)

I can only stress that we are looking in the wrong corner for many of the solutions. If children are not taught to read in the primary grades you can expect to have no change in the frustration and energy levels reflected in this end result. In the main, getting a handle and your attention focused on the root problem will in the end reduce the efficiency on this end of the tunnel. What I hope I am not seeing here is the creation of loop holes to allow creative escape. I hope that you prove me correct.

Cordially,

Al Johnson Ketchikan, Alaska

Louise Parish wrote:

Subject: URGENT:Written testimony for April 2, 2001

Date: Sun, 01 Apr 2001 18:06:25 -0700

From: Louise Parish <bells@alaska.net>

To: Brian Porter <Representative_Brian_Porter@legis.state.ak.us>,

Con Bunde <Representative_Con_Bunde@legis.state.ak.us>,

Joe Green <Representative_Joe_Green@legis.state.ak.us>,

Reggie Joule <Representative_Reggie_Joule@legis.state.ak.us>,

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Peggy Wilson <Representative_Peggy_Wilson@legis.state.ak.us>,
Gary Stevens <Representative_Gary_Stevens@legis.state.ak.us>

April 1, 2001

Representative Bunde
House HESS committee
House Special Committee on Education

My written testimony on CSHB94 and CSSB133 reconciliation.

Dear Rep. Bunde,

When I asked my local LIO about SB 133 last Friday, they emailed me a link to your memo dated March 29, 2001. The memo spoke of CSHB94 and the side-by-side analysis with CSSB133. I understand on April 2, 2001, from 8 a.m. to 10 a.m., the House HESS committee and the House Special Committee on education will have a joint session to reconcile the differences between CSHB94 and CSSB133, and that there will be no public testimony hearing.

As such, I'd like to offer you some of my parental opinions for the record, and then go over some specific changes I'd like to see in CSHB94. I have been concerned with reduced accountability in the exit exam bills. I consider myself an advocate for the learning disabled. Here are some of my opinions, and a few specific requests regarding CSHB94. Thank you very much for your time. I know a lot of time and effort has been spent on these bills. I believe my views can also be very valuable to both committees.

OPINIONS

- 1.) ALL kids should be required to demonstrate proficiency at exit level competency to receive a diploma.
- 2.) State statutory language should not allow IEP teams to set lower standards for a diploma.
- 3.) Accommodations to demonstrate proficiency should be set by IEP teams.
- 4.) Stars on the diploma are inappropriate. The competency test is a subset of basic skills and should be a plain diploma. If accommodations are necessary, so be it. That child has demonstrated his exit level proficiency and could bring his accommodations to the workplace or to higher education. A "starred" diploma used to flag kids as using accommodations. That's been successfully challenged. Switching the stars over to the regular kids' diplomas doesn't change the value. A no-starred diploma flags sped kids just as much as a "With Accommodations" star.
- 5.) Don't insert language that encourages IEP teams to allow kids to opt out of the assessment process. If regular kids get examined, sped kids should get examined. Parents of regular kids AND sped kids NEED to receive performance data from standards-based assessments to better

determine appropriate intervention for their kids. If the child is severely cognitively disabled, he or she may take an alternate assessment that is less difficult. If not, the information that the regular assessment will provide is just as critical to determining what is necessary to that sped child's progress as any "regular" kid's. If the child scores poorly, the teams can use the information to determine better educational strategies, curriculum realignments or accommodation needs. Each year, the scores will help lead the teams to better decisions.

6.) To be quite frank, if state statutes specifically states that IEP teams can opt their kids out of the assessment process, teams may begin encouraging parents to leave their sped kids "out" of the assessments (as has happened before with CAT-5 etc. testing). This could artificially "boost" district pass rates. This is wrong. I don't think the legislature should be participating in this sort of allowance. We MUST have accurate and accountable participation and performance data on individual, district and statewide assessment levels. I believe that sped kids must participate in all assessments.

7.) It is inappropriate to have both waivers AND low standards for sped kids to receive diplomas. If you must keep waivers, do so. But DON'T subject the 15 percent of the population (sped kids) to no accountability by providing schools with a way to give them all diplomas without reaching competency levels. You will have brushed them aside and lost all accountability for 15 percent of your schools' populations. If you think schools will automatically try to ensure sped kids will be able to pass the competency exam instead of setting lower expectations, I think you better talk to some more parents.

I'd like to provide specific comments to you regarding the CS for House Bill 94 (EDU) Work Draft 22-GH1006J dated 3/28/01.

Section 2 (b) "This subsection does not apply to a pupil who is a child with a disability if the pupil's individualized education program team recommends the pupil not be retested."

MY COMMENTS: This will skew statistics on an individual, district and statewide basis. We must have accurate performance and disaggregation statistics. We should EXPECT inclusion and participation in the benchmarks and exit examination. We should NOT be so concerned with protecting their self-esteem. We should be concerned with teaching them. They will have greater self-esteem if they have greater skills. They will improve their self-esteem by taking the test and using that information to revise their programs to gain competency skills.

Section 3 (c)(1) (C) says, "Demonstrating, through a portfolio of work, mastery of state performance standards established by the board."

MY COMMENTS: This is OK, but change it to "mastery of state performance standards equal to the exit exam level." If you allow the state board to set "mastery" of state performance standards for portfolios, you have

just shortcircuited the entire sped accountability process. If you turn the "pass" level over to the state board of education, I believe they will reduce it to the least accountable level. They may think they are doing sped kids favors by allowing them to get diplomas easily. They're not. It won't just be limited to severely cognitively disabled kids. Don't let the state board set a different state performance competency standard level for sped kids than regular kids.

Section 4 (1) states The report required under this section must include.....

(1)....the number of pupils in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination....

MY COMMENTS: Please add language that states all schools must report how many kids were excluded from taking the test. Or, conversely, the total number of kids that were eligible to take the test that year, but didn't. This is the most important stat of all. Without an accounting of all the kids, you can create "real" but "false" statistics all day long.

Thank you for allowing me to provide this written testimony. I hope you will hold schools accountable for all kids.

Louise Parish
P.O. Box 1182
Valdez, AK 99686
(907) 835-4231
bells@alaska.net

Subject: URGENT:Written testimony for April 2, 2001

Date: Sun, 01 Apr 2001 18:06:25 -0700

From: Louise Parish <bells@alaska.net>

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Con Bunde <Representative_Con_Bunde@legis.state.ak.us>,
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April 1, 2001

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House Special Committee on Education

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I'd like to provide specific comments to you regarding the CS for House Bill 94 (EDU) Work Draft 22-GH1006\J dated 3/28/01.

Section 2 (b) "This subsection does not apply to a pupil who is a child with a disability if the pupil's individualized education program team recommends the pupil not be retested."

MY COMMENTS: This will skew statistics on an individual, district and statewide basis. We must have accurate performance and disaggregation statistics. We should EXPECT inclusion and participation in the benchmarks and exit examination. We should NOT be so concerned with protecting their self-esteem. We should be concerned with teaching them. They will have greater self-esteem if they have greater skills. They will improve their self-esteem by taking the test and using that information to revise their programs to gain competency skills.

Section 3 (c)(1) (C) says, "Demonstrating, through a portfolio of work, mastery of state performance standards established by the board."

MY COMMENTS: This is OK, but change it to "mastery of state performance standards equal to the exit exam level." If you allow the state board to set "mastery" of state performance standards for portfolios, you have just shortcircuited the entire sped accountability process. If you turn the "pass" level over to the state board of education, I believe they will reduce it to the least accountable level. They may think they are doing sped kids favors by allowing them to get diplomas easily. They're not. It won't just be limited to severely cognitively disabled kids. Don't let the state board set a different state performance competency standard level for sped kids than regular kids.

Section 4 (1) states The report required under this section must include.....

(1)....the number of pupils in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination....

MY COMMENTS: Please add language that states all schools must report how many kids were excluded from taking the test. Or, conversely, the total number of kids that were eligible to take the test that year, but

• didn't. This is the most important stat of all. Without an accounting of all the kids, you can create "real" but "false" statistics all day long.

Thank you for allowing me to provide this written testimony. I hope you will hold schools accountable for all kids.

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(907) 835-4231
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Amendment
Rep Guess

Section 3

(c) delete and replace with

- (1) A student shall receive an endorsement on the student's diploma and transcript identifying the areas of the examination successfully passed.
- (2) a student who is a child with a disability and who does not achieve a passing score on the examination required under (a) of this section is eligible to receive a diploma if the student successfully completes an alternative assessment program required by the student's individualized education program or required in the education plan developed for the student under 29 USC 794 that conforms to the maximum extent practicable with the state performance standards on the competency exam established by the board; and
- (3) The department shall by regulation establish "alternative assessment program" and uniform standards and processes in creating an alternative assessment program.

yes
Stevens
Joule
Guess

No
Green
Wilson
Bonde

Amendment
Rep Guess

Sec 4, line 7

January 15 of each year an annual report regarding the progress of each school **and school district** towards

Sec 4, line 9

include **the information from 14.03.120(d) and**

Sec 4, line 10

The number **and percentage** of pupils in each school who pass the examination

Sec 4, line 17 and 18

(3) a description of the resources provided to **each school and** school district[s] for coordinated school improvement activities and staff training in **each school and** school district;

Sec 4, line 24

School for students who are not meeting **the state performance** [minimal competency] standards;

Amendment
Rep Guess

Sec 6, Line 10

delete "and which were failed"

Amendment
Rep Guess

Sec 4, line 12

Add new (2)

the number and percentage of pupils in each school who take and who successfully complete an alternative assessment program in reading, English, and mathematics; and the number and percentage of pupils in each school who successfully complete the alternative assessment program but did not reach the state performance standards at the competency exam level in reading, English, and mathematics.

Amendment
Rep Guess

Sec 7

Delete and replace with

- (1) The board shall by regulations a competency examination waiver process for pupils who enter the system late and for other pupils with rare or unusual circumstances that merit a waiver.
- (2) An appeals process for a pupil who is denied a high school diploma.

AMENDMENT

OFFERED IN THE HOUSE
TO: CSHB 166(EDU)

BY REPRESENTATIVE BUNDE

1 Page 5, following line 5:

2 Insert a new bill section to read:

3 "* Sec. 7. The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 REQUIRED REPORT. The Department of Education and Early Development shall,
6 by January 14, 2002, report back to the Alaska State Legislature with recommendations for

7 (1) a competency examination waiver process for pupils who enter the school
8 system late and for other pupils with rare or unusual circumstances that merit a waiver; and

9 (2) an appeals process for a pupil who is denied a high school diploma."
10

11 Renumber the following bill sections accordingly.
12

13 Page 5, line 8:

14 Delete "sec. 7"

15 Insert "sec. 8"

AMENDMENT

OFFERED IN THE HOUSE
TO: CSHB 166(EDU)

BY REPRESENTATIVE BUNDE

1 Page 5, following line 5:

2 Insert a new bill section to read:

3 **"* Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 REQUIRED REPORT. The Department of Education and Early Development shall,
6 by January 14, 2002, report back to the Alaska State Legislature with recommendations for

7 (1) establishing a process that allows issuance of a high school diploma to a
8 child with a disability based on a portfolio of work, as described under
9 AS 14.03.075(c)(1)(C), enacted in sec. 3 of this Act; and

10 (2) evaluating the process described under (1) of this section."
11

12 Renumber the following bill sections accordingly.
13

14 Page 5, line 8:

15 Delete "sec. 7"

16 Insert "sec. 8"

Side by Side Comparison of House CS for CSSB 133 (HES) am Version B and CSSB 133 (HES) am

	House CS for CSSB 133 (HES) am		CSSB 133 (HES) am
Section 1	Intent Language: 1) maximize opportunity for the success of all students by continuing to measure performance; 2) allow DEED to continue developing the method and perfect the test to measure minimum competencies; 3) ensure districts and families receive performance data from standards based assessments; and 4) to encourage schools and school districts to develop and promote endorsements and awards that document high levels of academic, artistic, or vocational achievement. Change of date is to 1) allow for specific high standards to be set and maintained by schools; and 2) ensure maximum opportunity for all pupils to learn and for districts to improve.	Section 1	Intent Language: 1) <u>encourage schools and districts to develop and promote endorsements and awards that document high levels of academic, artistic, or vocational achievement</u> ; 2) implement testing procedures that are reasonable, fair, and in the best interest of students; 3) <i>exam should focus on reading, English and math skills that the general community expects students to know in order to function in society.</i>
Section 2	Changes name of test to Secondary student competency examination from Secondary pupil competency testing.	Section 2	Changes name of test to Secondary student competency examination from Secondary pupil competency testing.
Section 2	Deletes Certificate of Attendance language from original law. Deletes language from original law limiting the number of times the test may be given per year. Deletes language limiting for how many years after a student leaves school that he may re-take the test.	Section 2	<u>Deletes Certificate of Attendance language from original law.</u> Keeps the language from original law limiting the number of times the test may be given per year. <u>Deletes the language limiting for how many years after a student leaves school he may re-take the test.</u>
Section 2	Requires students to re-take those portions of the test that the student has not passed unless the student's I.E.P. team recommends against that. Does not allow students to re-take passed portions.	Section 2	A student may not be issued a secondary school diploma unless the student passes the Competency Examination or receives a waiver from the governing body during the final semester of attendance.
Section 3	No provision for this change in the permanent section of statute. Similar language is located in the uncodified, or temporary section. See Section 6.	Section 3	<i>A student shall receive an endorsement on his diploma and transcript identifying the areas of the test successfully passed.</i>
Section 3	A child with a disability with an I.E.P. will qualify for a diploma if the student passed the Competency Test without accommodations, with accommodations, or by demonstrating mastery of the state performance standards through a portfolio of work.	Section 3	A student who is a child with a disability and who does not pass the Competency Test is eligible to receive a diploma if he successfully completes an alternative program required by his I.E.P. or 504 Plan and meets other requirements imposed by the Board of Ed. (The Department of Education feels that the language for alternative testing allows for modifications.)
Section 3	Provides that students who transfer into high school from another state may be granted a diploma if they have passed the competency test in the state from which they transferred and fulfilled the Alaskan district's requirements.	Section 3	No provision for this change.
Section 3	The Department of Education shall, by regulation, establish uniform standards for pre-exam study materials, procedures to be followed during the administration of the test.	Section 3	<u>The Department of Education shall, by regulation, establish uniform standards for pre-exam study materials, procedures to be followed during the administration of the test,</u> awarding a waiver, and procedures for recording test results on the student's transcripts.

Side by Side Analysis

Senate bill's column: Underlined language transferred to House CS. Shaded box indicates

**House CS for CSSB 133 (EDU) Version B and
CSSB 133 (HES) am**

in italics indicates a form of it was
KM 3/31/2001 5:15 pm

Side by Side Comparison of House CS for CSSB 133 (HES) am Version B and CSSB 133 (HES) am

	CSHB 94 (EDU) Version J		CSSB 133 (HES) am
Section 3	Establishes a Certificate of Achievement for students who fail to qualify for a diploma. The Certificate may include the portions of the test that were passed, the student's attendance record, other information indicating the qualifications of the student as the district sees as appropriate.	Section 3	No provision for this change.
Section 4	Requires a report from the Department of Education to the Legislature by January 15 of each year that lists nine indicators that must be included to show the progress of schools toward high academic performance for all students and the Department's assistance to that goal.	Section 4	Amends the Report Card to the Public section of statute, AS 14.03.120, to include the number of students who received a diploma under a waiver. (The Legislature is only notified that this report is available and it does not include the seven indicators required by the House version.)
Section 5	Students will be required to pass the Competency Test by February 1, 2004 in order to be granted a diploma. See Section 7 for House Version's waiver language.	Section 5	Adds language to the duties of the Board of Education under 14.07.165 that requires the Board to adopt regulations implementing the competency test provisions, including the criteria and procedures for districts to grant waivers. The section requires that the criteria for granting a waiver must include provisions requiring that the student satisfy the performance standards to the maximum extent possible.
	See Section 5.	Section 6	<u>This Act takes effect February 1, 2004.</u>
Section 6	Temporary Statute: Interim Competency Testing - As directed by the Board of Education, the student's transcripts will indicate which sections of the test were passed or failed. Endorsements on the diploma will reflect the sections that were passed. The student will be re-tested once per year unless the student's I.E.P. team recommends against that.		Endorsements for sections passed are contained in Section 3 of the bill, which would put them in permanent statute rather than temporary.
Section 7	Temporary Statute: The Department shall, by January 14, 2002, report back to the Legislature with recommendations for 1) waiver process for pupils who entered the system late and for other pupils with rare or unusual circumstances that merit a waiver; 2) an appeals process for students who are denied a diploma; 3) establishing a process that allows issuance of a diploma to a child with a disability based on a portfolio of work and 4) evaluating the process described under 3) of this section.		Somewhat similar to language in Section 4 regarding the number of waivers granted (Report Card to the Public) and Section 10 (report recommending language for waivers).
	Somewhat similar to Sections 2 and 6.	Section 8	Temporary Statute: Transition - Between Feb. 1, 2002 and January 31, 2004 each student is required to 1) take a comp test or an alternative assessment approved by the student's IEP team in reading, English and math; 2) meet other state and local requirements. Between those dates the Department will determine the form and contents of the test and score completed tests. Students will receive an endorsement on the diploma and transcript showing the sections passed.

Side by Side Comparison of House CS for CSSB 133 (HES) am Version B and CSSB 133 (HES) am

	CSHB 94 (EDU) Version J		CSSB 133 (HES) am
	No provision for this change.	Section 9	Temporary Statute: Transition: The Department may immediately adopt regulations necessary to implement this Act.
	See Section 7. The House version calls for the report by January 14, 2002 (the first day of session). The guidance provided to the Board is more strict re: waivers, it provides for an appeals process, and asks for recommendations on portfolios of work for children with disabilities.	Section 10	Temporary Statute: The Department shall, by February 15, 2002, deliver to the Legislature a report that describes the proposed criteria and procedure under which a school district could use a waiver to grant a diploma and recommend statutory changes necessary to maintain the accountability provisions of the school designator statute (AS 14.03.123). (Note that no direction is given to the Board in crafting those recommendations.)
Section 9	Section 3 takes effect on February 1, 2004.	Section 11	Sections 2-5 take effect February 1, 2004.
Section 10	Except as provided in Section 8, this Act takes effect immediately.	Section 12	Sections 6 & 9 take effect immediately.
		Section 13	Except as provided in Sections 11 & 12, this Act takes effect February 1, 2002.