

CS FOR HOUSE BILL NO. 165(W&M)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON WAYS AND MEANS

Offered: 5/8/23

Referred: Education, Finance

Sponsor(s): HOUSE SPECIAL COMMITTEE ON WAYS AND MEANS

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to charter schools; relating to correspondence study programs;**
2 **relating to public school funding; and providing for an effective date."**

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

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

6 LEGISLATIVE INTENT. It is the intent of the legislature that a school district spend
7 the increase in state aid to the school district resulting from the amendments made to
8 AS 14.17.430 in secs. 6 and 7 of this Act on student allotments under AS 14.03.310 and not
9 on administering the school district's correspondence program.

10 * **Sec. 2.** AS 14.03 is amended by adding a new section to read:

11 **Sec. 14.03.251. Charter schools established by the board.** (a) The board may
12 establish a charter school in a school district under procedures established by the board
13 in regulation. The procedures must include provisions for establishment of an
14 academic policy committee consisting of parents of students attending the school,

1 teachers, and school employees.

2 (b) A local school board shall operate a charter school established by the
3 board under this section as provided in AS 14.03.255 - 14.03.290.

4 * **Sec. 3.** AS 14.07.020(a), as amended by sec. 15, ch. 40, SLA 2022, is amended to read:

5 (a) The department shall

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

8 (2) study the conditions and needs of the public schools of the state,
9 adopt or recommend plans, administer and evaluate grants to improve school
10 performance awarded under AS 14.03.125, and adopt regulations for the improvement
11 of the public schools; the department may consult with the University of Alaska to
12 develop secondary education requirements to improve student achievement in college
13 preparatory courses;

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

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

19 (5) establish, in coordination with the Department of Health and Social
20 Services, a program for the continuing education of children who are held in juvenile
21 detention facilities or juvenile treatment facilities, as those terms are defined in
22 AS 47.12.990, in the state during the period of detention or treatment;

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

29 (7) prescribe by regulation, after consultation with the state fire
30 marshal and the state sanitarian, standards that will ensure healthful and safe
31 conditions in the public and private schools of the state, including a requirement of

1 physical examinations and immunizations in pre-elementary schools; the standards for
2 private schools may not be more stringent than those for public schools;

3 (8) exercise general supervision over early education programs that
4 receive direct state or federal funding, including early education programs provided by
5 a school district for students four and five years of age, approve an early education
6 program provided by a school district that complies with the standards adopted by the
7 board under AS 14.07.165(a)(5), and revoke approval of an early education program if
8 the program does not comply with the standards adopted by the board under
9 AS 14.07.165(a)(5);

10 (9) exercise general supervision over elementary and secondary
11 correspondence study programs offered by municipal school districts or regional
12 educational attendance areas; [THE DEPARTMENT MAY ALSO OFFER AND
13 MAKE AVAILABLE TO ANY ALASKAN THROUGH A CENTRALIZED
14 OFFICE A CORRESPONDENCE STUDY PROGRAM;]

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

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

26 (12) provide educational opportunities in the areas of vocational
27 education and training, and basic education to individuals over 16 years of age who
28 are no longer attending school; the department may consult with businesses and labor
29 unions to develop a program to prepare students for apprenticeships or internships that
30 will lead to employment opportunities;

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

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

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

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

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

11 (B) an end date for departmental intervention, as described in
12 AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three
13 consecutive years of improvement consisting of not less than two percent
14 increases in student proficiency on standards-based assessments in language
15 arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and

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

18 (17) notify the legislative committees having jurisdiction over
19 education before intervening in a school district under AS 14.07.030(a)(14) or
20 redirecting public school funding under AS 14.07.030(a)(15);

21 (18) establish a reading program to provide direct support for and
22 intervention in the reading intervention programs of participating schools as described
23 in AS 14.30.765 and 14.30.770;

24 (19) annually convene, either in person or electronically, a panel to
25 review and comment on the effectiveness of the programs created by the department
26 and the regulations adopted by the board to implement AS 14.03.410, 14.03.420,
27 AS 14.30.760 - 14.30.770, and 14.30.800; the panel

28 (A) shall provide recommendations and guidance to the board,
29 the department, and the legislature on how to integrate early education and
30 reading programs created under this title with tribal compacting or programs
31 focused on cultural education within the department;

1 (B) shall discuss support for reading in Alaska Native
2 languages and other non-English languages;

3 (C) must collectively represent the regions of the state and
4 include teachers of grades kindergarten through three, school administrators,
5 parents of students in grades kindergarten through three, stakeholders from
6 indigenous language immersion programs, representatives from early
7 education stakeholder groups, and researchers of best practices for improving
8 literacy performance, including best practices for instruction of indigenous
9 students and students whose first language is not English;

10 **(20) offer and make available to any Alaskan through a**
11 **centralized office a correspondence study program if required to do so by the**
12 **board;**

13 **(21) for each school district that offers a correspondence study**
14 **program, including a school district that offers a statewide correspondence study**
15 **program, calculate the amount allocated to the school district under AS 14.17.430**
16 **and inform the school district of the amount resulting from the calculation.**

17 * **Sec. 4.** AS 14.07.020(a), as amended by sec. 16, ch. 40, SLA 2022, is amended to read:

18 (a) The department shall

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

21 (2) study the conditions and needs of the public schools of the state,
22 adopt or recommend plans, administer and evaluate grants to improve school
23 performance awarded under AS 14.03.125, and adopt regulations for the improvement
24 of the public schools; the department may consult with the University of Alaska to
25 develop secondary education requirements to improve student achievement in college
26 preparatory courses;

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

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

1 (5) establish, in coordination with the Department of Health and Social
2 Services, a program for the continuing education of children who are held in juvenile
3 detention facilities or juvenile treatment facilities, as those terms are defined in
4 AS 47.12.990, in the state during the period of detention or treatment;

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

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

16 (8) exercise general supervision over early education programs that
17 receive direct state or federal funding, including early education programs provided by
18 a school district for students four and five years of age;

19 (9) exercise general supervision over elementary and secondary
20 correspondence study programs offered by municipal school districts or regional
21 educational attendance areas; [THE DEPARTMENT MAY ALSO OFFER AND
22 MAKE AVAILABLE TO ANY ALASKAN THROUGH A CENTRALIZED
23 OFFICE A CORRESPONDENCE STUDY PROGRAM;]

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

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

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

4 (12) provide educational opportunities in the areas of vocational
 5 education and training, and basic education to individuals over 16 years of age who
 6 are no longer attending school; the department may consult with businesses and labor
 7 unions to develop a program to prepare students for apprenticeships or internships that
 8 will lead to employment opportunities;

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

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

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

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

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

20 (B) an end date for departmental intervention, as described in
 21 AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three
 22 consecutive years of improvement consisting of not less than two percent
 23 increases in student proficiency on standards-based assessments in language
 24 arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and

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

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

30 **(18) offer and make available to any Alaskan through a**
 31 **centralized office a correspondence study program if required to do so by the**

1 **board;**

2 **(19) for each school district that offers a correspondence study**
 3 **program, including a school district that offers a statewide correspondence study**
 4 **program, calculate the amount allocated to the school district under AS 14.17.430**
 5 **and inform the school district of the amount resulting from the calculation.**

6 * **Sec. 5.** AS 14.07.165(a), as amended by sec. 21, ch. 40, SLA 2022, is amended to read:

7 (a) The board shall adopt

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

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

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

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

15 (5) regulations establishing standards for an early education program
 16 provided by a school district for children who are four and five years of age; the
 17 regulations must include

18 (A) standards for a locally designed, evidence-based program
 19 that meets Head Start Program Performance Standards and other federal
 20 standards required for early education programs to receive federal funding;

21 (B) a requirement that a teacher in charge of a program hold a
 22 valid teacher certificate issued under AS 14.20 and

23 (i) have satisfactorily completed a minimum of six
 24 credit hours in early childhood education or complete the minimum
 25 credit hours within two years of the date the teacher's employment with
 26 the early education program begins; or

27 (ii) have two or more years of experience teaching
 28 kindergarten or another early education program and have completed
 29 additional coursework related to reading instruction, as required by the
 30 department;

31 (C) developmentally appropriate objectives for children four

1 and five years of age rather than academic standards appropriate for older
 2 children; the objectives must allow school districts to adapt the content of an
 3 early education program to be culturally responsive to local communities;

4 (D) accommodations for the needs of all early education
 5 children and their families regardless of socioeconomic circumstances; and

6 (E) standards for day in session requirements appropriate for
 7 children four and five years of age;

8 (6) regulations establishing standards for day in session requirements
 9 appropriate for kindergarten students;

10 **(7) regulations regarding establishment of charter schools by the**
 11 **board.**

12 * **Sec. 6.** AS 14.17.430 is amended to read:

13 **Sec. 14.17.430. State funding for correspondence study.** Except as provided
 14 in AS 14.17.400(b), funding for the state centralized correspondence study program or
 15 a district correspondence program, including a district that offers a statewide
 16 correspondence study program, includes an allocation from the public education fund
 17 in an amount calculated by

18 **(1) multiplying the ADM of the correspondence program by 121.5 [90]**
 19 **percent;**

20 **(2) multiplying the correspondence intensive student count by 11;**
 21 **and**

22 **(3) adding the number obtained under (1) of this section to the**
 23 **number obtained under (2) of this section.**

24 * **Sec. 7.** AS 14.17.430 is amended by adding new subsections to read:

25 (b) Each district that offers a district correspondence program, including a
 26 district that offers a statewide correspondence study program, shall

27 (1) separately account for money allocated to the district under (a) of
 28 this section;

29 (2) maintain complete financial records of the receipt, transfer, and
 30 expenditure of money allocated to the district under (a) of this section; and

31 (3) provide an annual report to the department on the district's receipt,

1 transfer, and expenditure of money allocated to the district under (a) of this section
2 and make the report available on an Internet website that is accessible to the public at
3 no cost.

4 (c) In this section,

5 (1) "correspondence intensive student" means a special education
6 student who

7 (A) needs and receives intensive services; and

8 (B) is enrolled in the state centralized correspondence study
9 program or a district correspondence program, including a district that offers a
10 statewide correspondence study program, on the last day of the student count
11 period as described in AS 14.17.600;

12 (2) "intensive services" has the meaning given in AS 14.17.420(c).

13 * **Sec. 8.** Section 5 of this Act takes effect on the effective date of sec. 16, ch. 40, SLA
14 2022.

15 * **Sec. 9.** Except as provided in sec. 8 of this Act, this Act takes effect July 1, 2023.