

HOUSE BILL NO. 164

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES TUCK, Drummond, Story

Introduced: 4/7/21

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to early education programs provided by school districts; relating to**
2 **school age eligibility; relating to early education programs; establishing a parents as**
3 **teachers program; relating to the duties of the Department of Education and Early**
4 **Development; relating to certification of teachers; establishing a reading intervention**
5 **program for public school students enrolled in grades kindergarten through three;**
6 **establishing a reading program in the Department of Education and Early**
7 **Development; relating to a virtual education consortium; and providing for an effective**
8 **date."**

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

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

12 SHORT TITLE. This Act may be known as the Alaska Reads Act.

1 * **Sec. 2.** AS 14.03.060(e) is amended to read:

2 (e) In addition to the grades enumerated in (a) of this section, an elementary
3 school consists of **an early education** [A PRE-ELEMENTARY] program **approved**
4 **or** supervised by the department under AS 14.07.020(a)(8), **including a program**
5 operated by **a head start agency** [THE DEPARTMENT] as a head start program
6 under **42 U.S.C. 9831 - 9852c** [AS 14.38.010, OR LOCATED IN A PUBLIC
7 SCHOOL FOR FEDERAL FUNDING PURPOSES. EXCEPT FOR A CHILD WITH
8 A DISABILITY WHO IS RECEIVING SPECIAL EDUCATION OR RELATED
9 SERVICES UNDER AS 14.30.180 - 14.30.350, PRE-ELEMENTARY STUDENTS
10 MAY NOT BE COUNTED IN A SCHOOL'S AVERAGE DAILY MEMBERSHIP
11 UNDER AS 14.17].

12 * **Sec. 3.** AS 14.03.072(a) is amended to read:

13 (a) Each school district shall annually provide to parents and guardians of
14 students enrolled in kindergarten through grade three in a public school in the state
15 current information on the importance of early **reading** [LITERACY], including

16 (1) **culturally responsive** intervention strategies **and reading**
17 **intervention services provided under AS 14.30.765;**

18 (2) home **reading** [LITERACY] plans;

19 (3) grade **proficiency** [RETENTION] standards and policies,
20 **including retention,** for the elementary school attended;

21 (4) strategies and resources to help children learn to read.

22 * **Sec. 4.** AS 14.03.078(a) is amended to read:

23 (a) The department shall provide to the legislature by February 15 of each year
24 by electronic means an annual report regarding the progress of each school and school
25 district toward high academic performance by all students. The report required under
26 this section must include

27 (1) information described under **AS 14.03.120** [AS 14.03.120(d)];

28 (2) progress of the department

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

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

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

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

6 (5) a description of the efforts by the department to assist a public
7 school or district that receives a low performance designation under AS 14.03.123;

8 (6) a description of intervention efforts by each school district and
9 school for students who are not meeting state performance standards; [AND]

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

12 **(8) the progress made to implement the reading intervention**
13 **programs established under AS 14.30.760 - 14.30.775, including data on how**
14 **school districts are using in-service days for culturally responsive professional**
15 **development in reading instruction; and**

16 **(9) the effectiveness and participation rates of the parents as**
17 **teachers program established under AS 14.03.420, including measures of**
18 **efficiency and effectiveness that demonstrate the effects of the program on school**
19 **readiness.**

20 * **Sec. 5.** AS 14.03.080(d) is amended to read:

21 (d) A child who is five years of age on or before September 1 following the
22 beginning of the school year, and who is under school age, may enter a public school
23 kindergarten. **A school district may waive the requirements of this subsection for a**
24 **child who achieves a passing score on an assessment approved by the**
25 **department.**

26 * **Sec. 6.** AS 14.03.080 is amended by adding a new subsection to read:

27 (g) A child who is at least four, but not more than five, years of age on or
28 before September 1 following the beginning of the school year and who has not
29 attended a public school kindergarten may enter a public school early education
30 program.

31 * **Sec. 7.** AS 14.03.120 is amended by adding a new subsection to read:

1 (h) To the extent allowable under state and federal privacy laws, each district
 2 shall annually report to the department information from the previous school year
 3 regarding

4 (1) the number of students and teaching staff assigned to each
 5 classroom in grades kindergarten through three;

6 (2) the number and percentage of students

7 (A) in grades kindergarten through three who demonstrated
 8 improvement on expected grade-level skills on the statewide screening or
 9 assessment tool;

10 (B) in grades kindergarten through three who performed below
 11 expected grade-level skills on the statewide screening or assessment tool, by
 12 grade;

13 (C) retained in grades kindergarten through three and the
 14 reasons for retention;

15 (D) in grade three who demonstrated sufficient reading skills
 16 for grade progression based on the statewide screening or assessment tool;

17 (E) in grade three who demonstrated sufficient reading skills
 18 for grade progression based on an alternative standardized reading screening or
 19 assessment;

20 (F) in grade three who demonstrated sufficient reading skills
 21 for grade progression based on a student reading portfolio;

22 (G) in grade three who progressed to grade four based on a
 23 good cause exemption under AS 14.30.765(i);

24 (3) the performance on the statewide screening or assessment tool of
 25 students in a grade above grade three who were retained in grade three under
 26 AS 14.30.765(g) or who progressed to grade four based on a good cause exemption
 27 under AS 14.30.765(i).

28 * **Sec. 8.** AS 14.03 is amended by adding new sections to read:

29 **Article 4. Early Education.**

30 **Sec. 14.03.410. Early education programs; grants.** (a) The department shall

31 (1) provide training and assistance to develop and improve district-

1 wide early education programs that comply with standards adopted by the board under
2 AS 14.07.165(a)(5); and

3 (2) approve district-wide early education programs that comply with
4 the standards adopted by the board under AS 14.07.165(a)(5), subject to the
5 limitations in (d) of this section.

6 (b) The department may award a grant to provide funding for a three-year
7 period for the development or improvement of a district-wide early education program
8 to a district that applies in a format prescribed by the department and that

9 (1) is eligible for a grant during the first fiscal year of the grant period
10 as specified under (c) of this section; or

11 (2) was eligible for a grant in a previous fiscal year under (c) of this
12 section, but did not receive a grant under this section in that fiscal year.

13 (c) The department shall rank the performance of all districts in the state in
14 accordance with the accountability system and performance designations required
15 under AS 14.03.123. The department shall divide all districts into six groups based on
16 performance ranking. Each group of districts is eligible for a grant in the following
17 fiscal years:

18 (1) for the fiscal year beginning July 1, 2021, the lowest performing 10
19 percent of districts;

20 (2) for the fiscal year beginning July 1, 2022, the second lowest
21 performing 15 percent of districts;

22 (3) for the fiscal year beginning July 1, 2023, the third lowest
23 performing 15 percent of districts;

24 (4) for the fiscal year beginning July 1, 2024, the third highest
25 performing 20 percent of districts;

26 (5) for the fiscal year beginning July 1, 2025, the second highest
27 performing 20 percent of districts;

28 (6) for the fiscal year beginning July 1, 2026, the highest performing
29 20 percent of districts.

30 (d) The department may assess at any time a district's early education program
31 and approve the program if the program complies with the standards adopted by the

1 board under AS 14.07.165(a)(5). The number of district-wide early education
 2 programs that the department approves in a fiscal year may not result in a calculation
 3 of state aid under AS 14.17.410(b) for all districts that exceeds the amount calculated
 4 for the previous fiscal year by more than \$5,000,000. If the number of programs
 5 eligible in a fiscal year exceeds the number of programs that the department may
 6 approve under this subsection, the department shall prioritize the approval of programs
 7 based on the department's ranking of districts under (c) of this section.

8 (e) If the department does not approve the early education program of a
 9 district awarded a grant under (c) of this section by the end of the district's three-year
 10 grant period, the department may provide a one-year remediation grant to allow the
 11 district one additional fiscal year to meet the early education program standards
 12 adopted by the board under AS 14.07.165(a)(5). If the district is unable to meet the
 13 early education program standards at the end of that fiscal year, the department may,
 14 in the discretion of the commissioner, provide an additional remediation grant to allow
 15 the district not more than one additional fiscal year to meet the standards. Nothing in
 16 this section prohibits a district from using its own funds to continue the remediation
 17 process.

18 (f) A student in an early education program may not be counted in a district's
 19 ADM under AS 14.17.500 or 14.17.905 unless the department has approved the
 20 program under (a)(2) of this section.

21 (g) A grant under this section is subject to appropriation, but may not supplant
 22 other early education funding available to districts.

23 (h) In this section,

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

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

26 (3) "early education program" means a program

27 (A) for children who are four and five years of age and who
 28 have not attended a public school kindergarten; and

29 (B) the primary function of which is educational.

30 **Sec. 14.03.420. Parents as teachers program.** (a) The department shall
 31 design and implement a statewide parents as teachers program for the benefit of

1 children who are under five years of age. The program must provide a system of early
2 childhood education that

- 3 (1) is evidence-based;
- 4 (2) involves parents;
- 5 (3) is consistent with available research and best practices for high
6 quality early childhood education;
- 7 (4) incorporates guidelines adopted by the department for early
8 learning that

- 9 (A) enhance school readiness;
- 10 (B) increase parent understanding of child development and
11 developmental milestones;
- 12 (C) reduce the incidence of child abuse and neglect;
- 13 (D) increase identification of health problems and
14 developmental delays through regular screenings;
- 15 (E) improve child health indicators, including immunization
16 rates; and
- 17 (F) increase parental involvement; and
- 18 (5) provides for effective and efficient coordination with or expansion
19 of early education programs operating in the state, to the extent permitted by law.

20 (b) A school district shall, to the extent space is needed and available, provide
21 for the use of a room in a school at no charge to support the program established under
22 this section.

23 (c) The department shall develop and enter into local partnerships to
24 implement the program established under this section.

25 * **Sec. 9.** AS 14.07.020(a) is amended to read:

- 26 (a) The department shall
 - 27 (1) exercise general supervision over the public schools of the state
28 except the University of Alaska;
 - 29 (2) study the conditions and needs of the public schools of the state,
30 adopt or recommend plans, administer and evaluate grants to improve school
31 performance awarded under AS 14.03.125, and adopt regulations for the improvement

1 of the public schools; the department may consult with the University of Alaska to
2 develop secondary education requirements to improve student achievement in college
3 preparatory courses;

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

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

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

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

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

23 (8) exercise general supervision over early education programs
24 [PRE-ELEMENTARY SCHOOLS] that receive direct state or federal funding,
25 including early education programs provided by a school district for students
26 four and five years of age, and approve early education programs provided by a
27 school district under AS 14.03.410(a)(2);

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

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

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

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

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

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

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

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

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

28 (B) an end date for departmental intervention, as described in
29 AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three
30 consecutive years of improvement consisting of not less than two percent
31 increases in student proficiency on standards-based assessments in language

1 arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and

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

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

7 **(18) establish a reading program to provide direct support for and**
8 **intervention in the reading intervention programs of participating schools as**
9 **described in AS 14.30.765 and 14.30.770.**

10 * **Sec. 10.** AS 14.07.020(c) is amended to read:

11 (c) In this section, "**early education program**" ["PRE-ELEMENTARY
12 SCHOOL"] means a **program** [SCHOOL] for children ages three through five years if
13 the **program's** [SCHOOL'S] primary function is educational.

14 * **Sec. 11.** AS 14.07.050 is amended to read:

15 **Sec. 14.07.050. Selection of textbooks.** Textbooks for use in the public
16 schools of the state, including a **district-offered** [DISTRICT OFFERED] statewide
17 correspondence study program, shall be selected by district boards for district schools.
18 Nothing in this section precludes

19 **(1)** a correspondence study student, or the parent or guardian of a
20 correspondence study student, from privately obtaining or using textbooks or
21 curriculum material not provided by the school district;

22 **(2) the department from selecting and purchasing supplementary**
23 **reading textbooks and materials for school districts to support reading**
24 **intervention services provided under AS 14.30.765 and 14.30.770.**

25 * **Sec. 12.** AS 14.07.165(a) is amended to read:

26 (a) The board shall adopt

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

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

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

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

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

6 (A) standards for a locally designed, evidence-based
7 program that meets federal standards for early education programs and
8 complies with the day-in-session requirements provided under
9 AS 14.03.040;

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

12 (i) have satisfactorily completed a minimum of six
13 credit hours in early childhood education or completes the
14 minimum credit hours within one year of the date the teacher's
15 employment with the early education program begins; or

16 (ii) have two or more years of experience teaching
17 kindergarten or another early education program and have
18 completed additional coursework related to reading instruction, as
19 required by the department;

20 (C) developmentally appropriate objectives for children
21 four and five years of age rather than academic standards appropriate for
22 older children; the objectives must allow school districts to adapt the
23 content of an early education program to be culturally responsive to local
24 communities; and

25 (D) accommodations for the needs of all early education
26 children and their families regardless of socioeconomic circumstances

27 [REPEALED].

28 * **Sec. 13.** AS 14.07.180(a) is amended to read:

29 (a) Notwithstanding any other provision of law, the board shall establish
30 standards and a procedure for the review, ranking, and approval of mathematics and
31 English and language arts curricula for school districts to use in each grade level as

1 provided in this section. The board may include curricula delivered through virtual
 2 education in the standards and procedure established under this subsection. **Standards**
 3 **established for the review, ranking, and approval of language arts curricula for**
 4 **early education programs and grades kindergarten through three must be based**
 5 **on the five components of evidence-based reading instruction identified by the**
 6 **National Reading Panel.**

7 * **Sec. 14.** AS 14.17.500 is amended by adding a new subsection to read:

8 (d) Except as provided in AS 14.17.905(d), a student in an early education
 9 program provided by a school district and approved by the department under
 10 AS 14.07.020(a)(8) is counted as one-half of a full-time equivalent student.

11 * **Sec. 15.** AS 14.17.505(a) is amended to read:

12 (a) A district may not accumulate in a fiscal year an unreserved portion of its
 13 year-end fund balance in its school operating fund, as defined by department
 14 regulations, that is greater than **25** [10] percent of its expenditures for that fiscal year,
 15 **except that, during the first three fiscal years after a cooperative arrangement**
 16 **grant is awarded under AS 14.14.115, a district may accumulate an additional**
 17 **unreserved portion that is not more than the savings resulting from the grant.**

18 * **Sec. 16.** AS 14.17.905(a) is amended to read:

19 (a) For purposes of this chapter, the determination of the number of schools in
 20 a district is subject to the following:

21 (1) a community with an ADM of at least 10, but not more than 100,
 22 shall be counted as one school;

23 (2) a community with an ADM of at least 101, but not more than 425,
 24 shall be counted as

25 (A) one elementary school, which includes those students in
 26 grades kindergarten through six **and, except as provided in (d) of this**
 27 **section, in an early education program provided by a school district and**
 28 **approved by the department under AS 14.07.020(a)(8);** and

29 (B) one secondary school, which includes students in grades
 30 seven through 12;

31 (3) in a community with an ADM of greater than 425, each facility that

1 is administered as a separate school shall be counted as one school, except that each
 2 alternative school with an ADM of less than 175 shall be counted as a part of the
 3 school in the district with the highest ADM.

4 * **Sec. 17.** AS 14.17.905 is amended by adding a new subsection to read:

5 (d) A school district may not include in a school's ADM students who are four
 6 and five years of age if the students are enrolled in an early education program that
 7 receives state or federal funding other than funding under this chapter.

8 * **Sec. 18.** AS 14.20.015(c) is amended to read:

9 (c) The preliminary teacher certificate issued under this section must contain
 10 the same endorsements as those on the current valid teacher certificate issued by the
 11 other state. **However, a teacher holding a preliminary teacher certificate issued**
 12 **under this section must complete three credits or the equivalent of coursework,**
 13 **training, or testing requirements in evidence-based reading instruction approved**
 14 **by the board to be eligible for an endorsement in elementary education issued by**
 15 **the department. A teacher may apply coursework, training, or testing**
 16 **requirements completed under this subsection toward continuing education**
 17 **requirements established by the board in regulation. In this subsection,**
 18 **"evidence-based reading instruction" means reading instruction informed by**
 19 **research that supports improved educational outcomes.**

20 * **Sec. 19.** AS 14.20.020 is amended by adding a new subsection to read:

21 (l) A teacher certificated under this section must complete three credits or the
 22 equivalent of coursework, training, or testing requirements in evidence-based reading
 23 instruction approved by the board in regulation to be eligible for an endorsement in
 24 elementary education issued by the department. A teacher may apply coursework,
 25 training, or testing requirements completed under this subsection toward continuing
 26 education requirements established by the board in regulation. In this subsection,
 27 "evidence-based reading instruction" means reading instruction informed by research
 28 that supports improved educational outcomes.

29 * **Sec. 20.** AS 14.30 is amended by adding new sections to read:

30 **Article 15. Reading Programs.**

31 **Sec. 14.30.760. Statewide assessment.** (a) To implement the district reading

1 intervention services established under AS 14.30.765, the department shall

2 (1) adopt a statewide screening or assessment tool to administer to
3 students in grades kindergarten through three to identify students with any reading
4 deficiencies, including students with characteristics of dyslexia; the screening or
5 assessment tool must evaluate

6 (A) phonemic awareness, letter naming fluency, letter sound
7 fluency, and letter word sound fluency of students in kindergarten;

8 (B) letter word sound fluency and oral reading fluency of
9 students in grade one;

10 (C) vocabulary and oral reading fluency of students in grades
11 two and three;

12 (2) support teachers of grades kindergarten through three by

13 (A) administering the statewide screening or assessment tool
14 three times each school year, once in the fall, once in the winter, and once in
15 the spring, to all students in grades kindergarten through three, with the
16 exception of students who demonstrate sufficient reading skills on the first
17 screening or assessment of the school year;

18 (B) providing methods to monitor student progress;

19 (C) providing targeted instruction based on student needs as
20 determined by the results of the screening or assessment tool; and

21 (D) providing additional assistance as determined by the
22 department;

23 (3) provide training to school district staff related to using the results
24 of the statewide screening or assessment tool and understanding evidence-based
25 reading interventions, including explicit and systematic instruction in phonemic
26 awareness, phonics, fluency, vocabulary, and comprehension;

27 (4) establish a process that allows the commissioner to waive, upon
28 request, use of the statewide screening or assessment tool required under this
29 subsection by a school district if the school district has adopted an evidence-based
30 reading screening or assessment tool and the screening or assessment tool is approved
31 by the department;

1 (5) review and approve alternative standardized reading screenings or
2 assessments for use by school districts.

3 (b) In adopting a statewide screening or assessment tool under (a)(1) of this
4 section, the department shall consider the following factors:

5 (1) the amount of time needed to administer the screening or
6 assessment, with the intention of minimizing effects on instructional time;

7 (2) the time frame for reporting screening or assessment results to
8 teachers, administrators, and parents or guardians;

9 (3) the integration of the screening or assessment with student
10 instruction and department support;

11 (4) recommendations from a task force, working group, or committee
12 created by law and charged with studying issues related to reading proficiency and
13 reading deficiencies; and

14 (5) whether the screening or assessment is culturally responsive to the
15 needs of particular communities.

16 **Sec. 14.30.765. District reading intervention services.** (a) Each school
17 district shall offer intensive reading intervention services to students in grades
18 kindergarten through three who exhibit a reading deficiency to assist students in
19 achieving reading proficiency at or above grade level by the end of grade three. The
20 district shall provide the intensive reading intervention services in addition to the core
21 reading instruction that is provided to all students in the general education classroom.
22 If practicable, the intensive reading intervention services must

23 (1) be provided by a reading teacher or a paraprofessional under the
24 supervision of a reading teacher to all students in grades kindergarten through three
25 who are determined to have a reading deficiency based on the statewide screening or
26 assessment tool adopted under AS 14.30.760(a)(1);

27 (2) provide explicit and systematic instruction in phonemic awareness,
28 phonics, fluency, vocabulary, and comprehension, as necessary;

29 (3) use evidence-based reading intervention methods that have shown
30 proven results in accelerating student reading achievement within a single school year;

31 (4) include instruction with detailed explanations, extensive

1 opportunities for guided practice, and opportunities for error correction and feedback;

2 (5) incorporate daily targeted small group reading instruction based on
3 student needs, either in person or online;

4 (6) monitor the reading progress of each student's reading skills
5 throughout the school year and adjust instruction according to student needs;

6 (7) be implemented during regular school hours through any available
7 method, including in person or through online delivery by teachers or specialty
8 reading coaches;

9 (8) be implemented outside of regular school hours, as directed in the
10 student's individual reading improvement plan under (b) of this section, for a student
11 who scores at the lowest achievement level on the statewide screening or assessment
12 tool; and

13 (9) be reviewed based on a department-approved response to
14 intervention or multi-tiered system support models, addressing additional support and
15 services needed to remedy identified needs.

16 (b) In addition to the reading intervention services provided under (a) of this
17 section, a school district shall provide an individual reading improvement plan for
18 each student in grades kindergarten through three who, based on the statewide
19 screening or assessment tool, is determined to have a reading deficiency. An
20 individual reading improvement plan developed under this section must

21 (1) be implemented not later than 30 days after identification of the
22 reading deficiency;

23 (2) be created by the student's reading teacher in consultation with the
24 school principal, the student's parents or guardians, and other pertinent district staff;

25 (3) describe the evidence-based reading intervention services the
26 student will receive to achieve and demonstrate sufficient reading skills;

27 (4) provide reading intervention services outside of regular school
28 hours for a student who scores at the lowest achievement level on the statewide
29 screening or assessment tool consistent with (a)(8) of this section;

30 (5) include a process for monitoring progress and adjusting the plan
31 based on student needs;

1 (6) require the district or school to provide the student's parents or
2 guardians with updates on the student's progress not fewer than 10 times during the
3 school year; and

4 (7) be culturally responsive.

5 (c) If at any time during the school year a student in grades kindergarten
6 through three demonstrates a reading deficiency, the district or school shall notify the
7 student's parents or guardians in writing or during a conference. The initial notification
8 must

9 (1) be provided to the student's parents or guardians not later than 15
10 days after identification of the reading deficiency;

11 (2) state that the district identified the student as having a reading
12 deficiency and that a reading improvement plan will be developed under (b) of this
13 section;

14 (3) describe current services that the district is providing to the student;

15 (4) describe the proposed evidence-based reading intervention and
16 supplemental instructional services and supports that the district will provide to the
17 student to address the identified area of reading deficiency;

18 (5) explain that the district or school will inform the parents or
19 guardians of the student's progress toward grade level reading as outlined in the
20 student's individual reading improvement plan;

21 (6) identify strategies for the parents or guardians to use at home to
22 help the student succeed in reading;

23 (7) explain that if the student has a reading deficiency at the end of the
24 school year, unless the student receives an exemption under (i) of this section or has
25 previously been retained in kindergarten, grade one, grade two, or grade three, the
26 student may be prevented from progressing to the next grade level under (e) of this
27 section; and

28 (8) explain that a student in grade three should demonstrate sufficient
29 reading skills to progress to grade four under (g) of this section, unless the student
30 receives an exemption under (i) of this section or has previously been retained in
31 kindergarten, grade one, grade two, or grade three.

1 (d) If a student does not demonstrate proficiency on the statewide screening or
2 assessment tool administered in the winter, the district or school shall inform the
3 student's parents or guardians about the process and deadline to request a good cause
4 exemption from delayed grade level progression under (j) of this section.

5 (e) If, not later than 45 days before the end of the school year, a teacher
6 determines that a student in grades kindergarten through three has a reading
7 deficiency, the student's teacher and other pertinent district staff shall provide written
8 notification to and meet with the student's parents or guardians to determine whether
9 the student will be able to maintain adequate academic progress at the next grade level
10 and discuss delayed grade level progression as an intervention strategy. School staff
11 shall work with the parents or guardians to schedule a date, time, and place for the
12 meeting and, if no parent or guardian attends the meeting, the teacher and school staff
13 shall determine grade level progression.

14 (f) At the meeting described in (e) of this section, the parents or guardians, the
15 teacher, and the participating staff members shall decide whether the student will
16 advance to the next grade level in the next school year. If the parents or guardians, the
17 teacher, and the participating staff members are not in agreement, the parents or
18 guardians shall decide whether the student will advance to the next grade level unless
19 circumstances exist as specified in the policy adopted by the district that would
20 prevent advancement. Parents or guardians who decide to advance a student without
21 agreement of the teacher and participating staff members shall sign a waiver
22 developed by the district.

23 (g) A student in grade three should demonstrate sufficient reading skills to
24 progress to grade four. A student demonstrates sufficient reading skills for progression
25 by

26 (1) scoring at a proficient or higher achievement level on the statewide
27 screening or assessment tool or on the statewide summative assessment;

28 (2) achieving an acceptable score on an alternative standardized
29 reading screening or assessment as determined and approved by the department; or

30 (3) demonstrating mastery of reading standards through a student
31 reading portfolio based on criteria established by the department.

1 (h) The department shall develop a program to provide recognition to districts,
2 schools, school staff, and students for increases in the percentage of students in grade
3 three who demonstrate sufficient reading skills under (g) of this section.

4 (i) A school board may exempt a student from delayed grade level progression
5 for good cause. A good cause exemption is limited to

6 (1) a student with a disability whose individualized education plan
7 under AS 14.30.278 exempts the student from participation in the statewide screening
8 or assessment tool;

9 (2) a student with a disability who participates in the statewide
10 screening or assessment tool and has an individualized education plan under
11 AS 14.30.278 or a plan under 29 U.S.C. 794 that reflects that the student has received
12 intensive reading intervention services for two years or more but still demonstrates a
13 reading deficiency;

14 (3) a student who has received intensive reading intervention services
15 for two or more years but still demonstrates a reading deficiency; or

16 (4) a student whose primary language is other than English and who
17 has had less than two years of instruction in an English language learning program.

18 (j) A student's parents or guardians may request that the student receive a good
19 cause exemption under (i) of this section by submitting documentation to the principal
20 of the school in which the student is enrolled showing that an exemption is
21 appropriate. If the principal determines that the student meets one of the exemptions
22 under (i) of this section, the principal shall recommend to the school board in writing
23 that the school board grant the student a good cause exemption. The school board shall
24 accept or reject the principal's recommendation in writing and provide notice of its
25 decision to the student's parents or guardians and the principal.

26 (k) If a student in grade three does not demonstrate sufficient reading skills for
27 progression to grade four under (g) of this section, the district or school in which the
28 student is enrolled shall provide written notification to the student's parents or
29 guardians not later than 45 days before the end of the school year. The written
30 notification must

31 (1) state that the student did not demonstrate sufficient reading skills to

1 progress to grade four;

2 (2) explain the implementation of intervention or progression
3 strategies;

4 (3) describe the current services being provided to the student; and

5 (4) if the student's parents or guardians requested a good cause
6 exemption under (i) of this section and the school board rejected the request, include a
7 statement that the request for a good cause exemption was rejected and a copy of the
8 written notification the school board provided the parents or guardians under (j) of this
9 section.

10 (l) For a student who does not progress to the next grade level under (e) or (g)
11 of this section, or who progresses to the next grade level with a good cause exemption
12 under (i) of this section, the district in which the student is enrolled shall

13 (1) review the student's individual reading improvement plan;

14 (2) provide intensive reading intervention services to improve the area
15 of reading deficiency using effective instructional strategies to accelerate student
16 progress;

17 (3) provide additional services and support to improve the student's
18 identified area of reading deficiency, including

19 (A) a transitional instructional setting that is designed to
20 produce learning gains;

21 (B) supplemental tutoring offered by a person with specialized
22 reading training;

23 (C) an increase in time dedicated to the reading instruction
24 methods described in (a)(3) - (5) of this section, including more extensive
25 opportunities for guided practice and error correction and feedback;

26 (4) a plan for reading at home outlined in an agreement with the
27 parents or guardians, including parent participation in training workshops and regular
28 parent-guided home reading activities.

29 (m) A district or school may not retain a student under this section who was
30 previously retained in kindergarten, grade one, grade two, or grade three.

31 (n) In this section,

1 (1) "evidence-based reading intervention" means an intervention based
 2 on reliable, trustworthy, and valid evidence that has a demonstrated record of success
 3 in adequately increasing a student's reading competency in the areas of phonemic
 4 awareness, phonics, vocabulary development, reading fluency, oral language skills,
 5 and reading comprehension;

6 (2) "reading teacher" means a teacher who holds a valid teacher
 7 certificate under AS 14.20 and has demonstrated an effectiveness at instructing
 8 students to read at or above grade level through student reading performance data and
 9 teacher performance evaluations and who meets the requirements established by the
 10 state Board of Education and Early Development in regulation.

11 **Sec. 14.30.770. Department reading program.** (a) The department shall
 12 establish a reading program to provide direct support for and intervention in intensive
 13 reading intervention services in the lowest performing 25 percent of schools serving
 14 students in grades kindergarten through three as determined under AS 14.03.123,
 15 selecting not more than 10 participating schools at a time. State funding provided to
 16 participating schools for implementation of the reading program is in addition to the
 17 amount of funding provided under AS 14.17. In conducting the program, the
 18 department shall

19 (1) use the accountability system established in AS 14.03.123 to
 20 identify low performing schools;

21 (2) establish an application process for school districts to apply to
 22 participate in the program;

23 (3) select low performing schools from the schools that apply to
 24 participate in the program;

25 (4) employ and assign a reading specialist for each school selected to
 26 direct the implementation of the intensive reading intervention services established
 27 under AS 14.30.765 by

28 (A) modeling effective instructional strategies for teachers by
 29 working regularly with students as a class, in small groups, or individually;

30 (B) coaching and mentoring teachers and staff in reading
 31 instruction with an emphasis on prioritizing time in a manner that has the

1 greatest positive effects on student achievement;

2 (C) training teachers in data analysis and using data to
3 differentiate instruction;

4 (D) leading and supporting reading leadership teams; and

5 (E) reporting on school and student performance to the
6 department;

7 (5) establish a reporting process for each reading specialist and support
8 reading specialist to submit updates to the department on implementation of the
9 program;

10 (6) work with reading specialists to create specific improvement goals
11 for each school selected, including measures of interim progress;

12 (7) select and purchase additional reading material for each school
13 selected to supplement the intensive reading intervention services;

14 (8) pay travel and associated costs for a reading specialist or support
15 reading specialist to attend relevant training sessions identified by or hosted by the
16 department;

17 (9) periodically review staff development programs for their
18 effectiveness in developing reading skills and, after consultation with school districts
19 and experts, recommend to the board for approval staff development programs that

20 (A) have been proven to assess and accelerate student progress
21 toward reaching reading competency;

22 (B) provide explicit and systematic skill development in the
23 areas of phonemic awareness, phonics, fluency, vocabulary, and
24 comprehension;

25 (C) are evidence-based and reliable;

26 (D) provide initial and ongoing analysis of student progress
27 toward reaching reading competency; and

28 (E) include texts on core academic content to assist students in
29 maintaining or meeting grade-appropriate proficiency in academic subjects in
30 addition to reading;

31 (10) annually convene, either in person or electronically, a panel made

1 up of teachers of grades kindergarten through three, school administrators, early
2 education advocacy groups, and parents of students in grades kindergarten through
3 three to review and provide commentary on the effectiveness of the reading
4 intervention programs established under AS 14.30.760 - 14.30.775.

5 (b) The department may employ and assign a support reading specialist for
6 each school selected to participate in the program, as necessary, to support the reading
7 specialist assigned under (a)(4) of this section or serve as a reading specialist for a
8 school's early education program.

9 (c) A school selected to participate in the reading program established under
10 this section shall

11 (1) ensure that a reading specialist assigned to the school is not
12 required to perform functions that divert from the duties the department has assigned
13 to the reading specialist;

14 (2) coordinate with the reading specialist or specialists to redesign the
15 school's daily schedule to dedicate time to reading program activities, including
16 intensive reading intervention services identified in a written agreement between the
17 school and the department;

18 (3) present on the reading program established under this section and
19 the intensive reading intervention services established under AS 14.30.765 at a public
20 meeting; the presentation must include

21 (A) the data the department used to identify the school as
22 eligible for the reading program;

23 (B) a detailed overview of the reading program and intensive
24 reading intervention services;

25 (C) a timeline for implementing the intensive reading
26 intervention services and meeting reading improvement goals; and

27 (D) the implications of the program for students, families, and
28 educators;

29 (4) provide notice of the public meeting required under (3) of this
30 subsection to the parents or guardians of each student at least seven days before the
31 date of the meeting;

1 (5) present an annual update on the school's implementation of the
 2 reading program and intensive reading intervention services at a public meeting with
 3 notice provided to the parents or guardians of each student at least seven days before
 4 the date of the meeting;

5 (6) create partnerships between the school, the families of students,
 6 and the community that focus on promoting reading and increasing the amount of time
 7 that students spend reading.

8 (d) The department shall publish on the department's Internet website and
 9 make available to the public

10 (1) a completed application from each school selected to participate in
 11 the reading program;

12 (2) the reading program and intensive reading intervention services
 13 implemented by each school selected to participate; and

14 (3) a data analysis conducted by an independent contractor of the
 15 success of the reading program and intensive reading intervention services.

16 (e) The department may employ a person as a reading specialist or support
 17 reading specialist under this section if the person

18 (1) holds a valid teacher certificate issued under AS 14.20 and

19 (A) has completed an approved graduate program for the
 20 preparation of reading specialists at an approved institution of higher education
 21 and a supervised practicum or internship as a reading specialist; or

22 (B) has at least three years of full-time, demonstrated
 23 classroom teaching experience where reading instruction was a primary
 24 responsibility;

25 (2) is knowledgeable about and demonstrates competency in reading
 26 instruction, including

27 (A) an understanding of the five components of reading
 28 instruction identified by the National Reading Panel;

29 (B) knowledge of and experience in implementing effective
 30 reading instruction strategies and intervention methods;

31 (C) experience in designing and implementing a school-wide

1 response to intervention program or multi-tiered system support model;

2 (D) an understanding of and experience in reading screenings
3 or assessments and data analyses that inform instruction;

4 (E) knowledge of dyslexia and other learning disorders that
5 affect reading achievement;

6 (F) knowledge of and an ability to effectively articulate the
7 methods, issues, and resources involved in support of student instruction to a
8 wide variety of audiences, including staff, parents, and students whose primary
9 language is other than English; and

10 (3) meets other reading instruction coursework requirements
11 established by the department in regulation.

12 **Sec. 14.30.775. Definitions.** In AS 14.30.760 - 14.30.775,

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

14 (2) "parent" or "guardian" includes a natural, adoptive, and foster
15 parent, stepparent, legal guardian, relative, and other adult person with whom the
16 student has resided and who has acted as a parent in providing for the student or has
17 been responsible for the student's welfare for a continuous period of time.

18 **Article 16. Virtual Education.**

19 **Sec. 14.30.800. Virtual education consortium.** (a) The department shall, in
20 cooperation with school districts, establish a virtual education consortium for the
21 purpose of making virtual education and professional development resources available
22 to students and teachers in the state. The department shall establish standards for
23 consortium resources. The consortium shall create and maintain a database of virtual
24 education courses for students, training in virtual instruction for teachers, and
25 professional development courses for teachers of students throughout the state if the
26 coursework curriculum meets the state standards established by the department. The
27 database must be accessible to all school districts that participate in the consortium.

28 (b) For teachers delivering or facilitating virtual coursework to students
29 through the consortium database, the consortium shall provide training and
30 professional development on virtual instruction methods and the differences between
31 virtual instruction and instruction offered in a classroom. A teacher may not provide

1 instruction through a course for students that is in the database unless

2 (1) the teacher has completed the training or professional development
3 provided by the consortium; or

4 (2) the consortium determines that the teacher's previous experience
5 has prepared the teacher to provide virtual instruction and the teacher demonstrates the
6 skills necessary to provide virtual instruction.

7 (c) The consortium shall employ a reading specialist available to school
8 districts to provide virtual intensive reading intervention services. The duties of the
9 reading specialist include

10 (1) modeling effective instructional strategies for teachers by working
11 regularly with students as a class, in small groups, or individually;

12 (2) coaching and mentoring teachers and staff in reading instruction
13 with an emphasis on prioritizing time in a manner that has the greatest positive effects
14 on student achievement;

15 (3) training teachers in data analysis and using data to differentiate
16 instruction;

17 (4) leading and supporting reading leadership teams; and

18 (5) reporting on school and student performance to the department.

19 (d) The department may require a school district that participates in the
20 consortium to pay a fee to the consortium. If the department requires a fee, the
21 department shall establish the fee in regulations, based on a recommendation made by
22 the consortium, and may adjust the fee annually as necessary. The fees must
23 approximately equal the consortium's prorated administrative costs related to
24 reviewing and approving courses and maintaining the database.

25 (e) A school district that provides a course included in the database may
26 charge a fee to the school district in which a student who takes the course is enrolled.
27 The department shall establish the fee in regulations.

28 (f) The consortium may require, as a condition of participation, that school
29 districts that provide courses or have students participating in courses included in the
30 database under (a) of this section adopt the same school term and class schedule for all
31 or part of a school day. The school term must meet the requirements of AS 14.03.030.

1 (g) In this section, "virtual education" or "virtual instruction" means
2 instruction delivered through telecommunications or another digital or electronic
3 method.

4 * **Sec. 21.** AS 47.17.290(12) is amended to read:

5 (12) "organization" means a group or entity that provides care and
6 supervision for compensation to a child not related to the caregiver, and includes a
7 child care facility, pre-elementary school, early education program, head start
8 center, child foster home, residential child care facility, recreation program, children's
9 camp, and children's club;

10 * **Sec. 22.** AS 14.03.410 is repealed July 1, 2032.

11 * **Sec. 23.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 VIRTUAL EDUCATION AVAILABILITY DEADLINE. The Department of
14 Education and Early Development shall make available virtual education courses and
15 professional development resources under sec. 20 of this Act on or before July 1, 2023.

16 * **Sec. 24.** The uncodified law of the State of Alaska is amended by adding a new section to
17 read:

18 APPLICABILITY. Section 19 of this Act applies to endorsements in elementary
19 education issued on or after the effective date of this Act. An endorsement in elementary
20 education issued before the effective date of this Act may not be renewed on or after the
21 effective date of this Act unless the teacher has completed three credits or the equivalent of
22 coursework, training, or testing requirements under sec. 19 of this Act.

23 * **Sec. 25.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 TRANSITION. To determine the lowest performing 10 percent of districts for
26 purposes of grant eligibility under sec. 8 of this Act, in fiscal year 2022, the Department of
27 Education and Early Development shall use school accountability rankings from the 2019-
28 2020 school year.

29 * **Sec. 26.** This Act takes effect July 1, 2021.